

The Combined Lake Delhi Recreational Facility and Water Quality District
Thursday, September 21, 2017
6:30 pm
Lake Delhi Trustees Administration Building
Delhi, IA

The regular meeting of the Combined Lake Delhi Recreational Facility and Water Quality District was called to order by President Steve Leonard at 6:40 pm.

Trustees present: Leonard, Kramer, Gifford, Herman, Staebell, Havertape, Burger
Trustees absent: None

Visitors: Lamont Davidson, Wanda Davidson, Chip Hughes, Doug Camp, Mary Kray, Ken Kray, Dave Larson, Bill Lux, Marcheta Cooley-Lux, Jason Wenger, Dan Reyner, Chad Kelly, Gary Grant and Larry Murphy

Motion to approve the agenda as read and amended made by Burger, seconded by Herman. Motion carried.

Motion to approve the August 17 meeting and August 22 work session was made by Burger, seconded by Havertape. Motion carried.

Kramer read the requests for payment. Requests for payment in the amount of \$65,181.83 for office/dam electricity, dam operations, postage, garbage cleanup and supplies, lobbyist expense, internet/phone service, and LP for two tanks and rent for work session were presented. This includes the \$250/year rent cost to the Maquoketa Valley School District for the administration building rent. Gifford motioned to approve the payments as presented, seconded by Staebell. Burger abstained from approval for the Speer Financial invoice. Motion carried.

Kramer presented the financial reports. The General Fund had revenues of \$107,144.82 which included GO Bond proceeds and expenditures of \$30,389.38, ending August at \$1,847,067.28. The Debt Service Fund had interest revenues of \$59,193.51 and no expenditures, ending August at \$90,654.29. The Dam Improvement Fund had no activity and a August balance of \$10,000. Motion to file the financial report as read made by Burger, seconded by Gifford. Motion carried.

Discussion was held regarding consideration and possible action on amending the Trustee election process. Burger noted that the topic had come up at the August 22 work session. Discussion at that time was having the election of officers where the president would be elected and whoever is elected vice-president would become the president the following year. Burger made the motion to amend the election process as noted above. Second was made by Herman. Discussion continued with questions regarding terms of office. Gifford stated he could see pros and cons to this approach. The con that he sees is electing someone a year in advance reduces flexibility. Havertape expressed concern that someone elected as vice president this year may decide he/she doesn't want to be the president by the time he/she is set to replace the president. Staebell and Herman both

stated they agreed that there would have to be flexibility because of changes that can happen from year to year. Gifford stated he was not against the rotation concept but he doesn't believe that a person picked a year in advance to be president is a good concept. Herman asked Burger if his goal was to have a rotation of officers regardless of how it's done. Burger stated that he felt having a vice-president elected who would assume the president's role the following year would give that person some time to get familiar with the president's role. Leonard stated he felt it was important to have the maximum amount of flexibility in the election process and agreed with Gifford's concerns. Havertape suggested setting a term limit for each office whether it be one year, two year, or three year terms. More discussion continued on the pros and cons of changing the election process before Leonard asked for a roll call vote.

Havertape – no
Staebell – yes
Herman – yes
Burger – yes
Gifford – no
Leonard – no
Kramer – no

Kramer made a motion that the president cannot serve more than three consecutive years in that office beginning with this election year noting election of officers would occur annually. Herman seconded the motion. All ayes. Motion carried.

Leonard asked for a motion for president. Burger made a motion for Leonard to serve as president, Herman seconded the motion. Motion carried.

Burger made a motion to elect Dan Staebell as vice-president. The motion was seconded by Havertape. Leonard asked Staebell if he was willing to devote the time and energy that's required of the office of vice-present. Staebell said he felt he made that commitment when he ran for office. Leonard asked for a vote. All ayes. Motion carried.

Burger made a motion to elect Kramer as Secretary/Treasurer. Herman seconded the motion. Leonard asked for a vote. All ayes. Motion carried.

