

LAKE LEMON CONSERVANCY DISTRICT

Board of Directors Meeting

Zoom Digital Format

March 25th, 2021

6:00 p.m.

The March 25th, 2021 Board of Directors Meeting of the Lake Lemon Conservancy District was Held remotely using Zoom and was called to order by Chairman Pam Dugan at 6:00 PM.

BOARD MEMBERS PRESENT: Chairman-Pam Dugan, Vice-Chairman Mary Jane Brown, Treasurer Debra Ladyman, Michael Klitzing, Debra Ladyman*, Steve Priddy, Les Wadzinski, Mike Blackwell. ALSO PRESENT: Adam Casey, District Manager, Alex Snooks, Operations Supervisor; LLCD Freeholders (see attached sign-in sheet). Ladyman had to leave the meeting at 6:30 pm and did not vote on anything after the Financials.

- I. Call Meeting to Order / Chairman's Remarks (Dugan)
 - II. Public Comment
 - a. Comments were received from the Gail Tala, Frank Van Overmeiren, Michael Kafoure, Rebecca Ball, Ann Wroblewski, and Steve Sims. To view the comments and listen to any response from the Board, please see the YouTube Video on the Lake Lemon Conservancy District channel.
 - III. Treasurer's Report (Ladyman)
 - a. February Budget Highlights
 - i. February Income: \$10,792
 - ii. February Expenditures: \$107,000
 - b. Ladyman requested approval of the Report of Claims for February 2021.
- KLITZING MOTIONED TO APPROVE THE REPORT OF CLAIMS: ALLOWANCE OF VOUCHERS FOR FEBRUARY 2021. BROWN SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.**
- c. Casey presented the 2022 Budget Timeline.
 - i. Over the next few months, the Budget Committee will prepare the 2022 Budget.
 - ii. On June 19th the 2022 budget will be presented for the first time to the Board and the Public.
 - iii. On July 17th the 2022 budget will be read a second time for the Board and the Public.
 - iv. On August 21st the 2022 budget will have its first public hearing.
 - v. On September 23rd the 2022 budget will have its second and final hearing.

- vi. On October 28th the 2022 budget will be adopted by resolution.

IV. Approval of the Annual Board Meeting Minutes.

- a. Dugan requested approval of the Annual Board Meeting Minutes.

PRIDY MOTIONED TO APPROVE THE ANNUAL BOARD MEETING MINUTES. KLITZING SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

V. Administrative

- a. Casey requested approval of the 2021 Fireworks Contract in the amount of \$8,000.00 to be held on Friday July 2nd with a rain date of Saturday July 3rd.

PRIDY MOTIONED TO APPROVE THE 2021 INDEPENDENCE DAY FIREWORKS CONTRACT IN THE AMOUNT OF \$8,000.00 TO BE HELD ON JULY 2ND WITH A RAIN DATE OF JULY 3RD. WADZINSKI SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- b. Casey requested the Board disclose any conflicts of interest they may have and vote to accept the conflict-of-interest policy and statement of disclosures.

BROWN MOTIONED TO ACCEPT THE CONFLICT-OF-INTEREST STATEMENT. PRIDY SECONDED THE MOTION. DUGAN, BROWN, LADYMAN, KLITZING, PRIDY, AND WADZINSKI VOTE "AYE". BLACKWELL VOTES "NAY". THE MOTION CARRIED.

VI. Manager's Report (Casey)

- a. Casey stated that bid validity extensions were accepted by Dredge America(through June), Merrel Bros.(through June), and Heartland Dredging(through May 14th).
- b. Casey stated that he received the Rule 5 permit for the land west of the new disposal site in order to store excess dirt from the earth work there.
- c. Casey also stated there will be a public hearing held by DNR on April 23rd, 2021 at 5:00pm at the Abe Martin Lodge.
 - i. The hearing is being held in regard of the permit to hydraulically dredge soil out of the lake and place in one to two disposal sites the first being the new South Shore settling pond, and the second being the overflow pond across the Long Causeway.
- d. Casey requested approval of Resolution 03-21-04: Playground Equipment Acceptance.
 - i. This resolution is for the reception of Playground Equipment as a direct transfer of ownership from Carmel-Clay Parks and Recreation.

BROWN MOTIONED TO APPROVE RESOLUTION 03-21-04: PLAYGROUND EQUIPMENT ACCEPTANCE. WADZINSKI SECONDED THE MOTION. ALL "AYES". KLITZING ABSTAINS. THE MOTION CARRIED.

- e. Casey requested approval of the Playground Installation Contract with PlayPros.

KLITZING MOTIONED TO APPROVE THE PLAYGROUND EQUIPMENT INSTALLATION CONTRACT NOT TO EXCEED \$12,000.00. WADZINSKI SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

VII. New Business/Correspondence

- a. Dugan stated the next board meeting will be held on April 22nd, 2021 at 6:00pm with location to be determined.

VIII. Adjournment

BROWN MOTIONED TO ADJOURN THE MARCH 25TH, 2021 BOARD OF DIRECTORS MEETING AT 6:58 P.M. KLITZING SECONDED THE MOTION. ALL "AYE'S". THE MOTION CARRIED. MEETING ADJOURNED.

**RESPECTFULLY SUBMITTED BY:
Alex Snooks, Operations Supervisor**

LAKE LEMON CONSERVANCY DISTRICT

Board of Directors Meeting
Zoom w Live Youtube Broadcast

March 25, 2021

6:00 p.m.

AGENDA

- I. Call Meeting to Order / Chairman's Remarks (PD)
- II. Public Comment (PD)
 - A. Public Comment from February 25th, 2021
- III. Administrative (AC)
 - A. Approval of February 25, 2021 Annual Board Meeting Minutes
 - B. 2021 Independence Day Fireworks Contract: Approval
 - C. Annual Board Conflict of Interest Policy and Signatures
- IV. Treasurer's Report (DL)
 - A. February Financial Highlights
 - B. Report of Claims for February 2021
 - C. 2022 Budget Timeline
- V. Managers' Report (AC)
 - A. Sediment Management Project: Bid Validity and Earthwork Update
 - B. Resolution 03-21-04: Playground Equipment acceptance
-Playground Equipment Installation Contract
- VI. New Business / Correspondence for Future Agenda (PD)
Next Board Meeting: April 22, 2021
- IX. Adjournment

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Adam Casey, District Manager
Action Requested	Review
Item/Subject	2021 Annual Meeting Public Comment
Dollar Amount	N/A
Meeting Date	March 25th, 2021
Summary	Review and address the 2021 Annual Meeting Public Comment.
Staff Recommendation	N/A

Response to 2-25-21 Annual Meeting Public Comments

1. Regarding winter port-o-let question

Please direct operational questions to LLCD staff by contacting the LLCD Office via email or phone. Regarding these specific charges, the boat ramp is accessible year-round. If there is no ice on the lake, we do see fishermen year-round as well. With no other public restroom facilities in the region, we keep the ramp port-o-lets online year round as a courtesy to our lake users.

2. Why does Lake Lemon not have problems with Blue-green algae to the extent that Lake Monroe does?

It's not feasible to give one general answer to a question like this but many factors can come in to play. Lake Monroe has a much larger watershed, and likely a larger percentage of agriculture use within the watershed. This leads to increased amounts of nutrients being washed into the streams and ultimately the lake. With increased nutrient loading comes an increased risk of harmful algal blooms. The residence time, how long a given molecule of water stays in the lake, also can play a major role in the production of harmful algae blooms. Historically, the entire volume of water in Lake Lemon is replaced approximately 5 times per year. There is always water flow along the bean blossom corridor both into and out of Lake Lemon. This creates a very riverine, or *Lotic*, like environment. Since Lake Monroe is a flood control lake, the water is held back for long period of times and is only allowed to slowly exit the lake. This creates longer residence times for the water and also increases the amount of still water, known as a *Lentic* type system. On lake lemon this can be correlated with why we do not often see large algae blooms in the lake proper, but see very dense blooms annually in the over flow pond where the water is rather stagnant.

