



## LNNLRCD

April 21, 2016

Time: 4:30PM

- I. **Call to order** – Marty called the meeting to order at 4:30PM.  
Board Members Present – Marty Portner – President    Glenn Baldwin – VP    Tim Spelde – Member at Large  
Board Members Absent – Mike Swartz – Secretary    Jim Brown – Member at Large
- II. **Presentation of Certificate to Tim Spelde** – Marty presented a certificate of appreciation and a gift certificate to Basil Tree Restaurant as a thanks for his years of service as an RCD board member.
- III. **Pledge of Allegiance**
- IV. **Motion to Approve the Agenda** - Tim motion to approve the agenda with the amendment of the meeting date from 2015 to 2016 and Glenn seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-01]
- V. **Motion to Approve the 3/17/16 Minutes** – Motion Tabled
- VI. **Motion to Approve the Treasurer's Reports** – Cooper & Lyons - \$592 attorney's fees related to PAC requests and OMA requests by the ULLPOA. Olson Ecological Solutions - \$585.36 for 2/9 CCWP meeting. Glenn motioned to approve the treasurer's report and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-02]
- VII. **Director Reports**
  - A. **Marty Portner** – Marty is trying to come up with a list (and he'll work with Becky on this) of things that the RCD does on a periodic basis and formalize a list of items to be put in the google calendar and sign the board members up so that they are notified when something comes up. When he is done with the list, he'd like to assign some of the work to the board members.
  - B. **Glenn Baldwin** – 1. LCC Café – converting the building into a café has been put on hold due to personal issues of the potential operator. Another potential operator (*C. Wash*) that came forward won't be moving out here for a couple of years (*so the timing isn't right for them*). Because they haven't got any owners within the development stepping up at this time, Glenn recommended pursuing interested operators from outside the district through his Facebook contacts. Marty asked if Lisa was still interested in running the restaurant still and Glenn said that when he talked to her last she indicated that she didn't want to do it right now so Glenn feels that they should move ahead. Tim agreed with Glenn gathering information to find out if there is outside interest for a business to bring back to the board and also get some feedback from our constituents. Marty asked Glenn what type of material that he would put out and Glenn said that it would be similar to the post card that they had mailed out to all of the RCD property owners; however, it would be changed so that people will see what the opportunity is, where it is located, and what they are trying to do. Marty said that he was disappointed that it happened that way because he felt that she (*Lisa*) would have been the best choice and he's not comfortable going outside the community without getting some feedback from the community through the town hall meeting that he is proposing to be discussed later in this meeting. Marty said that after the controversy (*when they proposed the café with Lisa*) that was generated from just the thought that they might do it – even though he thinks it's a great idea and he would rather see the building pay for itself like the state statute says that it ought to, he doesn't feel comfortable advertising that outside the community just yet. He would like to see what people think through a town hall meeting forum. Marty asked Glenn if he would mind waiting until after a town hall meeting and when they have a full board to bring it (*seeking outside vendors*) up again and Glenn said that he would wait. Sue Hill asked if the postcards for the potential café at the LCC were sent to only people in the POA community or to the whole district and Becky said that it was sent out to the whole RCD district property owners, even outside the POA community. Frank Durkin said that the RCD sent that mailing out without first getting a general opinion from the property owners on how they felt about it and he felt that it was "putting the cart before the horse". Marty said that sometimes boards have to make decisions like that as they have a dual responsibility – one to the taxpayers and one to the statutory law that the RCD's ownership of the LCC is governed under, that says that a revenue generating operation has to pay for itself. Marty said that Glenn sent out the postcard to see if there is interest in anyone pursuing a business to generate revenue for that asset. Frank said that he thinks that the town hall meeting is a prerequisite to survival for the RCD.

**C. Jim Brown – Annual Grant Inspection April 28<sup>th</sup>** – Joe Rush, accompanied by Jim Brown, will be taking the RCD boat out and performing an annual EPA action item of inspecting the RCD properties on April 28th to ensure that the stabilization techniques that they established w/ EPA funding are still effectively stabilizing those areas. This is an EPA requirement as a part of the grant that the stabilization techniques remain viable for 10 years after they are installed.

