

West Lakes Association - Board Meeting – Wednesday, February 8, 2023

Attendees:

In Person – Cliff and Diane Foughty, Linda Knefely, Stan and Jane Silver, Jean Thomas

Zoom – Randy Mull, Rosemary Risser, Michael Shaefer

Guests: Jones Lake Road Shoreline Restoration, Inc. (JLSR)

Rica Sell, Allison Miller, Chris McDonald, Menno Schuatz

Meeting was called to order at 7:05pm by West Lakes Vice President, Jean Thomas.

The Agenda for the meeting was approved.

The Minutes of the January 5, 2023 Board Meeting was approved.

The meeting started with a presentation from Rica Sell of Jones Lake Road Shoreline Restoration, Inc. (JLSR). At the advice of Doug Nusbaum, they have applied for 2 LARE grants. #1 - \$100,000 for dredging of the Little Elkhart River; #2 - \$100,000 for dredging of the Jones Lake Channel. She explained that no one in this area of Jones Lake has had access to their docks for at least 1-½ years. The silt/sludge buildup has caused unacceptable and even dangerous situations. The estimates to remedy this are outrageous. The plan is that once they receive the grants they will have dredging companies come out to assess and then let them know what can be done.

There is also a REMC grant that they are applying for. Randy has also been working on this grant for West Lakes and said he can help them to complete. They already meet 3 categories and are waiting for some photos. The Vegetation Spraying LARE grant could possibly help with the reasoning for this grant. They also had concerns that we would both be applying for the same thing; they don't want to be in competition with us for the grant. It was also mentioned that there will need to be a Partnership Agreement between West Lakes and their group. They do have a large group from Jones Lake Road that has agreed to be a part of this, including financially.

At this point, Michael Shaefer did a presentation showing a map of the area from the dam in Rome City to Jones Lake and how at the last section of the river it goes from 80' wide to 42' wide. He explained that when a large volume of water fills up the river it overflows – in our case over Joe Whetstone's property – and a **sheet flow** condition occurs carrying the dirt and sediment.

The question is how to fix this. Suggestion 1 – create a **berm** on Joe's property. This would not be a small undertaking even with the government covering 80%. Joe currently uses this land for cattle and the consensus is that he is not aware of this situation. The JLSR group stated that the "pit" on his land is only ½ full and he is planning to get rid of more of it; he can't use the sediment in the pit for 2 years. Russell Baker is the NRCS (National Research Conservation Service) representative – board members from West Lakes will be meeting with him in March and thought it best for the JLSR group to talk to Russell first – before talking with Joe Whetstone.

Suggestion #2 – Redefining the Jones Lake shorelines. Per Doug Nusbaum, when the dredging was done 11 years ago, plantings were put in to help conserve the shoreline. These plantings were instrumental in keeping the shoreline, but were removed by homeowners. More plantings and glacial rock, along with educating homeowners, needs to be done. Rica showed several pictures of current shorelines where 50' from the shoreline there is only 1" of water. They understand the amount of work this will entail – taking out all docks, removing trees, cleaning up the shorelines – they have the manpower and are willing to do all this.

Their question – What is their next step? Answer – Wait to see if they get the grants.

In conclusion, Rica will email the JLRS REMC grant application to Jean to forward to Randy so they can work together to coordinate and get the grant(s) submitted by the deadline of March 4.

Jean reiterated that there are many parts in this process. Financially, she will be seeking donations from 1) all Jones Lake residents, 2) Bass fisherman, 3) 5-Lakes, and 4) West Lakes people-at-large. The JLSR has a Benefit Auction fundraiser idea as Menno is an auctioneer.

The discussion with the JLSR group concluded at 7:50pm when they left and the regular board meeting continued.

Randy questioned the status of the guy who dumped all the dirt. Jean stated that he has moved. The DNR did give him a citation but knows of no other consequences. She will be talking to Doug Nusbaum about a possible lien on his property so he is accountable. Jane noted that she hasn't seen any consequences for anything or anyone on the lakes.

Budget – Rosie hoped everyone had reviewed the budget files she had sent out earlier in the week and asked for any changes to the budget assumptions, income or expenses. She stated that for Lake and River Maintenance she was on the high side and on Income she was aggressive. The LARE grant for Weed Spraying was approved. Last year we received \$10,000 for 2 areas; expense was \$12,500 with the 20% net of \$2,500. For this year, Jean read the grant approval paper which indicated it was not to exceed \$5,000 and must be completed by May 1, 2024. She will follow up to verify the amount of this grant.

