

Lake DeTurk Conservancy District (LDCD) Board Meeting Minutes
June 9, 2015

- I. **Call to Order:** The LDCD Board met at 7:00pm Tuesday, June 9, 2015, in the First Christian Church Fellowship Hall. Chairman, Ron Reinhart, called the meeting to order with Vice-Chairman Joseph Cleveland, Secretary Gary Folck, Financial Clerk, Anna Radue and Director Glenn Russell present.
- II. **Approval of minutes:** Minutes from the May 12, 2015, board meeting were distributed, amended, and approved as amended.
- III. **Reading and Signing of Claims:** Following claims approved
 - a. \$1867.50 – Eco Logic LLC – seeding of former tennis court area with dry prairie mix of native grasses, sedges, and wildflowers.
 - b. \$1,275.00 – Grasschoppers Lawn Care – mowing April 15 – May 26
 - c. \$279.88 – DG Graphics – two fishing rules signs
 - d. \$2000.00 – Foley Tree Service – removal of three fallen trees in lake near beach
 - e. \$55.83 – debit card food and beverage transactions for June 3-5
Department of Corrections work release crew

A motion was made and approved to pay claims.

IV. **Reports**

a. **Financial Report**

General Fund: \$40,265.26

Cumulative Maintenance Fund (CMF): \$4,000.00

2014 remaining encumbered funds: \$57,466.21 (CBBEL contract & Maxwell Lawn Care)

Receipts: \$10.00 hangtag sales; \$0.84 checking account interest

V. **Old Business**

- a. **Dam Integrity Projects:** Reinhart read a letter from Jeff Fox, Burke Engineering contact:
 - 58 page *Waters/Wetland Delineation Report* completed and available from the LDCD website
 - Design plans 50% complete
 - Sediment basin analysis and design plans nearly complete - additional topographic surveying not required.
 - Burke internal review of 50% plans; will submit plans to LDCD Board for next meeting.

- Coordinating with water supply utilities to locate both horizontal and vertical dam lines

Jeff Fox indicated Burke is about one week behind the timeline for submitted permit applications to state and federal agencies. Burke still expects to schedule contractor bidding in August or September.

Reinhart reported IDEM is requiring project mitigation for riprap added two feet below and above lake normal water level. IDEM has accepted Burke's suggestion of planting native grasses, sedges, and wildflowers on the dam's upstream slope between the top of riprap and street. Folck asked why not use riprap on entire upstream slope. Radue replied that regardless of the amount of riprap, IDEM would still require mitigation for the fill in Lake DeTurk. The easiest mitigation is native plantings which would reduce dam mowing once established and minimize dam rutting.

- b. **Goodnight Meadow** – Reinhart reported the Department of Corrections Work Release Crew worked June 3, 4, & 5 clearing brush including willows at the east end of the Meadow. The City of Martinsville promptly removed the brush. Reinhart indicated the former willow area still has water. He could see no immediate reason to drain area as it is a wetland (soils, plant composition, and water presence). LDCD could always add a culvert pipe in the future if needed. Folck remains concerned about not draining water in the willow area as residents asked numerous times during project to get rid of wet/muddy conditions. The Board decided to wait and see how the native sedge and mesic plantings change the area.
- c. **Tree removal from lake near west beach** – Folck worked all day with Matt Foley May 21, 2015, to remove and dispose of three fallen trees in lake near west beach. The Board thanked Folck for his work as the area is much improved.

VI. **New Business**

- a. **Financial Clerk's response to April Meeting Comments** – Financial Clerk, Radue, was not able to attend the April 28th Board meeting. She wanted to respond to meeting comments made by resident, Tom Hinds. The April meeting minutes indicate Hinds said

“residents were not aware of LDCD issues as there is no letter or other means of notification. Budgets are posted in a small article in the newspaper, when this happens it is already too late for anyone to

respond. Another example is a Fish Survey was made at \$1500.00 to see if we had fat or skinny fish. Radue increased this item from \$1500 to \$7702.00 dollars. She will not put it on paper for review.”

Radue responded the budget is decided at LDCD Board public meetings prior to publication in Morgan County newspapers. The Board holds an Annual Meeting in February and provides a financial report. This report is mailed via USPS to each District freeholder. The Budget documents are available on the District’s website. Each Board meeting minutes includes District financial transactions. Once the Board approves meeting minutes, the minutes are available online for anyone to access.

