

REGULAR MEETING MINUTES

BOARD OF DIRECTORS OF THE FALLING WATERS CONSERVANCY DISTRICT

August 12, 2024: TIME: 6:30 p.m.: Executive Cottage Homes Clubhouse located at 682 Verdano Terrace, Crown Point, IN 46307

Members Present: Chairman Dave Cullom, Vice-Chairman Mark Langbehn and Director Don Plumb. Also present included: Attorney Nathan Vis, Operator Derek Gertzen, and Financial Secretary Karen Giesler.

1. Meeting opened at 6:30 p.m. with the reciting of the Pledge of Allegiance.
2. Approval of Minutes:
Vice-Chairman Langbehn made a motion to approve the minutes from June 10, 2024, following a second by Director Plumb. Motion duly carries 3-0.
3. Operators Report:
 - A. Operator Gertzen reported that the back up pump has been placed in the lift station and they will be evaluating the pump that was removed. There is only one pump in the back lift station currently, so that is what that pump quote is for.

Vice-Chairman Langbehn reported that the infiltration in the back lift station is being taken care of this week and an overflow was put into the system.

- B. Operator Gertzen reported that they will be starting the sludge removal process soon and with every checklist, the progress will be included.
- C. Operator Gertzen reported that he is trying to blow out the defuses in the digester because he is not getting a lot of air out of it anymore, he will try it again and if it does not work, it may have to wait until some of the sludge is removed.

There was further discussion about the back lift station. It does have a surge protector on it, but it does not have the omni service yet which calls out the operator when the lift station is not working properly. When it is ready to go online, they will have to get cell service back there to put that service in.

Chairman Cullom made a motion to purchase a pump for the back lift station, following a second by Director Plumb. Motion duly carries, 3-0.

4. Secretary Report:
Vice-Chairman Langbehn made a motion to accept the financial report for July, following a second by Director Plumb. Motion duly carries, 3-0.

Chairman Cullom made a motion to approve the claims presented, following a second by Vice-Chairman Langbehn. Motion duly carries, 3-0.

There was further discussion as to whether the SBOA invoice can be appealed and it was agreed that Vice-Chairman Langbehn will contact a state senator.

5. Attorney Report:
 - A. Attorney Vis will send out an updated contract for signature.
 - B. Attorney Vis explained the past two months some issues have come up and put in question what duties the conservancy district has to oversee building. The homes are supposed to be built according to the as-builds and that is up to the HOA to oversee.
 - C. Attorney Vis explained that previously the board was taking a look at Lilly's Pond and the board was going to foot the entire cost to make Lilly's Pond so that water features could be placed in it, wildlife would be able to occupy it and it would help with drainage. DSKL would like to engage in a cost sharing with the conservancy district to get the work done to Lilly's Pond. Three different quotes have been received, a release of liability has been prepared and the district cost is capped at \$25,000.00.

Vice-Chairman Langbehn made a motion to move forward with the cost sharing to dredge Lilly's Pond, following a second by Director Plumb. Motion duly carries, 2-0, with Chairman Cullom abstaining.

- D. Attorney Vis explained that the board has been receiving requests from freeholders that are wanting to expand their yard into greenspace that the district owns. A process needs to be created because the district

has a duty to preserve the greenspace and there needs to be a way to monitor that. A proposed letter, application process and an ordinance will be created. It may have to be recorded with the county, so it can be properly documented.

6. Board:

A. Chairman Cullom explained that it is time to renew the agreement with Alternative Energy to complete preventative maintenance on the generator.

Vice-Chairman Langbehn made a motion to approve the PM agreement with Alternative Energy, following a second by Chairman Cullom. Motion duly carries, 3-0.

B. Chairman Cullom made a motion to allow reimbursement of mileage based on the approved annual IRS rate for FWCD officials that are traveling to do business for the FWCD, following a second by Director Plumb. Motion duly carries, 3-0.

C. Vice-Chairman Langbehn explained that he talked to three vendors about restocking the ponds. He would recommend that the Martinsville quote is approved.

Chairman Cullom made a motion to approve restocking the lakes with the quote from Clear Creek Fisheries, following a second by Director Plumb. Motion duly carries, 3-0.

Vice-Chairman Langbehn will contact them and get the fish delivered.

There was further discussion about the dangerous algae that was in the lake, it is now gone, a quote was received to put aerators on the small lake which will help keep the lakes clear and protect the fish in the lake.

Chairman Cullom made a motion to approve the quote for three aerators, following a second by Director Plumb. Motion duly carries, 3-0.

D. Vice-Chairman Langbehn explained that the ramps to the gazebo will be installed and a contractor is going to take the back ramp and make two steps. Roselawn Electric will be out to put a light in the gazebo and possibly a timer.

E. Vice-Chairman Langbehn explained that the board signed a contract with a pier company to purchase a pier to put on the small lake going out approximately 18' and going along the lake 28' and the district is waiting on the materials to come in. The district will have to contract with someone to install the pier.

Open Floor to the Public:

Mike Berta said that he appreciates what the board is doing regarding the aerators in the lakes because that last fish kill was the lack of air. The fish population is coming back, but they are small. He thinks the gazabo is an outstanding addition and he reflected about his past experience serving on the board.

Chairman Cullom explained the board realizes how important it is that a good reserve is in the account to take care of any issues that may arise.

Vice-Chairman Langbehn explained the privacy fence will be installed around the lift station and the lily pads will be spot treated.

Being no more business before the board, Vice-Chairman Langbehn made a motion to adjourn, following a second by Chairman Cullom. Motion duly carries, 3-0.

Meeting adjourned by Chairman Cullom at 7:29pm.

Chairman

Vice-Chairman

Secretary

Date