**D. Tim Spelde – Future Dredging** - Tim said that he put together a list of action items such as creating a dredging plan. They've heard feedback about getting a professional dredging survey done out here and Tim thinks that that would be money well spent as they saw some of the struggles with him trying to do it on his own so it would probably behoove them to get a professional dredging surveyor or a long term plan. Tim put a plan together already and said that they could give his plan to the professional dredging surveyor to use as they will. Marty asked Tim if he could give them a broad outline of what a professional survey is like and Tim said that they spent quite a bit of money several years ago to have a professional depth survey done and then, following that, Tim and other volunteers from the fishing club took depth readings at the same sites done in the original survey. Tim is giving that information to Jerry. Tim said they'd need an official survey of the lake – they have a pretty good understanding of where the silt is just based on their generic survey that the volunteers did – obviously they were focused on the two entrances to the lake (*fed from Babbling Brook and Clear Creek*). They would look at what they can get at mechanically because that tends to be cheaper of the options versus hydraulic dredging. They would look at permitting, where the silt is going to go, and how to get the silt out of there (they've had some difficulties going on with that that they will get through. Tim said with board members like himself who also work full time, it's hard for them to have their boots on the ground monitoring the whole project so he thinks that an offshoot of the survey is to get a project manager onsite when they get to the bigger dredging projects such as hydraulic dredging so that they get the biggest bang for their buck. The manager would be responsible for making sure that the job follows a timeline so that they don't have homeowners complaining about piles of silt sitting in their back yard. Marty asked Tim if he knew of anyone that they had who was qualified to be the project manager, such as Joe Rush. Tim agreed that Joe would be qualified and said that there are very capable people in the neighborhood that might step up to be a boots on the ground person for the day to day dealings, similar to what they did in 2003; for example, Tom Clarey has expressed an interest, although Tim said he wouldn't put him on the spot. Glenn said that last year the RCD thought that they could do a portion of the dredging themselves using the \$170,000 that they already had saved up, the \$15,000 they had hoped to save on building expenses, and the \$20,000 a year for 5-10 years that they had cut from the budget; however, now he doesn't believe that is going to work in light of all the problems that they had last summer with 3 agencies that they dealt with like the EPA that someone turned them in to, and the legal fees that they incurred (*related to FOIA requests*) – it just doesn't seem like they are getting any support to do it themselves so he recommends that they go out and have it done professionally because they don't have the experience. One person from Stewart Spreading (who has the experience and equipment to do this type of work) came up to give them some advice last year. So there are people out there that can do this but it's going to be very expensive and means that they will probably have to go out for a special assessment because the cost to remove all of the silt could be \$1,000,000 – 2,000,000. Marty said that he agrees and that he feels more comfortable voting for something that is in the hands of professionals but he'd like to counterbalance that with having somebody here within the district that has a stake in the outcome from a property ownership point of view like a homeowner. He said that the other aspect that people should hear about (and he's going to talk about that during the town hall portion of the meeting) is the public relations aspect of it – they just have to tell the people what the truth is like how much silt is in the lake, what it's going to take to do it, how much they can or cannot do themselves, even though they have the model from the last time (in 2003) where they had significant participation from homeowners –he doesn't think that they are going to get that this time. The concentration of silt in the lake from the last 10 years or so of what they have gone through with really heavy rain events – they had a season of such heavy rain events in 2009 that it took out the bridge on the east side. That cause a significant amount of non-point source pollution contribution to the lake. Glenn said that one of the major savings (that he thought was a breakthrough) when they did it themselves last year was that Rick Kennay volunteered to accept all of the silt that comes out of the lake and that would save the RCD thousands of dollars – he's hoping that even if they use an outside entity, they can still work something out that would be a real cost savings (assuming that Rick is still interested as Glenn said that he knows that Rick is real frustrated right now). Rick Kennay said that it should have been done by now (*removing the piles of silt*) because he's got a very narrow window as to when he can haul it –the grounds got to be frozen so that their not planting - a couple weeks in the winter (November, December) and a couple of weeks in the spring. If he moves it at any other time then he has to move it twice which doubles his cost. Tim said that some other things on his action list to do in and around the community were:

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| 1. Get the beaches ready in spring.     | 2. New signage on the beaches.         | 3. Creel limits posted.      |
| 4. Docks realigned each spring.         | 5. Dam sprayed for weeds.              | 6. Boat motor √'d & new gas. |
| 7. Tree trimming.                       | 8. Joe's walk through punch list.      | 9. LCC parking lot.          |
| 10. Schedule fish delivery in the fall. | 11. Carp removal program w/ licensure. |                              |

Tim said that he appreciates the board's commitment to the lake and knows it is important; however, they do have other property that they have to take care of. He suggested that they budget converting 6-8 feet of the parking lot into concrete a year until it's all done.