3. Regarding concerns with LLCD dredging

LLCD funded dredging has always focused on access dredging and is influenced by how many freeholders are being benefited from a given project. The east side of Point Idalawn currently does have lake access. While much of the bay is very shallow, it is currently not impeding access to the lake proper via the boating channel. The confluence of Possum Trot creek and Lake Lemon has historically been a very problematic area and is currently impeding access for multiple freeholders. If not addressed, that sediment will continue to migrate along the access channel on the west side of Point Idalawn impacting many freeholders. The other two areas have been discussed numerous times over the past few years and have never received LLCD funded dredging.

We would also like to clarify that there is a difference between the access-dredging that occurs with our in-house operation, and the large general area dredging that will occur with the hydraulic dredging project. The current hydraulic dredging project is focused on improving the

boating and general recreation potential for all lake users, not enhancing access from freeholder properties to the lake proper.

4. Sediment Management Project and better utilization.

The stated cost figure of \$13k in the public comment for design changes is not accurate. The cost of the recently approved contract with Christopher Burke for grading changes to the disposal basin, and Rule 5 permitting for the “valley” area of the South Shore Drive property was for the amount of \$6,000.00. As a Conservancy District we need to provide the most benefit to lake users, while minimizing the impact on the environment. While it would have been ideal to have needed no changes to the design, a reevaluation was in order to drive down construction costs of the initial design.

5. ADA Access Walkways-

The LLCD will be investigating costs for the concrete work as proposed by LLCD staff. We feel the longevity of concrete makes it more beneficial to asphalt as it will be positioned for reuse once a new restroom facility is constructed. We also believe that from a safety standpoint associated with bare feet coming and going from the beach, there is a substantially lower risk of burns to skin from hot asphalt. Multiple options will be looked at for the best utilization of funds.

6. Gatehouse Bids-

LLCD followed the state guidelines for receiving proposals for the replacement of the Riddle Point Park Gatehouse. In addition, the receiving period was extended to allow additional time for contractors to submit proposals.

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Pam Dugan, Chairman
Action Requested	Approve
Item/Subject	Annual Board Meeting Minutes
Dollar Amount	N/A
Meeting Date	March 25th, 2021
Summary	Minutes from Annual Board meeting on February 25, 2021
Staff Recommendation	Approve the Annual Board Meeting Minutes.

LAKE LEMON CONSERVANCY DISTRICT

Board of Directors Meeting

Zoom Digital Format

February 25th, 2021

6:00 p.m.

The Twenty Fifth Annual Board of Directors Meeting of the Lake Lemon Conservancy District was Held remotely using Zoom and was called to order by Chairman Pam Dugan at 6:00 PM.

BOARD MEMBERS PRESENT: Chairman-Pam Dugan, Vice-Chairman Mary Jane Brown, Treasurer Mike Blackwell, Michael Klitzing, Debra Ladyman, Lora Schell, Les Wadzinski. ALSO PRESENT: Adam Casey, District Manager, Alex Snooks, Operations Supervisor; LLCD Freeholders (see attached sign-in sheet).

- I. Call Meeting to Order / Chairman's Remarks (Dugan)
- II. Approval of the January 28th Board Meeting Minutes.
 - a. Dugan requested approval of the January 28th Board Meeting Minutes.

KLITZING MOTIONED TO APPROVE THE JANUARY 28TH BOARD MEETING MINUTES WITH CORRECTIONS. SCHELL SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- III. Treasurer's Report (Blackwell)
 - a. January Budget Highlights
 - i. January Income: \$648
 - ii. January Expenditures: \$29,283
 - b. Blackwell requested approval of the Report of Claims for January 2021.

DUGAN MOTIONED TO APPROVE THE REPORT OF CLAIMS: ALLOWANCE OF VOUCHERS FOR JANUARY 2021. SCHELL SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- IV. Brown County Community Foundation
 - a. Casey requested approval of Resolution 02-21-03: Transition to Invested Fund.
 - i. Casey presented a change from non-invested to invested for the Brown County Community Foundation Fund.

KLITZING MOTIONED TO APPROVE RESOLUTION 02-21-03: TRANSITION TO INVESTED FUND. SCHELL SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- V. Manager's Report (Casey)
 - a. Casey presented the Annual Report for 2020.

- b. Casey reviewed the 2020 Vegetation Control and presented the 2021 Agreement with Aquatic Control not to exceed \$50,000.00.

DUGAN MOTIONED TO APPROVE THE 2021 VEGETATION CONTROL AGREEMENT WITH AQUATIC CONTROL NOT TO EXCEED \$50,000.00. SCHELL SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- c. Casey presented the 2021 Mowing Contract with Nate Anderson in the amount of \$10,860.00 and requested its approval.

SCHELL MOTIONED TO APPROVE THE 2021 MOWING CONTRACT IN THE AMOUNT OF \$10,860. KLITZING SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- d. Casey opened the floor to discuss the dredging priorities for 2021.
 - i. The board discussed and decided on zones 128, 131, and 100.
 - ii. There will be an emphasis on private dredging this year and Casey agreed to create an annual maintenance plan for certain high-risk areas in terms of sedimentation.

WADZINSKI MOTIONED TO APPROVE THE 2021 DREDGING PRIORITIES. SCHELL SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- e. Casey requested approval of Resolution 02-21-02: East Causeway Debris Removal and Seawall.
 - i. This resolution is for the freeholders on the west side of Ellis Point to build a seawall along the lake edge of their property to make debris removal in that area safer and more efficient.
 - ii. It also states the conservancy will remove the debris build-up there as needed and as available.

KLITZING MOTIONED TO APPROVE RESOLUTION 02-21-02: EAST CAUSEWAY DEBRIS REMOVAL AND SEAWALL. DUGAN SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- f. Casey gave an update on the Sediment Management Project and requested a motion from the Board to ask the Bidders for a 90-day extension as to re-bid the earth work section of the contract.

BROWN MOTIONED TO APPROVE A REQUEST FOR A 90 DAY EXTENSION FROM THE HYDRAULIC DREDGE BIDDERS. SCHELL SECONDED. ALL "AYES". THE MOTION CARRIED.

VI. Riddle Point Park Improvements

- a. Casey gave a presentation on the 2020 priorities for Riddle Point Park which included a new Gatehouse and opening up the Shelter House.

- b. Snooks presented ADA concrete parking spots in front of the shelter house and bathhouse.
 - i. With those would be a path to both the shelter and the bathhouse from their corresponding parking spaces
 - ii. Additionally, there will be a concrete path to an ADA accessible Port-o-let near the shelter house to the west.
- c. Casey requested approval of a bid to build the new gatehouse in the amount of \$35,524.

WADZINSKI MOTIONED TO APPROVE THE BID TO BUILD THE NEW GATEHOUSE IN THE AMOUNT OF \$35,524. KLITZING SECONDED THE MOTION. ALL "AYES". THE MOTION CARRIED.

- VII. Board Election Results – Sub Area I, IV
 - a. Both Michael Klitzing (Sub Area I) and Steve Priddy (Sub Area IV) ran uncontested and were elected for four-year terms.
- VIII. Oath of Office: Sub Area I, IV
 - a. Dugan administered the Oath of Office for Michael Klitzing (Sub Area I) and Steve Priddy (Sub Area IV).
- IX. Drawing
 - a. The winners for the free boat pass drawing this year were Michael Kafoure and Steve Langbeen.
- X. Public Comment
 - a. Comments were received from the public, but not read as time did not allow. The Board agreed to look over the comments and discuss at the March 25th, 2021 Board Meeting.
- XI. New Business/Correspondence
 - a. Dugan stated the next board meeting will be held on March 25th, 2021 at 6:00pm with location to be determined.
- XII. Election of Board Officers
 - a. The Board discussed and elected Pam Dugan as Chairman, Mary Jane Brown as Vice-Chairman, and Debra Ladyman as Treasurer.
- XIII. Adjournment

KLITZING MOTIONED TO ADJOURN THE FEBRUARY 25TH, 2021 BOARD OF DIRECTORS MEETING AT 8:00 P.M. WADZINSKI SECONDED THE MOTION. ALL "AYE'S". THE MOTION CARRIED. MEETING ADJOURNED.

RESPECTFULLY SUBMITTED BY:

Alex Snooks, Operations Supervisor

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Adam Casey, District Manager
Action Requested	Approval
Item/Subject	2021 Fireworks Agreement
Dollar Amount	\$8,000.00
Meeting Date	March 25th, 2021
Summary	Review and approve the 2021 Fireworks Agreement.
Staff Recommendation	Approve 2021 Fireworks Agreement.

