



LOST NATION-NEW LANDING RCD

November 12, 2013 Time: 7:00PM

- I. **Call to order** – Glenn called the meeting to order at 7:01PM.

Board Members Present –

Glenn Baldwin – President

Marty Portner – Vice President

John Harris - Secretary

Board Members Absent –

Tim Spelde – Member at Large

- II. **Pledge of Allegiance**

- III. **Motion to Approve the Agenda** – Marty motioned to approve the agenda with the addition of item C. McCurdy Dock Improvement Request under New Business. John seconded the motion and the board approved the motion unanimously by roll-call vote. [11-13-01]

- IV. **Motion to Approve the 9/24 & 10/08 Minutes** – John motioned to approve the 9/24/13 minutes and Marty seconded the motion. The board approved the motion unanimously by roll-call vote. [11-13-02]

Marty motioned to approve the 10/08/13 minutes and Glenn seconded the motion. The board approved the motion with Marty and Glenn for it and John abstaining from the vote. [11-13-03]

- V. **Motion to Approve the Treasurer's Report** – Marty asked if the security camera system was paid for and Becky said that there were still a few minor purchases needed for the system. Marty asked if they were under the amount that they budgeted for the system and Becky said that she thought so. Steve asked about the grant budget report and where he can find the volunteer hours reported there. Becky said that they are on the last two pages of the grant budget report. She verified with Steve that Adam's work should fall under the Tile/Fence/Cross/Plant Foreman line item. At the next grant budget meeting, they will determine what line item to put Tina's work under; in the meantime, she is putting it under administration. Marty motioned to approve the treasurer's report and John seconded the motion. The board approved the motion unanimously by roll-call vote. [11-13-04]

- VI. **Director Reports**

A. Glenn Baldwin – LCC Roof – Shawn said that they are going to need to wait until spring to go out to bid on the roof because contractors are finishing up for the year. Glenn asked if the roof is still leaking and Shawn said that he went up there after the recent rains that they had and he didn't detect any leaks. He feels that the shingles that they added earlier this year got warm enough to seal up. He is going to put the drywall up in the men's room soon so that it's better insulated and not so cold in there. John said that he had spoken to Mark Piper about the roof and he had said that the plywood is solid up there, it just needs reroofing. He also stated that for the long-term, a tin roof would be a better solution. **Meeting w/ POA Regarding Potential Cost-sharing** – Glenn hasn't met with the POA yet as they changed their November meeting date.

B. Marty Portner – Security Camera System - They had to order a power supply to make the camera system work and there are just two cameras left to wire up. Jack Skrogstad is working with them on an hourly basis to get that finished up. Jack bought a special tool that helps him calibrate the cameras and Marty is going to use his per diem money to reimburse Jack. **Lake** – Marty said that they have done some great things to improve the quality of the lake and would like to ask some pointed questions of Joe Rush like what the best they can possibly expect the quality of the lake to be as a fishery and in controlling turbidity and when they can get there. Steve said as they have done these projects, the EPA has asked those questions too and there is a lot of data like pollutants and silt that has been submitted to them. Joe would be the best guy to ask about it and it would be the most cost effective to ask him in an e-mail, otherwise, actually having him come out here costs about \$500 total when you include time and travel. Marty would like to see them following a larger plan. Steve added that the reason that they are involved in the grants is because the work that they are doing is to improve the clarity and viability of the lake. The Watershed Partnership has a plan that they are following to address these issues and Steve thinks that the data that has been gathered by the Watershed Partnership and by the project team for the different grant projects such as water clarity, plant life in the

lake and the viability of the lake's fishery can be put into a report for the board that they can understand. Glenn would like to find out what options they have for dredging and the potential cost of that and Steve said that first they need to address the non-source point pollutants upstream before they start dredging. There aren't grants available at this time for dredging the lake, because of this, it may not be until 3 or 4 years down the line since it is coming directly out of the RCD's pocket and they would rather not borrow the money if they don't have to. Marty feels that since Joe has been their lake manager for over 7 years, he should have a pretty good idea of what this lake is capable of.

C. John Harris – The board discussed possibly having a town-hall type meeting to let the community know what they are doing in the watershed.