**Old Bus. – Silt at Schings Park** – Tim said that there was some miscommunication with the POA on what kind of insurance is needed – a bond or liability coverage and they are 0 for 2 right now. In the fall the RCD agreed with Charlie and the POA that the bridge inspection should be complete before they would haul away the silt. That bridge inspection has been completed recently and they are not derating the bridge at all (he won't go into it in detail because the POA paid for that report) but essentially it is operating as inspected. Tim went above and beyond that with Charlie's recommendation and gave the tonnage information on the trucks loaded with silt to the engineering department that the POA uses and got a calculation back that the bridge was acceptable to haul the silt over it. They had that all lined up and a copy of a certificate of liability that Tim thought that the POA wanted when they tried to get trucks in there and remove the silt. Tim also did a walk down with Ken Oltmanns and had what he thought was a pretty good plan on how to remove the silt and basically create a driveway of rock over by the Schings Park (*Babbling Brook*) bridge so they wouldn't haul any silt onto the roads. His understanding was if they provided those documents that they could go forward with the project. The next day, with timing obviously short as Rick Kennay mentioned w/ everyone planting, they had to do a lot of things in a short period of time. Tim said that he understands that the POA wants to protect the roads, he also wants to protect the roads as they are his roads too – he thought that they could come to an agreement with the liability insurance but it just didn't happen. Since he is leaving the board he said that they have two options, they could either work with the two insurance companies from the POA and the RCD to get the coverage that they need for the roads or they can spread the silt onto the Schings Park. Tim spoke to Nordman and they have the equipment to spread the silt if they need to and then to reseed it. They will need to put the silt fence up again as well to avoid a fine from the EPA and Tim talked to Shawn about doing that. He doesn't know if they want to decide as a board now or wait until they have a full board to decide to either spread the silt or talk to Mr. Kennay to see if they would still have an opportunity to work with him. He doesn't think it's insurmountable to get the insurance piecemeal down now that they have some more time – they did what they could do it one day and it wasn't sufficient for the POA, that's why the job was shut down, unfortunately, they had trucks at the gate ready to move the stuff out. Tim said that he'd like to use his per diem money to pay Mr. Kennay for the trucks because he took it personally that they couldn't get the job done. He asked Mr. Kennay to make sure to send the bill to the RCD. Tim said that the best case scenario is to get the silt off of their property – Schings Park is a maintenance area, which is why they built the finger out there - so that they could get the silt out. Whatever paperwork it takes to get it off our property, they need it written, documented and in place with the POA and the RCD through their insurance because they can't keep stacking it up in the back yards of their homeowners. Glenn says that he agrees with Tim that they need to get it off of their property. He added that he sees enormous trucks moving through here all the time. Tim said that he's not going to get into that because that is the POA and whatever they are doing on the roads – if they need a certain document for the RCD to move stuff off of their property, he thinks that they need to do that. He's not going to get into garbage trucks and other vendors and whatever – it's not worth his time or his stress and that is one of the reasons why he doesn't want to be on the board anymore – he don't need the stress. He said that they will get it figured out, it's not hard to do and he will take responsibility for not getting Charlie the paperwork he needed. Marty asked Tim to give him an estimate of what the cost of those two options would be. Tim said that it was a wash if they have to pay a vendor to remove the silt for 4-5 days vs. hiring a vendor to spread it out. If they can come to an agreement where Rick or someone wants the silt, it's still a better option to get it off the property. But if they want to get it off quick to make it aesthetically pleasing to the homeowners then they may want to spread it and put some hay and seed over it. Marty asked if using Mr. Kennay would still be an option and Rick said that the trucking companies are out in the fields planting now and they weren't too happy when they went to pick up the silt and were blocked from doing that – it would take a lot of PR to get them to come back here. He added that it took a lot to get them there because they have plenty of work. Also, because they lost that narrow window where he would take the silt and directly apply it to where it is needed on his property, he would have to pile it up and pay to move it again in the fall. Marty said he had the attorney send a letter to the POA asking them to officially articulate what the RCD needs to do so there is no questions because they are going to need to use the roads to do the general silt removal project anyway. In the past, they hauled it out and stored it on their property on Flagg Rd. Tim said that it's his recommendation is to have Becky contact the insurance companies to work it out because he doesn't think that the correct term is a performance bond – whatever they need to protect the roads, they are his and the RCD's roads too. Tim said that he thinks at a minimum they should have a protocol established on how they do that and then maybe have a special meeting and Tim could get some cost estimates to spread it out on the property. Marty agreed, stating that if the cost estimates are over a certain amount (\$2,500) then they have to go out for bid. Becky asked if they want Becky to contact Charlie Moore or their office to have their insurance company contact us to tell us what we need. Tim asked Sue Hill if they want a phone call or how they want to handle it. Sue said that the insurance company would need to furnish them with