PROFESSIONAL SERVICES AGREEMENT

This Agreement is entered into this 25th day of March, 2021, by and between the Lake Lemon Conservancy District (hereinafter "District") and Heath Headdy & Bill Hawkins (hereinafter "Contractor") as follows:

1. District agrees to contract with the Contractor for the following services:

Conduct the Lake Lemon Conservancy District's 2021 Independence Day Fireworks Celebration. See Contractor Proposal (Exhibit "A").
2. District agrees to Contract with the Contractor for the following period of time:

July 2, 2021 (Show Date) July 3, 2021 (Rain Date)
3. Contractor is deemed an Independent Contractor and is not considered to be an employee of the District. As such, Contractor acknowledges that **no withholding** for the Federal, State or Local Income Taxes **will be made** and **he/she is responsible** for all tax liabilities. Contractor also acknowledges that the District **does not provide insurance** for Independent Contractors, and **that Contractors must furnish and provide proof, if requested, of its own liability, automobile, worker's compensation and other applicable insurance.**
4. Contractor shall provide **all necessary** licenses, permits and evidence of certification or ability to perform the above duties as shall be reasonably required by the District.
5. District agrees to pay Contractor the Total Sum of \$8,000.00 for 2021. Payment will be issued upon purchase of shells

Professional Services Agreement – Continued
Page 2

6. No portion of this Agreement shall be assigned by Contractor except with the written consent of the District.
7. Contractor agrees to **indemnify and hold harmless** the District, and its respective officials, employees, agents and independent Contractors from and against any and all losses, costs (including reasonable attorney fees) and liabilities which arise out of Contractor's acts or omission while Contractor is performing the services contracted for herein.
8. Contractor shall maintain appropriate commercial general liability insurance in a minimum amount of one million dollars (\$1,000,000.00) per occurrence. The District and City of Bloomington Utilities Department shall be included as **additional named – insureds** on the policy and contractor shall provide proof of insurance.
9. Contractor agrees not to discriminate against any person in the performance of this Agreement because of race, religion, color, sex, handicap, national origin or ancestry, age, residency, Disabled Veteran Status or Vietnam Era Veteran Status.
10. In all cases where Contractor is required to notify District for any purpose, Contractor shall notify the LLCD Manager, at 812-334-0233.
11. This Agreement represents the entire Contract between the parties.
12. Special provisions: See Attachment "A" Contractor's Proposal

Lake Lemon Conservancy District
"District"

"Contractor"

Signed _____

Signed _____

Print _____

Print _____

Title _____

Date _____

Date _____

Address _____

Phone _____

Exhibit "A"

NON FOR PROFIT 2021 LAKE LEMON SHOOT	8,000.00\$ BUDGET
HEATH HEADDY,BILL HAWKINS 7596 W CHAFIN CHAPEL RD. ELLETTSVILLE IN 47429	
PRODUCT LIST	SHOW
BODY OF SHOW	2-300 SHOT R,W,B SALUTE FAN CAKES
144- 3" SHELLS	3",4" SHELLS
72-4" SHELLS	10X10 FAN CAKE
66-5" SHELLS	3",4" SHELLS
37-6" SHELLS	2-81 SHOT CAKES
6-8" SHELLS	3",4",5" SHELLS
10-MULTI SHOT CAKES	2- SPIDER KING CAKES
	3",4",5" SHELLS
FINALE	2-MIXED COLOR BASKET CAKES
60-3" RED,WHITE,BLUE SHELLS FANNED	3",4",5",6" SHELLS
144-3" COLOR SHELLS	2-TITANIUM CHRYS FAN CAKES
36 4" COLOR SHELLS	3",4",5",6",8" SHELLS
60-3" SALUTES	FINALE
30-4" SALUTES	4-BROCADE AND BOUQUET CAKES
4-100 SHOT CAKES	60-3" R,W,B SHELLS FAN SHAPE
FIREBALLS	3", 4" COLOR CHAINED SHELLS
	3",4" SALUTE CHAINS WITH 6",8" FIREBALLS

(ADDITIONAL PRODUCT WILL BE ADDED TO THE SHOW AFTER I SEE THE NEW PRODUCT COMING IN)
THANKS FOR LETTING US BE A PART OF YOUR 4TH CELEBRATION,HEATH

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Adam Casey, District Manager
Action Requested	Approval
Item/Subject	2021 Board Conflict of Interest
Dollar Amount	N/A
Meeting Date	March 25th, 2021
Summary	Review and sign the 2021 Board Conflict of Interest forms.
Staff Recommendation	Sign the 2021 Board Conflict of Interest forms.

LAKE LEMON CONSERVANCY DISTRICT

CONFLICT OF INTEREST POLICY

SECTION 1. PURPOSE:

The Lake Lemon Conservancy District (“LLCD”) is a statutorily enabled special taxing district. Therefore, Lake Lemon Conservancy District operates with the public trust and is subject to scrutiny by and accountable to government authorities (including, but not limited to, the State Board of Accounts and the Monroe Circuit Court), as well as its freeholders and the public.

The board, officers, and management employees have the responsibility of administering the affairs of LLCD honestly and prudently, and of exercising their best care, skill, and judgment for the sole benefit of LLCD. Those persons shall exercise the utmost good faith in all transactions involved in their duties, they shall not use their positions with LLCD or knowledge gained therefrom for their personal benefit, and they shall at all times comply with the conflict of interest requirements set forth in Indiana Code § 35-44-1-3 (as may be amended from time to time). The interests of LLCD must be the first priority in all decisions and actions.

SECTION 2. PERSONS CONCERNED:

This statement is directed to directors and officers and all employees who can influence the actions of LLCD, and any other “public servant,” as defined by Ind. Code § 35-41-1-24 & § 35-44-1-3.

SECTION 3. AREAS IN WHICH CONFLICT MAY ARISE:

Conflicts of interest may arise in the relations of directors, officers, and management employees with any of the following third parties:

1. Persons and firms supplying goods and services to LLCD.
2. Persons and firms from whom LLCD leases property and equipment.
3. Persons and firms with whom LLCD is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
4. Donors and others supporting LLCD.

5. Agencies, organizations, and associations which affect the operations of LLCD.
6. Family members, friends, and other employees.
7. Any other person or circumstance, as defined by Ind. Code § 35-44-1-3.

SECTION 4. NATURE OF CONFLICTING INTEREST:

A conflicting interest may be defined as an interest, direct or indirect, with any persons or firms mentioned in Section 3. Such an interest might arise through:

1. Owning stock or holding debt or other proprietary interests in any third party dealing with LLCD.
2. Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) with any third party dealing with LLCD.
3. Receiving remuneration for services with respect to individual transactions involving LLCD.
4. Using LLCD's time, personnel, equipment, supplies, or good will for other than LLCD-approved activities, programs, and purposes.
5. Receiving personal gifts or loans from third parties dealing or competing with LLCD. Receipt of any gift is disapproved except gifts of a value less than \$50, which could not be refused without discourtesy. No personal gift of money should ever be accepted.
6. Other circumstances, as provided by Ind. Code § 35-44-1-3.

SECTION 5. INTERPRETATION OF THIS STATEMENT OF POLICY:

The areas of conflicting interest listed in Section 3, and the relations in those areas which may give rise to conflict, as listed in Section 4, are not exhaustive. Conflicts might arise in other areas or through other relations. It is expected that the directors, officers, and management employees will recognize such areas and relation by analogy.

The fact that one of the interests described in Section 4 exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is necessarily adverse to the interests of LLCD.

However, it is the policy of the board that the existence of any of the interests described in Section 4 shall be disclosed before any transaction is consummated. It shall be the continuing responsibility of the board, officers, and management employees to scrutinize transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures. The directors, officers, management, employees, and/or "public servants" of LLCD shall at all times comply with the terms of Indiana Code § 35-44-1-3 (as may be amended from time to time) and prepare and submit required disclosure forms, pursuant to law.

SECTION 6. DISCLOSURE POLICY AND PROCEDURE:

Transactions with parties with whom a conflicting interest exists may be undertaken only if all of the following are observed:

1. The conflicting interest is fully disclosed;
2. The person with the conflict of interest is excluded from the discussion and approval of such transaction;
3. A competitive bid or comparable valuation exists;
4. The board has determined that the transaction is in the best interest of LLCD; and
5. The transaction is approved in accordance with the requirements of Ind. Code § 35-44-1-3.

