



# LOST NATION-NEW LANDING RCD

## November 2, 2010

## Time: 7:00PM

### I. Call to order - Steve called the meeting to order at 7:10PM

#### Board Members Present

Steve Larry - President

Glenn Baldwin - Vice President

John Harris – Secretary

Dennis Cantrell – Member at Large

Tim Spelde – Member at Large

### II. Pledge of Allegiance

**III. Motion to Approve the Agenda** – John motioned to approve the agenda and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [11-10-01]

**IV. Motion to Approve the 10/5/2010 Minutes** – Glenn motioned to approve the 10/5/2010 minutes and Dennis seconded the motion. The board approved the motion with Steve, Glenn, Dennis and Tim for it and John abstaining from the vote. [11-10-02]

**V. Motion to Approve the Treasurer's Report** – Glenn motioned to approve the treasurer's report and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [11-10-03]

### VI. Director Reports

**A. Steve Larry – Grant Writing / Watershed Planning** – Rebecca is sending the EPA reports for preliminary approval on the Moss and Kreger projects. Whatever the property owner spends to improve their shoreline the RCD can use as match toward the overall Babbling Brook/Lost Lake Shoreline Stabilization Grant and whatever the RCD spends on its own shoreline stabilization and the rebate that they give private shoreline owners, that the EPA will reimburse the RCD that amount. Rebecca is the main contact for the RCD to the EPA. November 16<sup>th</sup> is the next scheduled WPC/TAC meeting.

**B. Glenn Baldwin – No Trespassing Signs** - To address some 4-wheelers that have been trespassing on RCD property, Glenn had signs made up for the 23 acre site off of Flagg Road.

**Peninsula Cleanup** – With the help of Dave Nelson and some volunteers, they have 9 trees, weighing 400 lbs each, that they will transport over to the peninsula for planting. Steve offered to allow them to hook up a hose to a spigot on his house to water the trees after planting. Sue and Arthur Elster offered to donate their Purple Martin house for the peninsula – Steve will leave the decision up to Glenn.

**C. Dennis Cantrell – High Water Bill** This month's water bill was excessive (over \$600) and Dennis is working with the LLUD (Mike has a key to the basement) to track down the cause of this. The outer foyer women's toilet has overflowed a couple times and the sinks have been left turned on so Dennis will have a plumber look at the guts of the toilet and also put in automatic shutoffs on the sinks. **Boat Launch still not complete** – Dennis will do himself if necessary.

**D. Tim Spelde – Fish Stocking** – 1000 Walleye, 500 large-mouth bass, 3,200 perch for \$3,600. **Silt Removal at Flagg Road Silt Basin** – Tim contacted Nordman about dredging the silt basin while the lake is down. **Boards** – On the weekend of November 12<sup>th</sup>, they will initially lower the lake by two board levels, or 20 inches; then, once the Moss' contractor gets the first level of concrete blocks in on their shoreline project, they will reinstall one of the layers back in to minimize the effect on shoreline plantings.

**E. John Harris** – The special events committee hosted a 5<sup>th</sup> Friday last week and had a record 68 people in attendance.

### VII. New Business

**A. Motion to Approve Revision of Riprap Program to Adhere to Babbling Brook Grant** – Steve read the following statement, which outlines the change to the rebate program needed to conform with EPA grant requirements:

“As a result of EPA Grant #C9995200-10 and EPA Grant Agreement # 3191003, applicants will be required to maintain their shoreline improvement for a minimum of 10 years from completion of the improvements. The RCD reserves the right and the property owner agrees that should they fail to maintain the shoreline

improvement at any time during this agreement, that the RCD may complete maintenance of the shoreline stabilization and bill the property owner for all such repairs/maintenance.”

Dennis motioned to approve the revision to the stabilization rebate program as stated above to adhere to the Babbling Brook Grant 3191003 Guidelines and John seconded the motion. The board approved the motion unanimously. [11-10-04]

- B. Motion to Approve Addendum to RCD Shoreline Stabilization Rebate Program – (See Attachment 1)** Glenn motioned to approve the addendum to the Shoreline Stabilization Rebate Program and Tim seconded the motion. The board approved the motion unanimously. [11-10-05]
- C. Motion to Approve Babbling Brook Stream Bank Stabilization BMP Agreement – (See Attachment 2)** Glenn motioned to approve the Babbling Brook Stream Bank Stabilization BMP Agreement and John seconded the motion. The board approved the motion unanimously. [11-10-06]
- D. Definition of Shoreline Improvement in Ordinance –** As a result of the RCD requesting a deck adjoin the shoreline be straightened, the homeowner questioned the current ordinance and definition of "shoreline" as it references "improvements". Through conversations with the homeowner, Steve indicated he need not make the suggested repairs until the board could address the ordinance with clearer definition. John and Dennis volunteered to research this and come to the next meeting with a proposal. Becky is to notify the homeowner of the current status.

#### **VIII. Old Business - none**

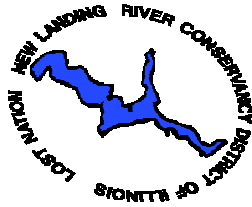
#### **IX. Guest Comments (limit of 5 minutes per guest)**

**Don Finn –** A property owner complained about beer and wine being served at the 5<sup>th</sup> Friday event with regard to the POA being responsible for someone driving on their roads who may be intoxicated and cause an accident. Steve said that it would be the same as if you went to a friend's house and had too much to drink and became involved in an accident – are you responsible or is your buddy responsible.

