

Lake DeTurk Conservancy District (LDCD) Board Meeting Minutes
April 28, 2015

- I. **Call to Order:** The LDCD Board met at 7:00pm Tuesday, April 28, 2015, in the First Christian Church Fellowship Hall. Chairman, Ron Reinhart, called the meeting to order with Vice-Chairman Joseph Cleveland, Secretary Gary Folck, and Director Glenn Russell present. Treasurer Anna Radue could not attend. Eleven freeholders were present.
- II. **Approval of minutes:** Minutes from the March 10, 2015, board meeting were distributed, amended, and approved as amended.
- III. **Reading and Signing of Claims:** Following claims approved
 - a. \$496.57 - Benders Lumber Company – posts for west beach
 - b. \$1,855.00 – Morgan Insurance Group – liability insurance renewal

IV. **Reports**

a. **Financial Report**

General Fund: \$50,288.03

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

V. **Floor Q & A session -**

Freeholder, Katy Burkhart, asked about insurance bill and said that was cheap for the year. Katie said her husband always supported Conservancy concept and helped with lawyer fees. She said the people were told that the highest bill that they would receive was \$300.00 per year. Reviewing her current tax bill it was for \$604.00 per year, this has doubled and she was not happy.

Another freeholder said his bill increased \$70.00 since last year.

Reinhart said that assessments had gone down in the subdivision and when that occurs the tax rates go up so that budgets can be paid.

Another freeholder said that the lawyer told us that the tax would not go up without approval from residents.

Reinhart said that a number of factors can cause tax to go up. If we wanted less such as reduced or no mowing, no lake treatment, etc. the tax can go down, or if anyone doing business for us would take less money and not increase their fee we could do it with less money.

Regardless of what residents were told, taxes are determined in the same manner that the county collects property taxes.

Question was asked how property tax could go down and Conservancy tax went up. Several of the freeholders present said the same thing.

Reinhart said that house to house the assessment is different. Individuals with a more expensive property will pay more.

Tom Hinds asked if the tax was based on Gross or Net assessment.

Ron said the assessment is one of the factors, but could not answer this question at this time. Ron explained that he could discuss the budget.

A freeholder responded about the budget and said that this information was not explained to them. It was explained that the budget was prepared in open forum at the meetings and was public. Again Burkhart said that our tax was not to be more than \$300.00 per year maximum.

Ron said his tax was \$405.00 the first year of the conservancy, so regardless of what was said, such a number was exceeded from the beginning.

Tom Hinds said that it was based on the Lawyer Foley saying that our tax would not go beyond \$300.00 per year if we became a Conservancy District, that everybody signed up for this.

Reinhart said that he cannot effect what was not on paper. One freeholder was very pleased with the ramp and posts placed in the ground to prevent someone from driving on the grass.

More than one freeholder said that they did not understand the Tennis Court project and called it the "path to nowhere". They wished the money had been used for other amenities.

Reinhart asked if anyone remembered survey results on Tennis Court. Ron said the survey reflected 75% of the people wanted it removed.

Geissman said it was not the problem with removing the tennis court it was on what was spent and no more that we got. Geissman said that the contractor wanted another \$7000.00.

Reinhart said that we budgeted \$20,000.00 dollars and spent \$21,710.55. It was explained that we do not owe the excavating contractor another

\$7000.00 for that project. Reinhart said we do have a disagreement on the board on drainage of some areas of the Tennis Court. Projects like this always take time to appear. The intent has always been to have a circular path. That will come with funding.

Reinhart said the board budgets a certain amount of money on a project and when we reach that we have to stop or look for alternative sources of funds which may delay something else.

A freeholder asked how many contracts are written as open contracts.

Reinhart said none. We do have a work order with Burke Engineering for the Integrity project on the dam that is not to exceed \$60,500.00.

A question was asked if it costs more, what happens, do you give it to them?

Reinhart said only if approved by the board.

A question was asked, when will our Conservancy tax increase? Based on the past is our tax bill going to continue to increase? What says it won't cost another \$600.00 or more?

A freeholder asked again why our tax went from \$300.00 to what it is today.

Question asked who controls budget. Who does the board report to?

Reinhart passed around a copy of our itemized budget. Reinhart said that the budget was discussed within the board for 6 months and approved by the county.

