

Lake DeTurk Conservancy District (LDCD) Board Meeting Minutes
September 14, 2015

- I. **Call to Order:** The LDCD Board met at 7:30pm Monday, September 14, 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 Financial Clerk, Anna Radue, present. Director Glenn Russell was not able to attend.
- II. **Approval of minutes:** Minutes from the August 11, 2015, board meeting were distributed, amended, and approved as amended.
- III. **Reading and Signing of Claims:** Following claims approved
 - a. \$6,000 – CBBEL – dam integrity project invoice to be paid from the Cumulative Maintenance Fund
 - b. \$25.42 – Gary Folck - reimbursement for sign post paint
 - c. \$300.00 – Leonard Excavating – removal of Goodnight Meadow baseball backstop

A motion was made and approved to pay claims.

IV. **Reports**

a. **Financial Report**

General Fund: **\$80,279.00**

Cumulative Maintenance Fund (CMF): \$00.00

2014 remaining encumbered funds:

Maxwell Lawn Care - \$250 beach herbicide treatment

CBBEL – Dam Integrity Project \$24,066.00

2015 Encumbered funds:

Green3 – west beach plan - \$3,344.00

Receipts – bank account interest - \$1.55

Reinhart asked for questions regarding the financial report. Tom Hinds asked why the Board did not review the 2016 budget with LDCD residents. Reinhart replied the Board had three reviews of the budget during the June, July, and August public Board meetings. The August 11th meeting was the official budget hearing. The LDCD website also has a copy of the DLGF budget public notice added the end of July after Radue and Reinhart met with DLGF staff. Although the Morgan County Council will review LDCD's 2016 budget in September, as a non-binding unit of Morgan County, the LDCD's Board has the final

budget approval

V. **Old Business**

- a. **Dam Integrity Project Update:** Reinhart reported CBBEL had received IDEM's project permit and expects the Army Corps of Engineers to follow shortly. CBBEL is still waiting on the project permit from DNR. CBBEL has almost completed the design plans and work has started on the project manual. CBBEL expects the contractors for the project will lower the level of Lake DeTurk in late October or early November. This is close to the time of year when the lake turns over and oxygen and temperature are uniform at all lake depths. This condition should help minimize any fish kill due to lake volume reduction. Reinhart asked Radue to discuss with DNR fisheries biologist, Rhett Wisener, and Folck to discuss with Aquatic Control staff.
- b. **2016 LDCD Budget:** Radue stated the first draft budget in June did not include funding for the biennial dam inspection due July, 2016. The Board corrected this omission. DNR requires a professional engineer to inspect the dam every two years. In 2016 DNR will accept a modified report from CBBEL based on LDCD's integrity project documents reducing some work which would be redundant. This will result in an estimated savings of \$3,100.

The Board added funding to the budget for a dam parcel retracement boundary survey to clearly delineate the parcel's boundaries as the District Plan includes surveys of all common parcels and there have been issues regarding boundaries. Radue obtained a \$2,000 quote from Holloway Engineering and Surveying, and a \$2,500 quote from Drapalik Surveying and Engineering.

The Board added dam inspection and survey costs to the 2016 draft budget under Professional Services/Financial & Engineering.

Radue reported attending the Morgan County Council's budget hearing for both binding and non-binding units. She reported to the Council regarding the District's activities and received a positive response from the Council. LDCD's 2016 budget is \$2,000 lower than in 2015. Most county unit 2016 budgets increased compared to 2015.

The Board will adopt the 2016 budget at the October 13, 2015, Board meeting. At that time all Board members will sign a DLGF form and record their vote on the budget.

- c. **Boat Launch Road Gate Installation:** Folck reported he and Cleveland completed installation of the boat launch gate and residents who registered their watercraft in 2015 received the combination to the lock. Folck reported the gate was installed to prevent non-residents from using the lake and to require residents to register their watercraft. Folck stated that prior to the gate, a number of non-residents were using Lake DeTurk including two boats with gasoline powered motors. Others had left trucks and trailers on the boat launch road. When Folck confronted two men, they threatened bodily harm. Folck has observed residents arguing with others regarding parking on the launching road and blocking the turnaround road. This requires residents to back up from the parking lot to the lake. Some residents were ignoring LDCD policy and did not register their watercraft and provide proof of insurance. Folck reported he was observing this summer more non-residents using the lake as the boat launch road and lake water quality had improved this year. Board members have received complaints of beach partying and loud music in the area by non-residents. Folck believes it is a matter of time before someone is hurt when they confront non-residents.