Funding for drone (approved via email after Jan. 5, 2023 meeting) – this was not included because Mike had already done his initial excursion down the Little Elkhart River. He stated that we will still need this drone video after a heavy rain or substantial storm (in the spring) so that we can definitely show a sheet flow condition.

Rosie will add the \$700 drone expense to the budget as well as adjust the Weed Spraying LARE grant to \$5000 with the 20% adjustment.

There is no money in the budget for Project #2 (Jones Lake Channel); donations will be needed for that and it was reiterated that a Partnership Agreement with the JLSR Group will be essential and will need to be very clear.

Jean wanted to make the Board aware of a situation with the Shull's \$1 million project. They applied for their LARE grant thru West Lakes. She is concerned there could be legal and financial issues with taxes, CPA costs, etc. She wanted this on record and wanted the Board aware.

Rosie questioned the \$300 for lake signs; Jean explained they were in need of repair; \$300 should be plenty.

If we hold to this budget we will only have \$24,000 left, and this is being aggressive on income projecting 190 families will pay membership dues. It was agreed that any other changes need to be made over the next week and Rosie will finalize by March 1 and then send out by email to be approved.

Grant Writing Course was taken by 3 people; Randy stated the next course is an Advanced Grant Writing but feels we need to use what they have already learned at this time. A course in how to locate grant opportunities would be more beneficial at this time.

Updating By-Laws – Jean and Randy volunteered to go thru these in time to distribute at the Spring Meeting.

Conservancy – Jean started this discussion saying she had a 1-½ hour meeting with Paul Veldman, and that Diane Scott definitely needs to be pulled in to get this going again – Conservancy was discussed as far back as 2018 but was sidelined due to covid. The first question just about all of the companies she contacts asks is, Are we a conservancy? Forming a Conservancy would mean all property owners in the conservancy area would be required to pay for the conservancy from their property taxes. We have the numbers to proceed – 31% of the approx. 440 homeowners on West Lakes (31% is needed to form a conservancy; 51% to disban). Jean felt if we go with only the West Lakes area the problem will be with cash and the feasibility of projects. The original plan was to include 5-Lakes as our problems affect them. The conservancy would have Reps from the lakes and Trustees who would be judge appointed. In any case, the urgency of this needs to be communicated to everyone on all lakes. The main goal of a Conservancy is to Protect the Lakes. Example would be that the Noble County Drainage Board is not doing their job and we have No Power to do anything. We get no help from our commissioners; they frankly don't care. The Conservancy would be able to file a suit. To get back on track ASAP:

- ◆ Get more people on board; more involvement (Jean doesn't think Paul will be involved). Form a Steering Committee of 4 who will:
 - Research Fact from Fiction – clearly understand what a Conservancy can and cannot do. Do we get a percent for Admin fees? Could we add a provision to hire someone for Stop Log removal?
 - Meet with 5-Lakes – it could get tricky with them; we may need a consultant. We would be crossing counties; how would that work?
 - Lay down stepping stone
 - Committee of door knockers to get the information out, get 31% – we need to be transparent.

Jean hopes to meet with Diane this week; she knows of a professional who recently moved to our area who may help. This will not be time consuming – possibly 5 hours a week. She pleaded that if board members know of anyone to please recruit them to help. She has also heard that property values are better where there is a conservancy; and yes, Sylvan Lake has a conservancy – they pay \$50/month. In tying up this discussion, Jean just asked that we think about people who could help; possible people to do research, one person to compile information (a lot has already been done) and at least 1 board member should be on the committee. Board members should also write down any questions they have so these could be researched, and we need to decide whether to add 5-Lakes or not.

Fund Raising was tabled until the next meeting.

Randy had requested an update on the dredging costs, specifically for Tamarack Lake as last estimate was 5 years ago. Everyone agrees this is a drainage problem, which affects everyone. Jean noted that Rep. Abbott has asked that the grant cap be raised to \$200,00 and it looks like this will pass. He would also be someone to talk to about the pros and cons of a conservancy.

Jane voiced her frustration that Noble County Drainage Commission is doing nothing; feels we need to do better at getting information out, letting lake residents know this, going door-to-door. Can we re-route water, put in our own retention - the county needs to do better on drainage. Jean added that we can't forget the DNR – they allowed it and we became the Noble County ditch. The only way to get the county to do anything is to hire a lawyer and at this point, a Class A suit would do nothing as Noble County is broke.

Jean's opinion – Conservancy is our best option. Randy will work on grant opportunities.

Jane motioned to adjourn. Diane seconded.

Meeting adjourned 8:58pm

Respectfully submitted,
Linda Knefely