Leonard asked Jason Wenger from Burrington Group to give an overview of their proposal regarding the drainage issue on the south side of the dam. Wenger stated that the major drainage area is adjacent to the Scada office. There's a significant amount of runoff that comes down the road and blacktop parking lot. He indicated that something structural needs to be done whether it be storm sewers, curbs and/or grading to modify and direct and contain the runoff. He also stated that another aspect of the problem is the steep trail that was supposed to be the canoe portage from up river to the downside of the dam. Wenger indicated there's been discussions with Pat Colgan on possibly changing the portage location and maybe moving it north of the Scada office and wind the path downward so it's not so steep. There's also been problems created by the demolition of the house that has created runoff that's going directly down toward the Scada office. The

proposal would be to come up with some comprehensive grading and establishing some storm sewer intakes for the whole area to try to contain these major issues. There would also need to be some curbing, some area intakes and possible rip rap to contain the runoff. Creating some swales around the Scada office to get drainage away from it. These would be things that Burrington Group would study to come up with a plan to solve the drainage problems. In order to do this there would need to be field work, gather some topographic data to get a basis for the existing conditions and do drainage calculations and come up with a conceptual plan for the Trustees with a cost estimate. If the Trustees are then interested in moving forward Burrington Group would come up with a bid document and go out for bid. Wenger stated he thinks the project would cost around \$40,000. If the project estimate is under \$50,000 the Trustees could go through a quote process versus a bid process. The proposal from Burrington Group to do the initial studies and make recommendations is \$5,800. Staebell asked if this project would contain high flow events. Wenger said it would be hard to contain large flow events but by containing low flow events, it would allow for vegetation to be established to stop the cutting that is happening right now. He stated that they may have to get fairly aggressive with larger riprap in areas to try to stop flows going down the hill. The idea is to try to "fan out" the runoff to stop the cutting. The problem is the area is so sandy and that's hard to contain. Leonard asked the time period in getting information back to the Trustees. Wenger indicated they could have some concepts ready for our next meeting but realistically the probability of getting any work done this year would be difficult. He also stated that typically contractors are looking at setting up projects in January and February for their spring and summer work and many times you get a better quote if you wait until then. Leonard asked Wenger what services are not included in this proposal. He stated the specific landscaping with plantings is not included. They would be making recommendations on grading and drainage but not landscaping. Boundary easements are not included but he doesn't expect any issues. Overseeing the project is also not included. \$5,800 will get the District through the bidding/quote process. Herman questioned the value and use of the canoe portage. He questioned the change in moving the portage and if there was value there. With no other questions, Leonard asked for a motion to approve the proposal by Burrington Group. Herman made the motion to approve and Staebell seconded the motion. There was no further discussion. Motion carried.

Wenger reviewed the next item on the agenda which was a proposal from Meyer Mechanical to provide a heating/cooling system for the Scada building. He explained that the Scada building houses all of the computer equipment. The current air conditioning unit is located outside the office and is not in good condition. The concern is making sure the climate in the office protects the equipment housed there. Initially the thought was to just replace the outdoor air conditioning unit with a unit that would set up on the side of the office as the current unit is buried in sand from the runoff issues. The current unit is also about 25 years old. When Meyer Mechanical came down to do the initial inspection it was noted that the furnace in the office is also about 25 years old. Brian from mm suggested doing a mini-split system that would act as an air conditioner in the summer and heat in the winter. The current furnace would be left in the office as a backup but this unit would be primary for heating. He gave quotes for a 2 ton unit and a