an indemnification insurance bond – that's what the lawyer said. Marty asked how do they start the process of determining what they need – that was the first he'd heard of that (them needing a surety bond) – before it was performance bond was what they wanted. It has to be articulated on paper from someone of authority from their board with maybe a checklist of things that they need because having a middle person isn't a good idea – if they have it on paper with an authoritative sign-off from the POA then they will have a basis for an agreement. Sue asked if they wanted a letter from Leslie where she could put down what the lawyer told them and Tim said that that would be helpful.

Tim said that they still need to riprap the point at Schings Park and should consider riprapping the rest of that property as well. That will be a significant cost. Marty said that the board will also have to decide whether it wants to reapply for the grant that they didn't get this year that was an extension of the UBB grant work that they completed last year.

Tim thinks that better communication would make them performing the mechanical dredging themselves more successful. He doesn't think that it is an insurmountable task and he thought that Shawn did a great job for them and if they build the paperwork pieced up to set up an easier time if they want to go after those smaller areas themselves mechanically in the future. Rick said that the trucks charge \$110 an hour and it would cost about \$20,000 to get that silt out of there but he wants to make it clear that if he has to stack in twice, he'd need help in the fall to move it again. Tim said that every farmer that would want this silt would be the same – they wouldn't want to put silt over what they just planted so they would either pay to haul it up to their property or the quick, easy way would be to spread it out (*on Schings Park*), reestablish the silt fence, put seed down (spreading the silt down that is stacked by Clarey's corner down last because that is the best silt we have there. Rick said that he'd still be willing to move the silt and to take on 2/3's of the cost, and have the RCD cover 1/3 of the cost, he'd just have to store it. Marty asked if he was saying 2/3's of the 2<sup>nd</sup> hauling or of the whole job and Rick said that a rough estimate of the RCD's cost would be about \$7,000. Marty asked Tim if he could put some numbers together for what the cost comparison of spreading it would be versus Rick having it hauled away at a cost to the RCD of about \$7,000. Rick said that in the future, if the RCD has silt that he can use and he can haul it away during his narrow window (*that he explained earlier*) then he would be willing to bear the cost of hauling it himself.

Mark Walsh said that he had no confidence that with all the rock that is in the silt that spreading it and it growing grass would be a viable option. He was coming down here when they were doing the other project and they did it professionally and trucked it out but they had to put down a layer and the grass that came up is the best that they had on Schings Park. He said that he doesn't know what he's talking about, but he isn't sure that they should be talking about that as an option. He thinks that they should either talk to Rick about hauling it out with an agreement with him or hauling it out ourselves professionally. Mark said that it's worse than it looks - if you go back there it looks like a warzone. Mark said that he thinks that they have to be professional about this and have a plan or were going to make a bigger mess that we got now. Tim said he implores the board and the homeowners that if they don't do anything, that is not an option because the lake is going to fill up. We've gotten more silt in there in the last 10 years that we're going to have a creek there. Glenn asked what Tim's initial estimate of silt in the lake was and Tim said that there was about 12,000-15,000 cubic yards in the Schings Park area of the lake alone and they've got about 2,000-2,500 on the shore now. Marty discussed the steps that they have taken to remediate the non-point source pollution coming into the lake through the large amount of grant money that they received through the EPA that also included monetary and in kind contributions from the property owners upstream and on the lake and the RCD. Marty is still convinced that they should focus on the prevention aspect of it because they know the rate and volume of the silt and water that is coming in is increasing so the whole theory that we are probably going to get the same volume of water coming through; however, if they can control the rate that the water is coming in, re-meandering some of the streams coming in and putting in shoreline protection so that they don't get that soil coming in. The lake is a beautiful piece of manmade art and we have to protect it. Marty asked Glenn if he would work with Becky to find out what their options are to pay the expense (to dredge the lake). In the past they took a loan that they paid off in 5 years but they may have to get more creative. Glenn said that he talked to the National Bank in Rochelle and they indicated that they could borrow several hundred thousand dollars over 10 years at about 2%, but the problem is they can't pay it back. When they look at their revenue and expenses, their revenue is \$125,000 and their expenses run about \$115,000 just to pay their bills now so that is why what he would like to recommend that they look at the procedure of a government agency to have a special assessment (like the POA did on the bridge) because they are talking about \$1,000,000-2,000,000. Glenn said that he feels like everything that everything that the RCD is trying to do is being prohibited by certain people and quoting Rick as a business person, said that he's never seen anything like it. Marty said that he'd like Glenn to look into the options they have and Glenn said that they tried to do it themselves and they failed and right now if they are going to try to dredge that lake, he feels that they are going to need to apply for a special assessment – Glenn said that he could go through the details of what it would take to get that special assessment; however, it will come at more attorney expense. He also recommends that they talk to people like John Stewart to find out what the costs would be to dredge the lake so that they know how much money they are going to need to have professionals do it. Glenn suggested they have another special meeting to figure out how they are going to try to do this. He added that they tried to do it themselves but they got shot down in everything