Radue reported that when she called those residents who registered their watercraft in 2015 to give them the gate combination, all were in agreement that the gate is needed and several stated the District should have installed it sooner. The combination lock will change at least annually in the spring.

Reinhart thanked Folck and Cleveland for their work on installing the gate and working with the City of Martinsville's Street Department to remove Byram Park stumps.

- d. **Green3 west beach improvement plan:** Radue reported Green3 staff will attend the October 13th Board meeting to brainstorm with residents about what they would like at the West Beach. Green3 will return in November with a proposed plan.

VI. **New Business**

- a. **Funding of Integrity Project – assigning members:** Radue and Reinhart will contact financial institutions to discuss a possible loan to fund the dam integrity project.
- b. **October Work Crew Priorities and Plan:** The Department of Correction Work Release Crew will be on site Oct 5, 6, & 9th. The Board agreed priority work is to remove invasive mulberry trees at Goodnight Meadow in preparation for planting seedling trees in the spring. If time

permits, the crew will remove hut and debris on Ferguson common area.

- c. **Wildlife Packets and Planting Guide:** Radue asked approval to order 2 wildlife packets from Vallonia Tree Nursery to pick up next spring. Each \$63.60 packet contains 10 each of American Plum, Common Chokecherry, Elderberry, Black Chokeberry, Hazelnut, Gray Dogwood, Pawpaw, Persimmon, Shagbark Hickory, Black Cherry, and Washington Hawthorn. The Department of Correction Crew will help plant the bare root seedlings at Goodnight Meadow and other common areas in the spring. Radue stated LDCD needs a planting plan. Eco Logic submitted a quote for \$300.00 to provide the plan. Reinhart moved to accept the Eco Logic quote and also purchase 2 wildlife packets. The motion was seconded and approved by the Board.
- d. **2016 Dam Inspection quote:** CBBEL provided an updated quote of \$2,900 to complete the 2016 dam inspection. CBBEL also recommends doing a scope inspection of the main spillway pipe every four years for an estimated cost of \$1,000. The total inspection cost will be \$3,900. Reinhart will contact CBBEL to add the scope inspection as an amendment to the quote for the dam inspection.
- e. **Meeting with Attorney, Alan Hux:** Radue and Reinhart had a fact-finding meeting with Alan Hux, attorney with Taft, July 14, 2015, at the First Christian Church library. Hux is a member of Taft's Business & Finance and Real Estate practice group and specializes in all facets of conservancy district planning and operations including capital projects financing. Hux indicated conservancy districts may use loans, bonds, grants, money saved, or long-term loans from agencies such as the USDA. Hux recommended using normal financial institutions, especially for any project less than \$5 million. It is common for districts to ask for a two year, fixed rate, renewable loan. At the end of two years, the bank will renegotiate a new loan rate. Hux did not recommend bonds as they are too costly.

Hux said Indiana law permits conservancy districts to make payments on loans in several different ways such as repaying from a cumulative fund (money saved), from general funds/budget, or by using an exceptional benefit tax (special assessment of freeholders). The exceptional benefit tax is in addition to the conservancy district special tax assessment based on property net assessed values. Indiana code provides an entire process for determining the exceptional benefit tax and utilizing it. Hux said Indiana code provides conservancy districts with a significant amount of power in terms of financing because

legislators understand unusual financial needs may exist.

f. **Neighborhood reports:**

Reinhart stated scooters continue to be ridden throughout the neighborhood and across Byram Park. Observations indicate the scooter activity is associated with a specific residence. Reinhart will send a letter to the residence regarding the problem. Folck stated he talked with Rodger Wiltermood, City of Martinsville Police Chief, regarding the issue and asked for help. Wiltermood agreed this was a police issue and would look into the situation quickly. Wiltermood indicated a City of Martinsville police officer recently moved into the neighborhood and may be able to help.

VII. **Tabled Topics**

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

VIII. **Next Meeting:** 7:00pm, Tuesday, October 13, 2015, First Christian Church

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