1.5 unit. His recommendation would be to go with the 1.5 unit. That would keep the temp at zero degrees would keep the building at 55 degrees. If it got below -15 degrees, you would still be able to keep the building above freezing. We would still keep the old furnace because it runs off LP and this system is all electric so we'd need the old furnace as a back up. This would also include smart phone capability so no one would have to physically go down to check the temps. He also quoted a hard wire thermostat that comes with a remote control so you don't have to worry about batteries. Wenger also mentioned that the current generator that we have at the Scada office would power this unit if there was a power outage. Herman asked if there would be additional duct work with a mini-split system. Wenger stated there's no duct work for this type of system. Staebell asked if there were other heating/cooling contractors contacted for quotes. Kramer stated she contacted Meyer Mechanical because they put have done all of the service work on the units that past several years. Wenger said he's has for a few other quotes but hadn't heard back. Staebell said his concern was not asking for other quotes. Leonard ask what the reasoning was for going. Wenger said by getting it installed now you'd have warrantied equipment going into the winter. Gifford said a cheap option would be to throw in a Wifi thermostat and put in a \$100 humidifier. He said he wasn't promoting that option but this would help with the humidity issue. Kramer said you are still dealing with a furnace and air conditioner that are over 25 years old. Staebell asked if the air conditioner unit is operational. Wenger stated it is buried in sand and hadn't been used this year. Herman asked what the life span of a mini-split is versus the conventional heating/cooling units. A motion was made by Kramer to approve the quote from Meyer Mechanical, Havertape seconded. Herman said he wasn't opposed to the motion but that he thought there might be less expensive options out there. Staebell also expressed we should get other quotes especially if we don't need this done before spring. Leonard asked for a vote. Those in favor were Havertape, Burger and Kramer. Opposed were Staebell, Herman, Gifford and Leonard. Motion failed.

Burger made a motion to work with Burrington Group to get out and solicit other quotes for a heating/cooling system. Wenger asked if Burger wanted quotes for the same type of system and he said yes. Leonard said he would also like to get another expert's opinion on the building and what type of recommendations they would have on the system to install. Burger expressed concerns with going too far out of the area for quotes because of service issues. Staebell seconded the motion. Motioned carried.

Burger made a motion to table agenda item #11 which was consideration and possible action on a quote for road repair below the powerhouse due to the lack of a quote. Herman seconded the motion. Motion carried.

Staebell made a motion to table action a proposal from Bill Holman from Stanley regarding the replacement of riprap below the dam due to Bill's unavailability to present his proposal. Herman seconded the motion. Motion carried.

Leonard asked Dan Reyner and Chad Kelly to update the Trustees on their request for reimbursement for dredge work done in the Cedar Cove area. Leonard stated that last year Dan had made a proposal to the board for work to be done in the cove and there was

an agreement that was made at that time between the Cedar Cove Assn. and the District. Reyner gave a brief overview of the project and communications with the Trustees. He stated that the original proposal included dredge removal and a siltation basin at a cost of approximately \$90,000. This would take the depth near the catch basic to 8-10' and the cove depth to 6-8'. The request to the Trustees was for an 80/20% match. The Trustees felt the cost was too much and came back with a 80/20 split not to exceed \$50,000 for a Trustee total payment of \$40,000. Cedar Cove came back with a proposal that removed less material. They removed around 1200 loads of dirt. The cove was dredged to a depth of 4-5', the main channel is 6-8' deep and the catch basic 6-8' in the center as it slops toward the center. Reyner stated there was an easement on west side which is Al Boge's land. The design was to keep heavy equipment away from the east side where the concrete walls are. Reyner said he believed there was an easement was in place. Herman stated that nothing had been signed for the easement at this point. He stated that there were pieces of the easement that had been in question but the draft was in place. Reyner stated that Al Boge had agreed to take the material. He also stated that there were concerns expressed about the depths of the area. He reminded the Trustees that they did not go as deep as originally proposed because the Trustees felt the cost was too expensive. He stated they took 8-10' of dirt out of the sedimentation basin. Photos show the before and after results. He stated he'd been out with a 7' paddle and hit bottom with his hand under the water. He noted that there's probably about 6" of slime covering the bottom. That's occurred since last September. There's a submerged dam in the narrow part of the creek that will hold material back. It's about 4' under water. They didn't make it wider because of the liability if someone hit it. He stated they've gone over budget with the project. The total cost of the project was \$413,000. The association is asking for 10%. Gifford made a motion pay the previously agreed amount of \$40,000, Havertape second the motion. Gifford said he felt it comes down to the Trustees doing what we offered and what was accepted by the Cedar Cove Association. Those two things were to build a siltation trap and dredge the cove. Staebell stated he'd met with Dan and Chad that afternoon. He wanted to see the verification of the amount of work that was done. He also wanted to verify that the wall was there that would hold the sediment. What he doesn't know is how much material actually was removed. The concept of being able to remove material is based on comments to that fact but the concern is whether or not it's a valid statement to say material can be removed. He also questioned how valid the removal of material in that area is but noted he was not on the board when that decision was made. Gifford stated that the value was approved by the Board previously. Leonard asked Kelly about the type of equipment is used to remove material from the siltation basin. He said his equipment could reach between 75' and 90'. He also stated it would make the most sense to have a dump truck available and to move the material to whatever area is designated. Leonard asked if the motion to approve included a completed easement. Gifford said yes his motion would included have a signed easement because it's part of the siltation removal process. Staebell asked Gifford if that meant the easement would have to be executed to be a part of the agreement. Gifford stated it could be made conditional and hold back some contingency money to take care of that issue. Staebell and Kramer both stated they felt payment should not be paid until the easement is complete. Staebell asked about the maintenance on the siltation basin as to when or how frequently material is moved. Leonard said it's