The undersigned shall bring any conflict or concern regarding a conflict to the attention of the Board by its chair or the District Manager, as fitting considering all of the circumstances and in accordance with law, particularly Ind. Code § 35-44-1-3.

The board shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized as just, fair, and reasonable to LLCD. The decision of the board on these matters will rest in their sole discretion, and their concern must be the welfare of LLCD and the advancement of its purpose.

In addition to disclosing conflicts of interest under this Conflict of Interest Policy, any “public servant” (as defined by Ind. Code § 35-41-1-24 & § 35-44-1-3, attached hereto for reference) who is subject to a conflict of interest must also complete the State Board of Accounts’ Uniform Conflict of Interest Disclosure Statement (SBA Form 236, attached hereto for reference). The “public servant” must submit the completed Form 236 to the LLCD Board of Directors *prior to* final action on any contract or purchase involving said public servant. The Board shall then determine whether to accept the Form—in accordance with Ind. Code § 35-44-1-3—prior to final action on the contract or purchase. Form 236, once accepted by the LLCD Board of Directors, shall be filed with the State Board of Accounts and the Monroe County Clerk within fifteen (15) days after final action on the contract or purchase. Furthermore, the public servant and the LLCD Board shall take any other steps necessary to ensure compliance with Indiana Code § 35-44-1-3 (as may be amended from time to time).

The undersigned herein discloses his or her association with the following entities or organizations which may or does have business with LLCD:

Entity/ Organization
Director/Management

Association

Board

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Lake Lemon Conservancy District
Board Directors**

Management Official

PAM DUGAN, CHAIRMAN

ADAM CASEY, MANAGER

MARY JANE BROWN, VICE-CHAIR

MARCH 25, 2021

DATE

DEBRA LADYMAN, TREASURER

MICHAEL KLITZING, Sub-Area I

STEVEN PRIDDY, Sub-Area IV

LES WADZINSKI, Sub-Area V

MICHAEL BLACKWELL, Sub-Area VII

IC 35-41-1-3.2

"Agency"

Sec. 3.2. (a) "Agency" means any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of:

(1) the state, a county, a township, a city, a town, a separate municipal corporation, a special taxing district, or a public corporation; or

(2) a state-assisted college or state-assisted university.

(b) The term does not include any part of the legislative department or the judicial department of state government.

As added by P.L.13-1987, SEC.13.

IC 35-41-1-12

"Governmental entity" defined

Sec. 12. "Governmental entity" means:

(1) the United States or any state, county, township, city, town, separate municipal corporation, special taxing district, or public school corporation;

(2) any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of any of those entities; or

(3) a state-assisted college or state-assisted university.

As added by P.L.311-1983, SEC.13.

IC 35-41-1-24

"Public servant"

Sec. 24. "Public servant" means a person who:

(1) is authorized to perform an official function on behalf of, and is paid by, a governmental entity;

(2) is elected or appointed to office to discharge a public duty for a governmental entity; or

(3) with or without compensation, is appointed in writing by a public official to act in an advisory capacity to a governmental entity concerning a contract or purchase to be made by the entity.

The term does not include a person appointed by the governor to an honorary advisory or honorary military position.

As added by P.L.311-1983, SEC.25. Amended by P.L.13-1987, SEC.15.

IC 35-44-1-3

Conflict of interest

Sec. 3. (a) The following definitions apply throughout this section:

(1) "Dependent" means any of the following:

(A) The spouse of a public servant.

(B) A child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is:

(i) unemancipated; and

(ii) less than eighteen (18) years of age.

(C) An individual more than one-half (1/2) of whose support is provided during a year by the public servant.

(2) "Governmental entity served by the public servant" means the immediate governmental entity being served by a public servant.

(3) "Pecuniary interest" means an interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of:

(A) the public servant; or

(B) a dependent of the public servant who:

(i) is under the direct or indirect administrative control of the public servant; or

(ii) receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the public servant.

(b) A public servant who knowingly or intentionally:

(1) has a pecuniary interest in; or

(2) derives a profit from;

a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D felony.

(c) It is not an offense under this section if:

(1) The public servant or the public servant's dependent receives compensation through salary or an employment contract for:

(A) services provided as a public servant; or

(B) expenses incurred by the public servant as provided by law.

(2) The public servant's interest in the contract or purchase and

all other contracts and purchases made by the governmental entity during the twelve (12) months before the date of the contract or purchase was two hundred fifty dollars (\$250) or less.

(3) The contract or purchase involves utility services from a utility whose rate structure is regulated by the state or federal government.

(4) The public servant:

(A) acts in only an advisory capacity for a state supported college or university; and

(B) does not have authority to act on behalf of the college or university in a matter involving a contract or purchase.

(5) A public servant under the jurisdiction of the state ethics commission (as provided in IC 4-2-6-2.5) obtains from the state ethics commission, following full and truthful disclosure, written approval that the public servant will not or does not have a conflict of interest in connection with the contract or purchase under IC 4-2-6 and this section. The approval required under this subdivision must be:

(A) granted to the public servant before action is taken in connection with the contract or purchase by the governmental entity served; or

(B) sought by the public servant as soon after the contract or purchase as the public servant becomes aware of the facts that give rise to a question of conflict of interest.

(6) A public servant who makes a disclosure that meets the requirements of subsection (d) or (e) and is:

(A) not a member or on the staff of the governing body empowered to contract or purchase on behalf of the governmental entity, and functions and performs duties for the

governmental entity unrelated to the contract or purchase;

(B) appointed by an elected public servant;

(C) employed by the governing body of a school corporation and the contract or purchase involves the employment of a dependent or the payment of fees to a dependent;

(D) elected; or

(E) a member of, or a person appointed by, the board of trustees of a state supported college or university.

(7) The public servant is a member of the governing board of a hospital organized or operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1.

(d) A disclosure must:

(1) be in writing;

(2) describe the contract or purchase to be made by the governmental entity;

(3) describe the pecuniary interest that the public servant has in the contract or purchase;

(4) be affirmed under penalty of perjury;

(5) be submitted to the governmental entity and be accepted by

the governmental entity in a public meeting of the governmental entity before final action on the contract or purchase;

(6) be filed within fifteen (15) days after final action on the contract or purchase with:

(A) the state board of accounts; and

(B) if the governmental entity is a governmental entity other than the state or a state supported college or university, the clerk of the circuit court in the county where the governmental entity takes final action on the contract or purchase; and

(7) contain, if the public servant is appointed, the written approval of the elected public servant (if any) or the board of trustees of a state supported college or university (if any) that appointed the public servant.

(e) This subsection applies only to a person who is a member of, or a person appointed by, the board of trustees of a state supported college or university. A person to whom this subsection applies complies with the disclosure requirements of this chapter with respect to the person's pecuniary interest in a particular type of contract or purchase which is made on a regular basis from a particular vendor if the individual files with the state board of accounts and the board of trustees a statement of pecuniary interest in that particular type of contract or purchase made with that particular vendor. The statement required by this subsection must be made on an annual basis.

As added by Acts 1978, P.L.144, SEC.7. Amended by Acts 1981, P.L.304, SEC.1; P.L.329-1983, SEC.1; P.L.66-1987, SEC.28; P.L.13-1987, SEC.16; P.L.183-1988, SEC.1; P.L.109-1988, SEC.3; P.L.197-1989, SEC.3; P.L.2-1993, SEC.185; P.L.22-1995, SEC.3; P.L.1-1997, SEC.149; P.L.110-2011, SEC.1.

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Debra Ladyman, Treasurer
Action Requested	Review
Item/Subject	February Financial Update
Dollar Amount	N/A
Meeting Date	March 25th, 2021
Summary	Financial report showing end of February 2021 Balance sheet,Income,Expense, 2020 comparison, andreconciliation data.
Staff Recommendation	N/A

Lake Lemon Conservancy
Financial Statements
For the Period Ending
January 1, 2021 thru February 28, 2021

(UNAUDITED)

**Watkins Accounting
113 E. 19th Street
Bloomington, IN 47408**

Lake Lemon Conservancy

I have prepared the financial statements for Lake Lemon Conservancy as of February 28, 2021 on the basis used in the preparation of its federal income tax returns. The tax returns are prepared on the accrual basis when appropriate.