Tom Hinds stated the conservancy tax increase last year was 2.4% for 2013 and 2014. 14.2% increase for 2014 and 2015 period. Tom said his tax went up 14%. Reinhart said the conservancy budget was increased by 3%. In fact it was increased by \$3,240.00 and that is spread over all of the homeowners.

Hinds said he went to the County and was directed back to the Conservancy.

Hinds asked is the tax was calculated using the net or gross assessment.

Reinhart said he could not answer the question. He would talk with Financial Clerk or Auditor and get an answer. Reinhart said that they were nothing that limits the budget except for input to the board.

Mike Brown said if you did not like the way Reinhart runs the board to run against him. Brown said that no one shows up for the meetings until now to complain. It happens to be the tax. No one says anything about all the good things that are done. These board members do this for free, spend their own time and money and get no support.

Reinhart said be careful to look at percentages. They can mislead you.

There are 248 freeholders in the Lake DeTurk Conservancy District. Reinhart said the intent is not to increase the budget by 8 to 10%. We have increased it by 3%. We know there are many issues that need to be addressed. We are dealing with 25 to 30 years of neglect.

Yes, the board does have plans for the playground, beach area, etc., but we cannot do it all at once. We can do anything for which you are willing to pay.

Tom Hinds questioned why the Board contracted with Burke Engineering instead of Ross Holloway? Hinds said the 8 inch valve had nothing to do with the integrity of the dam. Hinds commented there are a lot of homes for sale in Shireman. No one wants to buy a house because of the large overhead costs hanging over Shireman.

Hinds asked who the board answers to. Reinhart replied LDCD freeholders. Board gives freeholders an opportunity to elect their representative on the Board. Board meetings are public and directors listen to attending freeholders. The Board must also follow Indiana State Statutes as interpreted by IDNR staff which advise the Circuit Court.

Hinds said the people are complaining about spending on tennis court - it is nothing but a swamp. You had questions about what to do with the tennis court? We only ask for tennis court to be removed and let it grow up to normal. The area is so swampy and has a lot of mosquitoes and cannot be used for anything.

Hinds said we have a high hazard dam. We cannot get a grant to fix it because the financial survey included people at Foxcliff. Reinhart indicated Hinds does not understand why we cannot get a grant. Hinds asked that Reinhart speak to Dean Roberson to find out what was promised. It does not matter what the people say the board does what they want.

Hinds said the people do not know what is going on. There are no letters, nothing on website, when a budget is passed it is on a small article that is put in the paper and then it is too late. Hinds said another example is spending \$1500.00 on a fish survey to see if we have fat fish or skinny fish - who cares. Radue has increased it from \$1500.00 to \$7702.00. She will not even put it on paper for our review.

Folck said we did not spend \$7,702 on a fish survey. Reinhart said the survey provided not only information regarding the health of the fish, but also provided water chemistry information. The survey showed Lake DeTurk

has an excess of nitrogen. Reinhart said we need to manage the lake or it will die full of weeds. LDCD retained Aquatic Control to treat the lake this year. Folck said the company LDCD retained this year cost less money per treatment. The lake is treated every other week. The lake is assessed and treated accordingly each time. Aquatic Control does not use chemicals without evaluating the water quality. The lake is treated for three different weeds. We do not want all the grasses eliminated. My biggest concern is the safety of the residents using the lake. The weeds present are dangerous and could cause someone to drown. There were at least two occasions when someone's dog almost drown because of the weeds. The grass would only get worst without treatment.

One of the freeholders was concerned about the safety of the fish with the chemicals. Folck assured her the chemicals used were not hazardous to the fish or humans.

Reinhart summarized that we have talked about the tax issue. He said the Board would control costs as much as possible. He asked for other questions? Someone replied that if more people fished the lake it would come back to normal. Mike Brown said the fish size would never get any bigger because of all the weeds where the small fish hide.

One resident felt treating the lake was a waste of time and money.

Folck again said the weeds in the lake were covering approximately 40% of the lake and by treating it more often eventually the weeds would be controlled.

Several residents asked if this kind of information could be put on the website. This way they would have the information and not have to come to the meeting to find out what is happening.