The District paid Aquatic Control \$1315.00 for a fish survey. Radue provided Mr. Hinds with a copy of the check, the invoice and a copy of the August 2014, minutes. The Board (three board members attended meeting including Glenn Russell, Gary Folck and Anna Radue) approved Aquatic Control’s quote during the August meeting.

Hinds questioned how the LDCD tax is calculated? Does the calculation use gross or net assessed values? Reinhart asked that Hinds please read the past minutes which explain how the tax is calculated. However to answer directly, it is calculated using the gross assessed value of a property.

Hinds asked why the District’s tax levies increased from \$109,000.00 in 2014 to \$120,000.00 in 2015. Reinhart responded the District needed to increase its operating cash balance (money needed for first six months of year prior to receiving tax distribution in June). The District raised the operating cash balance from \$10,000 to \$20,000.

Reinhart said that regardless of feelings about this year’s budget increase, the fact remains that we need \$170,000 to \$190,000 to complete the dam integrity projects. The dollars requested by the board and the budget are necessary. Radue commented DNR has given LDCD a timeline based on the 2014 dam inspection and expects LDCD to meet this timeline. Reinhart said the board needed to continue with the meeting agenda as we have repeatedly discussed these issues raised.

- b. **Vandalism** – Reinhart reported vandals tore down the sign at the north beach. Mr. Doughty commented that when Ozark Fisheries managed the area, they had a large metal sign and never had problems. Folck responded that LDCD attempts to enforce the

regulations posted on the sign. Individuals that used the lake prior to the conservancy district cannot today as the District is private. The sign is required for policy enforcement. Folck said he will put sign back each time it is removed. Cleveland suggested using metal posts. Once the lake level is lowered for the integrity project, he will help install metal posts embedded in concrete out from the shoreline.

- c. **2016 Draft Budget** – Reinhart and Radue presented a draft 2016 budget. Discussion followed. Reinhart suggested each board member review the draft and consider needed changes prior to discussion at the next board meeting.

- d. **LDCD status changed to non-binding** - Radue reported Michael Duffy, General Counsel for the Indiana Department of Local Government Finance (DLGF), now considers LDCD a non-binding unit. Radue explained in 2012 when the Morgan County Circuit Court established LDCD, the Morgan County Commissioners appointed the five area board of directors. Because the Commissioners appointed the directors, DLGF considered LDCD a binding unit of the county. Binding unit budgets are under review by the Morgan County Council with budget hearings and budget adoption meetings scheduled by the Council. Once LDCD elected a majority of the board members (election not required if nomination process results in only one candidate) DLGF considers the unit non-binding. Morgan County Council reviews budgets of non-binding units only. Non-binding units must schedule their own budget hearing and adoption meetings. DLGF considers three of LDCD's current board members elected as they completed a nomination process. Ron Reinhart, Gary Folck and Anna Radue are considered elected. Glenn Russell and Joseph Cleveland are currently "appointed members."

LDCD's public budget hearing meeting is the August 11, 2015, @7:00pm EDT board meeting. LDCD must complete online forms using the DLGF's Gateway system by September 1st. The County Council will review the budget as a non-binding unit budget (not for approval). LDCD's public adoption meeting is October 13, 2015, @7:00pm EDT board meeting.

An attendee asked if the draft budget could be available online. Reinhart asked Radue to make documents available on the District's website. DLGF does not require publication in county newspapers this year; only public notices online are required.

- e. **Cumulative Maintenance Fund (CMF) Resolution:** The board members signed a resolution to transfer \$2000.00 from the General Fund to the CMF fund annually in June per DNR requirements.
- f. **Communications with Neighbors** - Reinhart reported the YMCA had contacted him to inform LDCD the YMCA will have a June 20th race which will use streets in the neighborhood.

VII. **Tabled Topics**

- a. AICD Membership and Dues
- b. Boundary issues
- c. Sales of LDCD properties

VIII. **Next Meeting:** 7:00pm, Tuesday, June 23, 2015, First Christian Church

IX. **Questions/Concerns/Adjournment:** No additional discussion. Board meeting adjourned.