our right but not our obligation to remove. Herman said his concerns were regarding the depths in the cove. He said in the original proposal was to get a depth of 8-10' at a cost of \$25,000 and also an indication in the original proposal that if the black dirt could be used that would reduce the cost to remove from \$6.50 per cubic yard to \$2.00 per cubic yard which could reduced the \$25,000 cost. He questioned if the dirt was used for behind the concrete walls. If less material was taken should the costs have gone down. Reyner said the \$25,000 was determined by the Trustees to get to a cost they were comfortable with. Herman said he was referring to the total estimate that came from Cedar Cove. Herman also expressed a concern over not having easements on both sides. Reyner stated they didn't want heavy equipment on the concrete side which is why they built up the dirt site so by design an excavator can reach out 75-90' to maintain the integrity of the wall. They did use sand and dirt on both sides of the sediment basin. Herman said he just wanted to have a comfort level that the catch basin will work because he got information from Pat Colgan saying he didn't feel the depths in the cove weren't enough and material would flow right through. Reyner said that could happen. He didn't know. Leonard asked Reyner if there was new siltation in the cove today. Reyner stated there was about 6" of slime. He also stated as far as use of the cove by the public, he's seen lots of people fishing and boating on a regular basis. He mentioned that they consulted with the DNR before building the catch basin and the DNR felt it would work. Herman asked about a rock base for \$3,500. Reyner stated that was for one of the resident's driveway that was torn up during the construction process. Burger stated he'd been in the cove three times with his depth finder and couldn't find 8' anywhere. He stated he like to get on a boat with them to verify depths. Burger expressed several concerns. One is that the original proposal stated that the individual homeowners in the cove were going to contribute \$1,200 and that amount was cut in half and that was another \$10,200 that could have been used on the project. Burger stated in the past the Trustees verified the materials that were taken from other projects. He also expressed concern that the catch basin should be deeper behind the wall and if that's not the case it won't work as it should. He asked if everything on the original agreement of \$40,000 was done. Burger said he'd be okay paying somewhere in the middle but if the project was not done as agreed to and the residents got their assessment cut in half he has a problem paying the full amount. He suggested possible paying the \$25,000 for the catch basin but doesn't see where the cove was dredged out. Burger said he has said in the past he had voiced his concerns that there wasn't enough value from a safety and recreational standpoint to put money into the cove. He said he agreed to the project because of the catch basin and if it's not deep enough to do what it's supposed to we aren't getting any value for the amount we agreed to. Gifford asked if there's a possibility to raise the wall. Burger stated he would rather have the more depth in the cove. Staebell said he would feel more comfortable being able to verify that the depth is deeper than the wall. Herman stated that he thought the plan was to be 6' in center and 4' at the docks versus 8' in the center and 6' at the docks. Reyner said that was correct. Staebell said he didn't question that a significant amount of work was done. He asked Reyner if it was a fair statement to say a pretty good chunk of dirt was removed from the residents' dock areas to give them better access. Reyner said that 14 of the 18 homeowners got better access from the project. Burger said because the easement has not yet been signed he would like table the motion to give him and any other Trustee the opportunity to go in and review the depth with