The following are the company's significant accounting policies under this basis:

Income Tax. No provision or liability for income taxes has been included in the financial statements.

Provision for Doubtful Accounts. No provision for doubtful accounts is made. The company follows the practice of charging off all accounts deemed uncollectible directly to expense.

Property and Equipment. Property and equipment, as well as liabilities pertaining thereto, are recorded at cost as determined for income tax purposes.

Yvonne Freeman
March 18, 2021

LAKE LEMON CONSERVANCY

Balance Sheet

As of February 28, 2021

	Feb 28, 21
ASSETS	
Current Assets	
Checking/Savings	
1000 · Peoples State Bank	297,037.09
1010 · Petty Cash	100.00
1020 · Change Fund	200.00
1040 · CD's Cumulative Maint Fund	114,720.25
1050 · Savings Account	7,817.17
1080 · Construction Account	988,000.00
Total Checking/Savings	1,407,874.51
Total Current Assets	1,407,874.51
Fixed Assets	
1500 · Land @ South Shore Dr	102,755.00
1510 · Trucks	132,761.25
1520 · Other Asset	12,093.11
1550 · Boats	354,750.00
1680 · Other Fixed Assets	465,734.79
Total Fixed Assets	1,068,094.15
TOTAL ASSETS	2,475,968.66
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2010 · FICA & Federal Taxes Payable	2,962.52
2020 · State & Co. Withholding Payable	938.48
Total Other Current Liabilities	3,901.00
Total Current Liabilities	3,901.00
Long Term Liabilities	
2810 · Bond Payable	1,200,000.00
Total Long Term Liabilities	1,200,000.00
Total Liabilities	1,203,901.00
Equity	
3000 · Opening Balance Equity	101,373.66
3040 · General Fund	503,214.77
3060 · Cumulative Maintenance Fund	101,942.92
3200 · Retained Earnings	690,974.64
Net Income	-125,438.33
Total Equity	1,272,067.66
TOTAL LIABILITIES & EQUITY	2,475,968.66

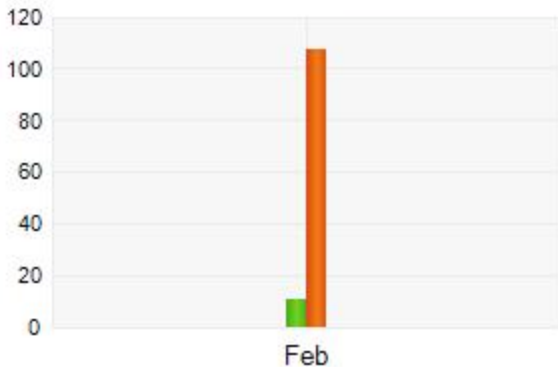
LAKE LEMON CONSERVANCY
Profit & Loss YTD Comparison
February 2021

	Feb 21	Jan - Feb 21
Income		
4020 · Marina & Club Fees	500.00	500.00
4030 · Sublease & Access Fees	10,200.00	10,200.00
4060 · Interest	92.86	140.52
4080 · Fishing Tournament	0.00	600.00
Total Income	10,792.86	11,440.52
Expense		
6000 · Manager	5,461.54	10,923.08
6001 · Operations Supervisor	2,861.54	5,723.08
6002 · Equipment Operations Supervisor	3,169.24	6,338.48
6010 · FICA	833.26	1,666.52
6020 · State Unemployment Tax	0.00	50.52
6025 · Merchant Fees	31.45	66.18
6030 · Retirement	522.81	1,045.62
6040 · Health Insurance	903.25	1,082.71
6120 · Season & Launch Permits	1,810.58	1,810.58
6170 · Miscellaneous-Other	0.00	54.74
6180 · Postage	165.00	220.00
6190 · General Business Supplies	176.89	176.89
6210 · Diesel	2,762.72	2,775.88
6240 · Building & Grounds	50.28	50.28
6251 · Dredging Supplies	24.40	1,554.40
6300 · Accounting Services	0.00	450.00
6320 · Attorney	1,352.80	1,352.80
6330 · Consulting Engineer	43,004.00	56,287.50
6350 · Other Prof/Secretarial Service	10,000.00	10,000.00
6370 · Phone, LDT, Pager, E-Mail	576.55	576.55
6400 · Meals	0.00	64.74
6410 · Subscriptions	134.87	149.86
6430 · Ads	29.24	46.43
6440 · Other	106.00	106.00
6450 · Insurance	32,609.00	32,609.00
6460 · Electric	473.00	934.00
6470 · Water	55.11	110.22
6490 · Port-O-Lets	170.00	340.00
6530 · Truck	250.29	250.29
6542 · Equipment Rental	57.50	57.50
6570 · Lake Weed Treatment	5.00	5.00
Total Expense	107,596.32	136,878.85
Net Income	-96,803.46	-125,438.33

Income and Expense Trend

\$ in 1000s

Last month



Income Expense

LAKE LEMON CONSERVANCY
Profit & Loss Prev Year Comparison
February 2021

	Feb 21	Feb 20	\$ Change	% Change
Income				
4020 · Marina & Club Fees	500.00	0.00	500.00	100.0%
4030 · Sublease & Access Fees	10,200.00	9,150.00	1,050.00	11.5%
4060 · Interest	92.86	0.00	92.86	100.0%
4080 · Fishing Tournament	0.00	225.00	-225.00	-100.0%
Total Income	10,792.86	9,375.00	1,417.86	15.1%
Expense				
6000 · Manager	5,461.54	5,230.76	230.78	4.4%
6001 · Operations Supervisor	2,861.54	2,773.08	88.46	3.2%
6002 · Equipment Operations Supervisor	3,169.24	3,076.92	92.32	3.0%
6010 · FICA	833.26	847.66	-14.40	-1.7%
6025 · Merchant Fees	31.45	31.45	0.00	0.0%
6030 · Retirement	522.81	1,573.52	-1,050.71	-66.8%
6040 · Health Insurance	903.25	748.79	154.46	20.6%
6120 · Season & Launch Permits	1,810.58	1,832.15	-21.57	-1.2%
6130 · Daily Permits	0.00	130.65	-130.65	-100.0%
6160 · Printer, Copier & Computer Supp	0.00	362.10	-362.10	-100.0%
6170 · Miscellaneous-Other	0.00	0.00	0.00	0.0%
6180 · Postage	165.00	0.00	165.00	100.0%
6190 · General Business Supplies	176.89	11.64	165.25	1,419.7%
6200 · Regular Gas	0.00	3.07	-3.07	-100.0%
6210 · Diesel	2,762.72	0.00	2,762.72	100.0%
6240 · Building & Grounds	50.28	1,171.42	-1,121.14	-95.7%
6251 · Dredging Supplies	24.40	186.46	-162.06	-86.9%
6310 · Grass	0.00	440.00	-440.00	-100.0%
6320 · Attorney	1,352.80	0.00	1,352.80	100.0%
6330 · Consulting Engineer	43,004.00	0.00	43,004.00	100.0%
6350 · Other Prof/Secretarial Service	10,000.00	0.00	10,000.00	100.0%
6370 · Phone, LDT, Pager, E-Mail	576.55	283.67	292.88	103.3%
6410 · Subscriptions	134.87	0.00	134.87	100.0%
6430 · Ads	29.24	81.76	-52.52	-64.2%
6440 · Other	106.00	0.00	106.00	100.0%
6450 · Insurance	32,609.00	0.00	32,609.00	100.0%
6460 · Electric	473.00	438.95	34.05	7.8%
6470 · Water	55.11	55.11	0.00	0.0%
6480 · Trash	0.00	20.00	-20.00	-100.0%
6490 · Port-O-Lets	170.00	170.00	0.00	0.0%
6530 · Truck	250.29	0.00	250.29	100.0%
6542 · Equipment Rental	57.50	749.05	-691.55	-92.3%
6570 · Lake Weed Treatment	5.00	0.00	5.00	100.0%
Total Expense	107,596.32	20,218.21	87,378.11	432.2%
Net Income	-96,803.46	-10,843.21	-85,960.25	-792.8%