that they tried to do. And with the frustration that all of them went through to see that silt sit there when Rick volunteered to have it removed for us for free. In Tim's original report, Glenn remembers him stating that the trucking of the silt would be more expensive than the removal of it and they lost that opportunity for now. Marty said that it boggles his mind that it happened that way. Glenn said that he contacted John Finrock, who is the vice-chairman of the Ogle County Board to see if he'll help us out. Glenn explained to him how everything that we are trying to do to take care of our lake is being stopped and Glenn asked if he could help us so that we can move ahead on our project. Glenn added that we all have a responsibility to take care of the lake so that it doesn't dry up. Marty said that what he thinks and that no one wants to admit is that when this area was created there was a model created for its continued maintenance and growth and it centered on the fact that they had a private entity (the POA) and a public entity (the RCD) and now they have another public entity (the LLUD) and the model worked kind of okay and some of the properties owned by the RCD (like the LCC) were given to them in order to save on taxes; however, that model depends on 100% cooperation from both of those organizations and we don't have that anymore and Marty said that he doesn't know how to get it back. They've tried outreach and a number of other cooperative things that don't seem to come to fruition for one reason or another and the RCD trying to convert the LCC into a revenue producing entity is another example of it so maybe they have to look hard at the model and change some things about who owns what and get it back to the way that it was originally designed by the people who developed this area and it was one big private enterprise and there was no idea of a public entity that they have to cooperate with. Marty said that maybe they are seeing a breakdown of that model and that model has to change.

#### VIII. **New Business**

**A. Motion to Pass Res. 01-2016, Prep. Of Tentative FY2016-2017 Budget and Appropriation by Treasurer –** Marty asked Becky to explain the process and she said that the first step to creating the budget is for the board to direct her, the treasurer to prepare a preliminary budget and Glenn will probably help her with that and she will need feedback from each of the board members for the areas that they are responsible. Marty asked Becky to make sure that Jim and Mike will also be made aware of this process. Marty motioned to pass resolution 01-2016, preparation of tentative FY2016-2017 Budget and Appropriation by treasurer and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-03]

**B. West Beach Fencing Repair or Replacement –** Tim said that Frank Durkin brought the need to replace the fencing at the West Beach to his attention and presented a plan to replace the existing posts and rope with a split rail design. Tim asked Frank to elaborate on the plan. Frank said he has the distinct pleasure of living next to the west beach and that it is an RCD asset; however, when the beach deteriorates to the point that it has over this past winter, it's a direct reflection of his property value here at Lost Lake. Frank said that that goes for each of the three entities that govern this community – it is their responsibility to maintain the assets in this community and when they don't hold up that responsibility we lose as taxpayers because of the devaluation of our property values. He also mentioned that the tennis court and the LCC parking lot need to be repaired. Frank said that he is going to be starting a new Lost Lake Taxpayer Alliance to deal with the situation. They are going to get the taxpayers in the community orientated so that when they have a problem and they are losing value on their property, they are going to go directly to the entity whether it is the POA, RCD or LLUD and complain to them. Frank asked the board what they were planning to do to fix the fence – would they be replacing the existing fencing with the same thing or would they spend around \$500 to put in a new fence. Frank said he would get volunteers that live around the west beach to help install that fence. Mary Sullivan asked Frank if he had seen the north beach as it needs maintenance too. Marty looked at the drawings that Frank submitted for the new fence and Glenn said that any of the board members could approve the expenditure if it's under \$1,000 and that they should go ahead and replace the fence. Tim said that he appreciates Frank's passion and that the board needs people to come to the meetings and point out when things need to be fixed. Marty asked Marty and John Mulholland what needs to be repaired at the north beach and John said that there are boards missing at the pier, Jerry mentioned 3 dead trees, and the signage repaired. Marty asked if they could make a list for them and Mary said that they could do that. Becky asked about the fencing at north beach and John Mulholland said that the fencing was fine. Marty asked John if he was sure and Jerry said that the posts are crooked. There are still many boats on the racks that don't have proper stickers and Becky said that that is surprising because she did a survey of the boats last year and personally contacted all of the boat owners that needed new stickers. She received a lot of applications for new stickers and said that perhaps they didn't put the stickers on. As soon as it warms up, she is going out again to check the boats for the proper stickers. John Mulholland said that in the past they used to round up and remove the boats that weren't properly stickered but that it hasn't been done in 3-4 years and Becky said that she and Shawn can do that again this year.