Reyner and Kelly. Burger made a motion to table, Staebell second his motion. Herman asked Reyner if there are any contacts from the DNR or Conservation Board that could help confirm the siltation trap that will work. Dan said he didn't have a specific contact. Leonard asked for a vote of who was in favor of tabling the consideration to approve payment to Cedar Cove Assn. All ayes except Gifford who voted no. Motion carried.

Gifford presented information regarding the Maquoketa River WMA. They would like to have a representative from each of the participating members as the primary voter when there are votes that happen. They also suggested having two proxy voter backups.

Leonard said the Board had signed a document authorizing him to be the primary representative so we need to ask for two alternates. Staebell asked if we had a Water Quality Team and it was stated that Doug Herman was in charge of that. Leonard and Gifford led the charge to get the Water Quality initiative going. Herman stated that he had completed the by-laws for the WMA. They will go through the formal approval process at their next meeting. The need for a proxy vote is important in the event Leonard is not available to vote. Leonard suggested Gifford be the first backup and Kramer as the second backup. Burger made the motion to put Gifford and Kramer as proxy voters, Herman seconded. All ayes. Motion Carried.

Committee Updates:

Beach Maintenance – Burger asked about port-a-potties. They usually remove at them around October 1st but with the warm weather it may only be necessary to remove two of the four. Kramer will follow up with D & S Portables. Leonard suggested keeping the port-a-potty at North Beach until we remove all of them from Lost Beach. No other issues at the beach at this time.

Nothing on Lake Recreational Maintenance issues or Dredge updates.

Dam Operations – Kramer stated she had sent out an Operations Team update to the Board last week. Double doors will be installed below the powerhouse to allow us to store a spare actuator and other large items. The team is looking at getting quotes to fix the road going to the east side of the powerhouse. There's been a lot of cutting a runoff coming down that road. There was talk of possibly moving the LP tank but at this point it looks like that won't be necessary.

No other updates on Water Quality.

Legislative Update – Larry Murphy and Gary Grant were present. Both Murphy and Grant discussed the legislative change that allowed the District to do the bond refunding. Grant cautioned that moving forward with more changes could make an argument that we have the same authorities as a city and would therefore be considered a city. Staebell asked what we do we need to be cautious about. Grant said one thing the District doesn't have now is the authority to bond without a referendum. Cities have certain capacities to bond for certain projects that don't require a referendum based on criteria such as population. Grant said he doesn't see the legislature making changes for the District to

allow them that capability. Murphy said that nothing will be happening this year with water management authorities. There will probably be debate during the upcoming governor's election. Depending on the election and who controls the legislature there could be a movement toward monies for water management in the next couple of years. He said he felt it was a good thing that the District is moving forward and putting things in place to be ready when funds do become available.

Gifford said he would have more information on the Wall of Recognition at the October meeting.

Gifford also gave an update on the Policy & Procedure handbook that he is working on. He said based on discussions at the work session he began the process of developing a centralized policy and procedure handbook. His thought is to have the handbook placed on our website. He and Kramer are in the process of going through previous minutes and resolutions to find the policies and procedures that we currently have and put them on our webpage.

Leonard opened the meeting up to public comment. Lamont Davidson stated that when he was on the board when approval was given for the Cedar Cove Project. He said he thinks what's lacking is the oversight of the project. He said in other projects the Trustees were involved in the projects and knew the quantities of material taken out. He doesn't feel that happened here.

Bill Lux asked the Board to consider a handrail on the north side of the office building.

A motion was made by Burger, second by Staebell to adjourn. Motion carried. Meeting adjourned at 9:00.

The Board moved the work session to Bulicek's where they discussed the future strategy with Gary Grant and Larry Murphy regarding the lobbyists' activities for the District.