Prev Year Income Comparison



All ▼

Monthly ▼

\$ in 1000s



2020 2021

Prev Year Expense Comparison



All



Monthly



\$ in 1000s



2020 2021

LAKE LEMON CONSERVANCY
Profit & Loss Budget vs. Actual
January through February 2021

	Jan - Feb 21	Budget	\$ Over Budget	% of Budget
Income				
4000 · Watercraft Permits	0.00	115,000.00	-115,000.00	0.0%
4010 · Launch Fees	0.00	21,000.00	-21,000.00	0.0%
4020 · Marina & Club Fees	500.00	9,000.00	-8,500.00	5.6%
4030 · Sublease & Access Fees	10,200.00	27,000.00	-16,800.00	37.8%
4040 · Property Tax - Brown Co.	0.00	87,620.00	-87,620.00	0.0%
4050 · Property Tax -Monroe Co.	0.00	249,380.00	-249,380.00	0.0%
4060 · Interest	140.52	1,250.00	-1,109.48	11.2%
4070 · Grants & Donations	0.00	12,000.00	-12,000.00	0.0%
4071 · Community Foundation	0.00	0.00	0.00	0.0%
4080 · Fishing Tournament	600.00	1,500.00	-900.00	40.0%
4090 · Park Reservations	0.00	4,000.00	-4,000.00	0.0%
4100 · Park Admisiion Fees	0.00	45,000.00	-45,000.00	0.0%
4110 · Concessions	0.00	0.00	0.00	0.0%
4120 · Other Income	0.00	0.00	0.00	0.0%
4130 · Dredging/Rip-Rap Income	0.00	40,000.00	-40,000.00	0.0%
4140 · Dredging Loan Proceeds	0.00	1,000,000.00	-1,000,000.00	0.0%
Total Income	11,440.52	1,612,750.00	-1,601,309.48	0.7%
Expense				
6000 · Manager	10,923.08	65,000.00	-54,076.92	16.8%
6001 · Operations Supervisor	5,723.08	37,200.00	-31,476.92	15.4%
6002 · Equipment Operations Supervisor	6,338.48	41,200.00	-34,861.52	15.4%
6010 · FICA	1,666.52	14,500.00	-12,833.48	11.5%
6020 · State Unemployment Tax	50.52	800.00	-749.48	6.3%
6025 · Merchant Fees	66.18	1,800.00	-1,733.82	3.7%
6030 · Retirement	1,045.62	18,000.00	-16,954.38	5.8%
6040 · Health Insurance	1,082.71	15,000.00	-13,917.29	7.2%
6050 · Life Insurance	0.00	0.00	0.00	0.0%
6070 · Gate Attendant	0.00	23,000.00	-23,000.00	0.0%
6100 · Lake Patrol	0.00	2,000.00	-2,000.00	0.0%
6110 · Lake Biologist	0.00	0.00	0.00	0.0%
6111 · Dredger	0.00	0.00	0.00	0.0%
6112 · Dredger (Other)	0.00	0.00	0.00	0.0%
6113 · Assistant Dredger	0.00	9,500.00	-9,500.00	0.0%
6114 · Assistant Dredger (Other)	0.00	5,700.00	-5,700.00	0.0%
6115 · Dredger (Private)	0.00	0.00	0.00	0.0%
6116 · Assistant Dredger (Private)	0.00	5,000.00	-5,000.00	0.0%
6120 · Season & Launch Permits	1,810.58	2,000.00	-189.42	90.5%
6130 · Daily Permits	0.00	400.00	-400.00	0.0%
6140 · Receipt/Tickets Books	0.00	400.00	-400.00	0.0%
6150 · Checks	0.00	200.00	-200.00	0.0%
6160 · Printer, Copier & Computer Supp	0.00	1,000.00	-1,000.00	0.0%
6170 · Miscellaneous-Other	54.74	1,300.00	-1,245.26	4.2%
6180 · Postage	220.00	750.00	-530.00	29.3%
6185 · Receipt Books	0.00	0.00	0.00	0.0%

LAKE LEMON CONSERVANCY
Profit & Loss Budget vs. Actual
January through February 2021

	Jan - Feb 21	Budget	\$ Over Budget	% of Budget
6190 · General Business Supplies	176.89	750.00	-573.11	23.6%
6200 · Regular Gas	0.00	9,000.00	-9,000.00	0.0%
6210 · Diesel	2,775.88	12,000.00	-9,224.12	23.1 %
6220 · Janitorial Supplies	0.00	0.00	0.00	0.0%
6230 · Medical Supplies	0.00	0.00	0.00	0.0%
6240 · Building & Grounds	50.28	6,000.00	-5,949.72	0.8%
6250 · Boat/Weed Harvester/Truck	0.00	1,500.00	-1,500.00	0.0%
6251 · Dredging Supplies	1,554.40	12,000.00	-10,445.60	13.0%
6252 · Rip Rap/Erosion Control	0.00	18,000.00	-18,000.00	0.0%
6260 · Uniforms	0.00	1,000.00	-1,000.00	0.0%
6270 · Boat Equipment	0.00	0.00	0.00	0.0%
6280 · Radio/Communication Equipment	0.00	0.00	0.00	0.0%
6290 · Signs & Nautical Markers	0.00	5,000.00	-5,000.00	0.0%
6300 · Accounting Services	450.00	6,000.00	-5,550.00	7.5%
6310 · Grass	0.00	10,860.00	-10,860.00	0.0%
6320 · Attorney	1,352.80	4,000.00	-2,647.20	33.8%
6325 · Fish Managment Survey	0.00	0.00	0.00	0.0%
6330 · Consulting Engineer	56,287.50	50,000.00	6,287.50	112.6%
6340 · State Board Accounts Audit	0.00	1,500.00	-1,500.00	0.0%
6350 · Other Prof/Secretarial Service	10,000.00	1,000.00	9,000.00	1,000.0%
6370 · Phone, LDT, Pager, E-Mail	576.55	3,500.00	-2,923.45	16.5%
6380 · Travel	0.00	0.00	0.00	0.0%
6390 · Hotel	0.00	0.00	0.00	0.0%
6400 · Meals	64.74	200.00	-135.26	32.4%
6410 · Subscriptions	149.86	1,400.00	-1,250.14	10.7%
6420 · Newsletter	0.00	0.00	0.00	0.0%
6430 · Ads	46.43	500.00	-453.57	9.3%
6440 · Other	106.00	1,200.00	-1,094.00	8.8%
6441 · Event Planning	0.00	1,500.00	-1,500.00	0.0%
6450 · Insurance	32,609.00	50,000.00	-17,391.00	65.2%
6460 · Electric	934.00	5,000.00	-4,066.00	18.7%
6470 · Water	110.22	750.00	-639.78	14.7%
6480 · Trash	0.00	1,800.00	-1,800.00	0.0%
6490 · Port-O-Lets	340.00	3,000.00	-2,660.00	11.3%
6500 · Pump Holding Tank	0.00	800.00	-800.00	0.0%
6510 · Building & Grounds Expense	0.00	15,000.00	-15,000.00	0.0%
6520 · Boat	0.00	2,000.00	-2,000.00	0.0%
6530 · Truck	250.29	1,000.00	-749.71	25.0%
6540 · Sluice Gate Inspection	0.00	4,500.00	-4,500.00	0.0%
6541 · Dredging Equipment Maintenance	0.00	10,000.00	-10,000.00	0.0%
6542 · Equipment Rental	57.50	7,500.00	-7,442.50	0.8%
6560 · Water Testing	0.00	8,000.00	-8,000.00	0.0%
6570 · Lake Weed Treatment	5.00	50,000.00	-49,995.00	0.0%
6590 · Contingency Funds 10%	0.00	10,000.00	-10,000.00	0.0%
6600 · 6% MarinaPermit Sales	0.00	2,300.00	-2,300.00	0.0%
6610 · Cumulative Maintenance Fund	0.00	7,500.00	-7,500.00	0.0%
6620 · Dam/Spillway Inspection	0.00	5,000.00	-5,000.00	0.0%

LAKE LEMON CONSERVANCY
Profit & Loss Budget vs. Actual
January through February 2021