**C. Town Hall Meeting Proposal –** Marty proposed that the RCD hold a town hall meeting to get the property owners' input on various RCD business items. He'd like to do it as a special meeting and he asked the board for

their okay to organize that. Glenn motioned to allow Marty to plan to hold a town hall meeting and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-04]

- IX. **Guest Comments – Jerry Sellers – LCC Pier** – Jerry said that the LCC pier is all tore up and they should have that fixed up – especially if they are planning a town-hall meeting. Marty asked Shawn if he could fix it and Shawn said that they would need a professional outfit with a jack to come in and fix that. Marty said he will look into that.
- X. **Mark Walsh** – His property backs up to Schings Park and there were a lot of things that attracted his property to them. There have been some great people on the board and in the community but he sees this silt situation at Schings Park as a test of the community. There are a lot of different ways to get rid of it but right now it is an eyesore. When he visits the RCD website it talks about the lake and watershed as being the centerpiece of the community but it is an embarrassment and dangerous. He feels like the RCD is being a bad neighbor by not taking care of their property which brings his property value down and he doesn't even want to bring his friends out because he doesn't want to explain what is going on to his friends. If you walk it – it's an embarrassment and he made a special trip to make it to this meeting and he's leaving here today and he doesn't know any more about how it's going to be taken care of or when. He's giving them an opportunity to prove whether this community can work or not and he's wondering what they are going to do. Rick Kennay said that he is willing to put up \$15,000 to remove the silt at Schings Park if the RCD can cover the other \$5,000 to move it twice but it's going to need to dry out first. Marty said we tried to move the silt twice. Rick said that if they wait until summer there would be better chance of dry weather to haul the silt out. Mark asked is it possible to have the paperwork in place so that they can get it done. Marty said that it'd be fine for Rick to pursue the removal of silt but the RCD would have to do the financial reimbursement in arrears because it's not in the agenda to approve it tonight but if Rick is willing to make that proposition in writing, outlining an estimate of what the RCD's cost could be, then go ahead and bear the cost, then the RCD would have to put on their agenda at a later meeting and as a board they would have to vote to appropriate that money. Glenn mentioned them needing to go out for a bid; however, Becky said that this could be considered a special circumstance and perhaps they could discuss this with their attorney this is a special circumstance where he is paying for the removal of the silt and the RCD is reimbursing a portion of it –it's not a cut and dried circumstance requiring a bid. Tim said that they can start with the insurance things first and he will try to reach out to the trucking company to mend fences – to wait another month is probably not the best scenario. Marty said he'll get the information from the POA on what paperwork they need and he'll get in touch with the RCD's attorney because he's pretty sure they have an exception in their statute that says that if it's a special circumstance they don't have to go out to bid and he can make the argument that this is an extension of the work that was done in the fall.
- XI. **Motion to Adjourn** – Tim motioned to adjourn the meeting at 6:18PM and Glenn seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-05]

#### April 21, 2016 Motion List

1. Tim motion to approve the agenda with the amendment of the meeting date from 2015 to 2016 and Glenn seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-01]
2. Glenn motioned to approve the treasurer's report and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-02]
3. Marty motioned to pas resolution 01-2016, preparation of tentative FY2016-2017 Budget and Appropriation by treasurer and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-03]
4. Glenn motioned to allow Marty to plan to hold a town hall meeting and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [04-16-04]
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