Reinhart asked what kind of information should be put in website. Response fish survey, why lake treated and everything that is happening. Not to keep us in the dark. Residents do not know what is going on. Only that our tax's increased and are out of control.

Reinhart said we could post more information on the treatments but that the website and emails will remain our main communication venues.

One resident asked does Ozark use the water and do they treat it with something different? Joe Cleveland replied Ozark Fisheries draws water from the lake continually and treats their ponds continually to achieve the results we need.

Geissman said the nitrogen in the water is caused by fertilizer from the homeowners.

Folck said actually the biggest driver that causes the high nitrogen is not the homeowners but the Canada geese. Each bird expels 1 ½ pounds of excrement daily times all the birds in the lake which adds a lot of nitrogen to the water.

Some residents suggested using a metal ornament that looks like a coyote and someone suggested a fake swan placed on the beach.

Someone ask what plans are for the dam this year? Reinhart responded: LDCD has a contract with Burke Engineering. There are red flags posted at inlets delineating wetlands. This is needed for permitting purposes. The project includes downstream erosion repair, upstream slope protection, clean principal spillway culvert, put in a new trash trap, repair and patch headwall, repair and seal cracks upstream, clean and repair emergency spillway, move and replace two valves, and remove and replace hood downstream. The hood is a big item. Folck showed residents a picture. Reinhart said the valves need to be on the upstream side not the downstream side to avert pressure in the pipe, a safety issue to the dam.

Brown asked to please post an article on the website asking residents to blow their grass off the street back into their yard.

Reinhart will send an email to the distribution list to keep their pets on a leash and not to let them roam. In addition he will add a post asking freeholders to blow grass off of the street back into their yards.

Folck is mowing the yard at 100 Boring Place, this is the home that burned. Reinhart thanked Gary for taking pride in the neighborhood and keeping an unattended yard mowed.

At this point the Q & A session ended. Some residents left the meeting.

VI. **Old Business**

- a. **Integrity Projects Kickoff Meeting** – Reinhart said topic previously discussed in floor discussion
- b. **Lake Treatment** – Good results from Aquatic Control management.

- c. **West Beach Posts** – Reinhart asked if there were any issues installing posts. During installation they clipped power and phone wires. Power to beach light cut. Folck will resolve the issue later. Reinhart asked if posts could be cut. Folck said posts had a slight angle to shed water and were treated not needing paint. Folck said the posts will be cut off to give a uniform height and angle this year.
- d. **Drainage Goodnight Meadow** – Reinhart asked Folck for suggestions to drain Meadow and asked he attend meeting with Eco Logic President, Spencer Goehl, on Friday.
- e. **Watercraft Registrations** – Reinhart said we have 8 requests in PO Box this week.
- f. **Trees in lake near west beach** – Gary presented an estimate from Foley Tree Service for \$2,000.00 to remove 2 trees. Motion was made and approved to accept the quote.
- g. **DIRT Conference** – Radue will attend June 16, 2015, at Brown County State Park.

VII. **New Business**

- a. **Fishing Policy** – Board approved (see last page of these minutes)
- b. **Fishing Rules Signs** – Reinhart will work with Radue regarding content and vendor selection
- c. **Hut on south dam common area** – Reinhart will write a letter to resident who erected and ask them to remove it.
- d. **Canada geese removal** – Reinhart reported LDCD has a permit from DNR to relocate geese from lake. Aquatic Control, AT&T Wildlife, and IDNR wildlife biologists recommend no geese on lake. Tim Julien, owner of AT&T Wildlife, provided a quote to remove geese for \$18.00/bird with a minimum charge of \$550.00. Folck indicated goose droppings on west beach – hazardous to health and causes increase nitrogen to lake.
- e. **Department of Corrections Work Release Crew** – Reinhart reported crew coming June 3, 4, & 5. Priority will be to remove willows at Goodnight Meadow and hut.

- f. **Eco Logic Meeting** – Meeting with Spencer Goehl, President Eco Logic, Friday at Meadow to discuss seeding.
- g. **Communications with Neighbors** – Reinhart reported all communications answered.

VIII. **Tabled Topics**

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

IX. **Next Meeting:** 7:00pm, Tuesday, May 12, 2015, First Christian Church

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