	Jan - Feb 21	Budget	\$ Over Budget	% of Budget
6630 · Spillway Repairs	0.00	0.00	0.00	0.0%
6661 · Disposal Site Preparation	0.00	20,000.00	-20,000.00	0.0%
6662 · Debt Service-Dredging Loan	0.00	0.00	0.00	0.0%
6663 · Barge Assembly	0.00	0.00	0.00	0.0%
6670 · Debt Service (Dredging Equip.)	0.00	0.00	0.00	0.0%
6680 · Other Services and Charges	0.00	2,000.00	-2,000.00	0.0%
6681 · Fireworks	0.00	8,000.00	-8,000.00	0.0%
6682 · Ramp Repairs	0.00	2,000.00	-2,000.00	0.0%
6685 · Dredging Engineering	0.00	0.00	0.00	0.0%
6690 · Office Equipment	0.00	0.00	0.00	0.0%
66900 · Reconciliation Discrepancies	0.00	0.00	0.00	0.0%
6700 · Computer Equipment	0.00	0.00	0.00	0.0%
6701 · Barge	0.00	0.00	0.00	0.0%
6702 · Push Boat/Motors	0.00	0.00	0.00	0.0%
6703 · Excavator	0.00	0.00	0.00	0.0%
6704 · Off Road Truck	0.00	0.00	0.00	0.0%
6705 · Utility Truck	0.00	0.00	0.00	0.0%
6706 · Bulldozer	0.00	0.00	0.00	0.0%
6710 · Boat Dock	0.00	0.00	0.00	0.0%
6720 · Utility Vehicle	0.00	0.00	0.00	0.0%
6730 · Patrol Boat	0.00	0.00	0.00	0.0%
6740 · Work Boat (Pontoon)	0.00	0.00	0.00	0.0%
6750 · Sediment Mitigation	0.00	950,000.00	-950,000.00	0.0%
6760 · Other Capital Outlays	0.00	0.00	0.00	0.0%
6770 · LLCD Pick-up Truck	0.00	0.00	0.00	0.0%
6780 · Gatehouse	0.00	0.00	0.00	0.0%
6790 · Bond Repayment - SedimentMgmt	0.00	85,000.00	-85,000.00	0.0%
Total Expense	136,878.85	1,642,810.00	-1,505,931.15	8.3%
Net Income	-125,438.33	-30,060.00	-95,378.33	417.3%

4:59 PM

03/18/21

LAKE LEMON CONSERVANCY
Reconciliation Summary
1000 · Peoples State Bank, Period Ending 02/28/2021

	<u>Feb 28, 21</u>
Beginning Balance	413,110.90
Cleared Transactions	
Checks and Payments - 23 items	-100,308.81
Deposits and Credits - 2 items	10,700.00
Total Cleared Transactions	<u>-89,608.81</u>
Cleared Balance	<u><u>323,502.09</u></u>
Uncleared Transactions	
Checks and Payments - 14 items	<u>-26,465.00</u>
Total Uncleared Transactions	<u>-26,465.00</u>
Register Balance as of 02/28/2021	<u><u>297,037.09</u></u>
New Transactions	
Checks and Payments - 12 items	<u>-12,636.76</u>
Total New Transactions	<u>-12,636.76</u>
Ending Balance	<u><u>284,400.33</u></u>

4:59 PM

03/18/21

LAKE LEMON CONSERVANCY

Reconciliation Detail

1000 - Peoples State Bank, Period Ending 02/28/2021

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						413,110.90
Cleared Transactions						
Checks and Payments - 23 items						
Check	01/20/2021	5240	IZZY'S RENTAL	X	-170.00	-170.00
Check	01/29/2021	5246	CHRISTOPHER B B...	X	-13,283.50	-13,453.50
Check	01/29/2021	5247	VISA	X	-1,719.47	-15,172.97
Check	01/29/2021	5245	SCI REMC	X	-461.00	-15,633.97
Check	01/29/2021	5244	WATKINS ACCOUN...	X	-450.00	-16,083.97
Check	01/29/2021	5249	INDIANA STATE C...	X	-270.00	-16,353.97
Check	02/03/2021	5253	BAKER TILLY MUNI...	X	-42,500.00	-58,853.97
Check	02/03/2021	5254	STANDARD & POO...	X	-10,000.00	-68,853.97
Check	02/03/2021	5255	US POST MASTER	X	-110.00	-68,963.97
Check	02/03/2021	5251	B & B WATER CORP	X	-55.11	-69,019.08
Check	02/03/2021	5252	LOWE'S COMPANI...	X	-50.28	-69,069.36
Check	02/03/2021	5250	KLEINDORFER HA...	X	-24.40	-69,093.76
Check	02/08/2021	5257	FIRST INSURANCE...	X	-14,923.00	-84,016.76
Check	02/08/2021	5258	STAPLES CREDIT ...	X	-254.91	-84,271.67
Check	02/08/2021	5256	MACALLISTER MA...	X	-57.50	-84,329.17
Check	02/09/2021	4985	DNR- DIVISION OF ...	X	-5.00	-84,334.17
General Journal	02/12/2021			X	-3,922.60	-88,256.77
Check	02/12/2021	5259	INDIANA STATE C...	X	-270.00	-88,526.77
Check	02/19/2021	5261	WHITE RIVER CO...	X	-2,762.72	-91,289.49
Check	02/19/2021	5265	KOEING EQUIPME...	X	-250.29	-91,539.78
Check	02/19/2021	5263	HOOSIER TIMES P...	X	-29.24	-91,569.02
General Journal	02/26/2021			X	-3,922.60	-95,491.62
General Journal	02/28/2021			X	-4,817.19	-100,308.81
Total Checks and Payments					-100,308.81	-100,308.81
Deposits and Credits - 2 items						
Check	02/19/2021	5260	VOID	X		0.00
General Journal	02/25/2021			X	10,700.00	10,700.00
Total Deposits and Credits					10,700.00	10,700.00
Total Cleared Transactions					-89,608.81	-89,608.81
Cleared Balance					-89,608.81	323,502.09
Uncleared Transactions						
Checks and Payments - 14 items						
Check	04/17/2020	4962	YOUNG TRUCKING...		-277.46	-277.46
Check	05/04/2020	4980	MONROE CO HEAL...		-75.00	-352.46
Check	06/08/2020	5024	JOHN NAYLOR TR...		-2,148.51	-2,500.97
Check	02/19/2021	5262	FIRST INSURANCE...		-17,686.00	-20,186.97
Check	02/19/2021	5264	IZZY'S RENTAL		-170.00	-20,356.97
Check	02/26/2021	5273	CREATIVE GRAPHI...		-1,810.58	-22,167.55
Check	02/26/2021	5272	CARMIN PARKER PC		-1,352.80	-23,520.35
Check	02/26/2021	5274	COMCAST CABLE		-576.55	-24,096.90
Check	02/26/2021	5271	AMBETTER FROM ...		-544.08	-24,640.98
Check	02/26/2021	5268	CHRISTOPHER B B...		-504.00	-25,144.98
Check	02/26/2021	5269	SCI REMC		-473.00	-25,617.98
Check	02/26/2021	5270	AMBETTER FROM ...		-359.17	-25,977.15
Check	02/26/2021	5266	INDIANA STATE C...		-270.00	-26,247.15
Check	02/26/2021	5267	VISA		-217.85	-26,465.00
Total Checks and Payments					-26,465.00	-26,465.00
Total Uncleared Transactions					-26,465.00	-26,465.00
Register Balance as of 02/28/2021					-116,073.81	297,037.09
New Transactions						
Checks and Payments - 12 items						
Check	03/03/2021	ACH	INDIANA PUBLIC R...		-1,031.43	-1,031.43
Check	03/03/2021	ACH	INDIANA PUBLIC R...		-1,031.43	-2,062.86
Check	03/04/2021	5275	BRANDEIS		-132.34	-2,195.20
Check	03/11/2021	4986	KENNY CLARK EX...		-1,000.00	-3,195.20
Check	03/12/2021	5282	CHRISTOPHER B B...		-5,405.50	-8,600.70
General Journal	03/12/2021				-3,622.60	-12,223.30