VII. New Business

A. LLUD - ½ of Winterland Invoice for Covering Water Main Pipe - \$736.13 – A portion of the water main pipe downstream of the emergency spillway was discovered to have been exposed and subsequently, the LLUD hired Winterland LLC to cover the pipe. In response to an e-mail that Tom had sent to the RCD that quoted their attorney's opinion that Glenn felt had a lot of holes in it, Glenn contacted an engineer at Rochelle Municipal Utilities and told him what had occurred as Glenn deals with a lot of easements and has not seen a case where the landowner granting easement was responsible for the other party's equipment on that land and so he had some doubt of the RCD's liability for the exposed pipe. The engineer concluded that it was the RCD's responsibility to stabilize and reshape the shoreline upstream of the pipe. At the September 24th RCD meeting, Tom Wendling approached the RCD board to ask them to do something about the banks upstream of the pipe to stop it from happening again and the board agreed to hire Winterland to stabilize and reshape the shoreline upstream of the pipe to allow the water to move through its original path, not to exceed \$2,500. Glenn was surprised when at the RCD's October 8th meeting, Tom gave him a bill for half of the cost that the LLUD incurred to cover the pipe since at the September 24th meeting, Glenn had asked Tom if he would be happy with what Jeff recommended for stabilizing the shoreline before the pipe and Tom said yes – Glenn took that as Tom agreeing to the \$2,500 that the RCD would spend to repair the shore upstream as the end of their responsibility. He wanted to bring it up for discussion before the board before making a decision on whether to pay it or not. John asked if the \$750 for half of the pipe work was on top of the \$2,500 that they already spent and Glenn said yes. Marty said that he can't find a compelling argument for the RCD to separate them from the responsibility of the pipe – he thinks that technically they should pay for all of it because of the concrete that was placed upstream of the pipe that conspired to cause the deviation of the waterway that exposed that pipe. John agreed with Marty. Steve said that from his perspective, whatever happened to expose that pipe, no one can say for sure how much time it took for it to occur or how long it has been exposed for, especially with the increased number of flood events that they have had that have caused water to go rushing through there. He thinks that whoever owns the pipe is responsible for the maintenance of it and that the RCD is responsible for the shoreline that was changed due to the concrete that was placed there and that the RCD agreed and spent the \$2,500 to repair the shoreline. John said that no one can prove that the RCD didn't put the cement in place that caused the deviation of the shoreline and therein could hold some responsibility. Steve questioned whether that had been determined to be the cause of the exposure and Marty said that Dick Baumann of Wendler Engineering conjectured that it was highly probable that the deflection of the water off of the concrete was in line with the pipe being exposed. Steve said that he believes that the RCD did their part to help the LLUD to hopefully create a long-term fix although they are not sure that the next act of God won't wash everything away. Steve said that he believes that an act of God washed the soil away, exposing a problem of how they have the pipe there as well as a shoreline problem and the RCD said that they would step up to the plate and solve the shoreline problem and Tom agreed. As for the problem of the exposed pipe, Steve feels that the maintenance of the pipe is the LLUD's responsibility. Becky added that in the September 24th minutes, Tom said that the LLUD is not looking to the RCD to repair any damage caused to the pipe, rather they are asking that the waterway be corrected and filled in to the point where it was originally at. Tom also said that if the RCD stabilizes the situation and corrects the channel to the way it originally was, the utility line will be fine. Finally, when Glenn asked Tom if he would be happy with what Jeff recommended for stabilizing the shoreline before the pipe and Tom said yes. Glenn said that the RCD didn't authorize anything other than repairing the bank upstream. Steve said he thinks that the RCD did their part and had the utility district said "hey, we have a problem here and it's the RCD's full responsibility for this thing they would have come to us early on to fix it. Instead they fixed the pipe themselves and then came to the RCD came to pay for part of it – Steve doesn't think that it makes a lot of sense. Marty said that he was there when the LLUD discussed what they were going to do to cradle the pipe and putting the concrete underneath it and he looked at the LLUD's attorney's opinion and thought a little differently that Glenn in that he thought it was ironclad that the RCD is responsible to maintain that waterway and so is responsible for what happened there with the concrete deflecting the water pathway that caused the pipe to be exposed. Glenn wondered why the LLUD paid money for an attorney's opinion on the responsibility of the pipe when that money could have been used to pay for the work instead. Steve added that if it was ironclad that it was the RCD's responsibility, then the LLUD should have presented their attorney's opinion along with the bill and that the RCD should be paying for the whole thing. Marty said that he thinks there is a little magnanimity on the LLUD's part too – they could have done that

but instead they want to have a symbiotic relationship with the RCD. Glenn motioned not to pay for ½ of Winterland invoice for covering LLUD water main pipe and John seconded the motion. The board approved the motion with Glenn and John for it and Marty opposed to it. [11-13-05] Glenn said that he would talk to Tom on this because Jeff needs to get paid.

B. Playground Equipment – With a great amount of help from Jeff Winterland and his trailer and equipment, Shawn Parish, Robert Stocksdale, Alex & Pete Breckenfelder, Tim Spelde, and Barb Lundeen, Becky, arranged to remove some used playground equipment from St. Mary center in Oregon to be installed at the LCC playground next spring. In the meantime, the LLUD has allowed Pennies for Parks to store the equipment in a secure area on their property. The equipment measures 10' X 24' and Becky would like permission from the RCD to move the slide and climbing car that is at the LCC park now over to the West Beach along with another piece of equipment that Pennies for Parks would purchase to create a little park on the west side of the beach. She felt that this would be an ideal area because while it doesn't meet the ADA compliance for wheelchair accessibility, it does meet compliance standards for impact attenuating surfaces up to 4 feet and is easy to maintain, requiring only raking vs. continual replacement of woodchips as at the LCC park. The board approved moving the old slide to the West Beach and adding other equipment to make a park there.

C. McCurdy Dock Improvement Request – Steve said that Dan McCurdy is an engineer and submitted plans to improve his dock. Steve looked at the dock plans and found them to be very sound and so got preapproval from Glenn for Mr. McCurdy to start that project. Marty motioned to approve the McCurdy dock improvement request and John seconded the motion. The board approved it unanimously. [11-13-06]

VIII. Guest Comments

Steve Larry - Steve said that the RCD is holding special meeting on November 20th to open bids for the Upper Babbling Brook project. Dick Baumann will be there to help them go over the bids.

IX. Motion to Adjourn – Marty motioned to adjourn the meeting at 7:55PM and John seconded the motion. The board approved the motion unanimously. [11-13-07]

November 12, 2013 Motion List

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