**X. Motion to Adjourn –** Glenn motioned to adjourn the meeting at 8:06PM and Dennis seconded the motion. The board approved the motion unanimously by roll-call vote. [11-10-07]

#### **November 2, 2010 Motion List**

1. John motioned to approve the agenda and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [11-10-01]
2. Glenn motioned to approve the 10/5/2010 minutes and Dennis seconded the motion. The board approved the motion with Steve, Glenn, Dennis and Tim for it and John abstaining from the vote. [11-10-02]
3. Glenn motioned to approve the treasurer's report and Tim seconded the motion. The board approved the motion unanimously by roll-call vote. [11-10-03]
4. Dennis motioned to approve the revision to the stabilization rebate program as stated above to adhere to the Babbling Brook Grant 3191003 Guidelines and John seconded the motion. The board approved the motion unanimously. [11-10-04]
5. Glenn motioned to approve the addendum to the Shoreline Stabilization Rebate Program and Tim seconded the motion. The board approved the motion unanimously. [11-10-05]
6. Glenn motioned to approve the Babbling Brook Stream Bank Stabilization BMP Agreement and John seconded the motion. The board approved the motion unanimously. [11-10-06]
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Addendum to RCD Shoreline Stabilization Rebate Program as it applies to  
lake stabilization after May 1, 2010

LNNLRCD BABBLING BROOK LAKE SHORELINE STABILIZATION

BEST MANAGEMENT PRACTICES (BMP) AGREEMENT

FUNDED BY THE EPA, GRANT # C9995200-10

PER EPA GRANT AGREEMENT #3191003,

Section "Permits & Landowners Agreements, paragraph 2

As property owner(s), of \_\_\_\_\_  
I (we), \_\_\_\_\_, understand and fully agree to the terms and  
conditions outlined herein that require the maintenance of any shoreline improvements in  
accordance with Best Management Practices (BMPs) designed by the Lost Nations New Landing  
River Conservancy District.

1. Shoreline improvement SOP's will be supplied at no cost to the property owner(s) and property owner(s) agree to adhere to SOP's as established by the RCD.
2. BMPs will be designed to insure each stabilization improvement is maintained for each shoreline application by the LNNLRCD at no cost to the property owner for their use. The property owner agrees to follow their respective BMP, at their cost, for the purpose of operation and maintenance of any improvement(s), including vegetative management, of the shoreline for a minimum of 10 years from completion of said improvement(s).
3. Should the landowner fail to follow the BMP provided at any time during this 10 year period, they will allow access by the LNNLRCD or its designate, including contractors, for the purpose of maintaining improvements. All costs for providing such maintenance will be paid for by the landowner.

4. Should there be a failure of engineered stabilization due to an Act of God, the landowner is required to repair the stabilization at their expense within a reasonable timeframe, not to exceed six (6) months from said "Act of God". Should the landowner fail to make the appropriate repairs within the timeframe, they will allow access by the LNNLRCD or their designate, including contractors, for the purpose of making repairs. All such repairs will be paid for by the landowner.

This agreement is fully transferable to any future landowner of this property. Property owners are required to disclose this agreement prior to any sale or transfer of their property so affected and the new owner is bound by this agreement and all of its provisions for the duration of the agreement. Accordingly, property owners are required to record this agreement as part of their current deed and provide a copy of such recording to the RCD for its records.

Signed this \_\_\_ day of \_\_\_\_\_, 2010 \_\_\_\_\_

Notary

Property Owner(s) \_\_\_\_\_

Property Address: \_\_\_\_\_

Received by RCD

Date: \_\_\_\_\_

Received by: \_\_\_\_\_



## LNNLRCD BABBLING BROOK STREAMBANK STABILIZATION

### BEST MANAGEMENT PRACTICES (BMP) AGREEMENT

FUNDED BY THE EPA, GRANT # C9995200-10

PER EPA GRANT AGREEMENT #3191003,

Section "Permits & Landowners Agreements, paragraph 2

As property owner(s), of \_\_\_\_\_  
I(we)\_\_\_\_\_ understand and fully agree to the terms and conditions outlined herein that require the maintenance of any shoreline and/or stream bank improvements in accordance with Best Management Practices (BMPs) designed by the Lost Nations New Landing River Conservancy District.

1. Shoreline/Stream Bank improvements will be engineered and implemented at no cost to the property owner. In return, the property owner will allow access through and/or on their property for the purposes of planning, design, construction, educational tours, recording of the stabilization improvements, vegetative management, monitoring and other related activities. Private property will be returned to its original state where ever possible (seeding and landscaping) upon completion of construction.
2. BMPs will be designed to insure each stabilization improvement is maintained for each shoreline/stream bank application by the LNNLRCD at no cost to the property owner for their use. The property owner agrees to follow their respective BMP, at their cost, for the purpose of operation and maintenance of any improvement(s), including vegetative management, of the shoreline/stream bank for a minimum of 10 years from completion of said improvement(s).

3. Should the landowner fail to follow the BMP provided at any time during this 10 year period, they will allow access by the LNNLRCD or its designate, including contractors, for the purpose of maintaining improvements. All costs for providing such maintenance will be paid for by the landowner.
4. Should there be a failure of engineered stabilization due to an Act of God; the LNNLRCD will bear the expense of any and all repairs or additional improvements to the affected areas. Such repairs will be completed by a contractor selected by the RCD through its regulatory requirements.

This agreement is fully transferable to any future landowner of this property. Property owners are required to disclose this agreement prior to any sale or transfer of their property so affected and the new owner is bound by this agreement and all of its provisions for the duration of the agreement. Accordingly, property owners are required to record this agreement as part of their current deed and provide a copy of such recording to the RCD for its records.

Signed this \_\_\_ day of \_\_\_\_\_, 2011 \_\_\_\_\_

Notary

Property Owner(s) \_\_\_\_\_

Property Address: \_\_\_\_\_

Received by RCD

Date: \_\_\_\_\_

Received by: \_\_\_\_\_