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LAKE LEMON CONSERVANCY

Reconciliation Detail

1000 · Peoples State Bank, Period Ending 02/28/2021

Type	Date	Num	Name	Clr	Amount	Balance
Check	03/12/2021	5283	IZZY'S RENTAL		-170.00	-12,393.30
Check	03/12/2021	5279	MONROE CO HEAL...		-75.00	-12,468.30
Check	03/12/2021	5281	STAPLES CREDIT ...		-66.95	-12,535.25
Check	03/12/2021	5277	B & B WATER CORP		-55.11	-12,590.36
Check	03/12/2021	5278	KLEINDORFER HA...		-33.47	-12,623.83
Check	03/12/2021	5280	HOOSIER TIMES P...		-12.93	-12,636.76
Total Checks and Payments					-12,636.76	-12,636.76
Total New Transactions					-12,636.76	-12,636.76
Ending Balance					-128,710.57	284,400.33

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Debra Ladyman, Treasurer
Action Requested	Approval
Item/Subject	February Report of Claims: Approval of Vouchers
Dollar Amount	\$102,501.68
Meeting Date	March 25th, 2021
Summary	Report showing check detail and payroll expenditures for February 2021
Staff Recommendation	Approval of February 2021 Report of Claims

Date: March 25 , 2021

ALLOWANCE OF VOUCHERS

Debra Ladyman
Treasurer

(Report of Claims -February 2021)

(IC 5-11-10-2 permits the governing body to sign the Accounts Payable Voucher Register in lieu of signing each claim the governing body is allowing.) We have examined the vouchers listed on the foregoing accounts payable voucher register and payroll journal, consisting of 6 pages, and except for vouchers not allowed as shown on the Register such vouchers are allowed in the total of \$102,501.68

Dated this 25th Day of March, 2021

Signature of Governing Board

PAM DUGAN, CHAIRMAN

MARY JANE BROWN, VICE-CHAIR

DEBRA LADYMAN, TREASURER

MICHAEL KLITZING, Sub-Area I

STEVEN PRIDDY, Sub-Area IV

LES WADZINSKI, Sub-Area V

MICHAEL BLACKWELL, Sub-Area VII

LAKE LEMON CONSERVANCY
Check Detail
February 2021

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Check	4985	02/09/2021	DNR- DIVISION OF FISH A...		1000 · Peoples Stat...		-5.00
				Permit Fee	6570 · Lake Weed T...	-5.00	5.00
TOTAL						-5.00	5.00
Check	5250	02/03/2021	KLEINDORFER HARDWARE		1000 · Peoples Stat...		-24.40
				Bolts for Motors	6251 · Dredging Sup...	-24.40	24.40
TOTAL						-24.40	24.40
Check	5251	02/03/2021	B & B WATER CORP		1000 · Peoples Stat...		-55.11
					6470 · Water	-55.11	55.11
TOTAL						-55.11	55.11
Check	5252	02/03/2021	LOWE'S COMPANIES, INC.		1000 · Peoples Stat...		-50.28
				Light Bulbs & Blinds	6240 · Building & Gr...	-50.28	50.28
TOTAL						-50.28	50.28
Check	5253	02/03/2021	BAKER TILLY MUNICPAL ...		1000 · Peoples Stat...		-42,500.00
				Financial Advisor	6330 · Consulting E...	-42,500.00	42,500.00
TOTAL						-42,500.00	42,500.00
Check	5254	02/03/2021	STANDARD & POOR GLO...		1000 · Peoples Stat...		-10,000.00
				Bond Rating	6350 · Other Prof/Se...	-10,000.00	10,000.00
TOTAL						-10,000.00	10,000.00
Check	5255	02/03/2021	US POST MASTER		1000 · Peoples Stat...		-110.00
					6180 · Postage	-110.00	110.00
TOTAL						-110.00	110.00
Check	5256	02/08/2021	MACALLISTER MACHINE...		1000 · Peoples Stat...		-57.50

LAKE LEMON CONSERVANCY
Check Detail
February 2021

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
			trailer rental for trencher		6542 · Equipment R...	-57.50	57.50
TOTAL						-57.50	57.50
Check	5257	02/08/2021	FIRST INSURANCE GROUP		1000 · Peoples Stat...		-14,923.00
					6450 · Insurance	-14,923.00	14,923.00
TOTAL						-14,923.00	14,923.00
Check	5258	02/08/2021	STAPLES CREDIT PLAN		1000 · Peoples Stat...		-254.91
			Staples Printing		6440 · Other	-106.00	106.00
			Binders and Time Sheets		6190 · General Busi...	-148.91	148.91
TOTAL						-254.91	254.91
Check	5259	02/12/2021	INDIANA STATE CENTRAL...		1000 · Peoples Stat...		-270.00
					2040 · Child Support	-270.00	270.00
TOTAL						-270.00	270.00
Check	5260	02/19/2021	VOID		1000 · Peoples Stat...		
TOTAL						0.00	0.00
Check	5261	02/19/2021	WHITE RIVER CO-OP		1000 · Peoples Stat...		-2,762.72
					6210 · Diesel	-2,762.72	2,762.72
TOTAL						-2,762.72	2,762.72
Check	5262	02/19/2021	FIRST INSURANCE GROUP		1000 · Peoples Stat...		-17,686.00
					6450 · Insurance	-17,686.00	17,686.00
TOTAL						-17,686.00	17,686.00
Check	5263	02/19/2021	HOOSIER TIMES PROCES...		1000 · Peoples Stat...		-29.24
			Legal Notice gatehouse		6430 · Ads	-29.24	29.24

LAKE LEMON CONSERVANCY
Check Detail
February 2021

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
TOTAL						-29.24	29.24
Check	5264	02/19/2021	IZZY'S RENTAL		1000 · Peoples Stat...		-170.00
					6490 · Port-O-Lets	-170.00	170.00
TOTAL						-170.00	170.00
Check	5265	02/19/2021	KOEING EQUIPMENT		1000 · Peoples Stat...		-250.29
			Gator Tune Up		6530 · Truck	-250.29	250.29
TOTAL						-250.29	250.29
Check	5266	02/26/2021	INDIANA STATE CENTRAL...		1000 · Peoples Stat...		-270.00
					2040 · Child Support	-270.00	270.00
TOTAL						-270.00	270.00
Check	5267	02/26/2021	VISA		1000 · Peoples Stat...		-217.85
			Adobe Sign and ZOOM		6410 · Subscriptions	-134.87	134.87
					6180 · Postage	-55.00	55.00
					6190 · General Busi...	-27.98	27.98
TOTAL						-217.85	217.85
Check	5268	02/26/2021	CHRISTOPHER B BURKE ...		1000 · Peoples Stat...		-504.00
					6330 · Consulting E...	-504.00	504.00
TOTAL						-504.00	504.00
Check	5269	02/26/2021	SCI REMC		1000 · Peoples Stat...		-473.00
					6460 · Electric	-473.00	473.00
TOTAL						-473.00	473.00
Check	5270	02/26/2021	AMBETTER FROM MHS		1000 · Peoples Stat...		-359.17
					6040 · Health Insura...	-359.17	359.17

LAKE LEMON CONSERVANCY
Check Detail
February 2021

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
TOTAL						-359.17	359.17
Check	5271	02/26/2021	AMBETTER FROM MHS		1000 · Peoples Stat...		-544.08
					6040 · Health Insura...	-544.08	544.08
TOTAL						-544.08	544.08
Check	5272	02/26/2021	CARMIN PARKER PC		1000 · Peoples Stat...		-1,352.80
			Treasurer Questions, PAC, Bid Sheets		6320 · Attorney	-1,352.80	1,352.80
TOTAL						-1,352.80	1,352.80
Check	5273	02/26/2021	CREATIVE GRAPHICS, INC.		1000 · Peoples Stat...		-1,810.58
			watercraft, trailer, dock , park passes		6120 · Season & La...	-1,810.58	1,810.58
TOTAL						-1,810.58	1,810.58
Check	5274	02/26/2021	COMCAST CABLE		1000 · Peoples Stat...		-576.55
					6370 · Phone, LDT, ...	-576.55	576.55
TOTAL						-576.55	576.55

Total: \$95,256.48

LAKE LEMON CONSERVANCY DISTRICT
Payroll Summary
February 2021

	Allender, Clinton L			Casey, Adam W			Snooks, Franklin A			TOTAL	
	Hours	Rate	Feb 21	Hours	Rate	Feb 21	Hours	Rate	Feb 21	Hours	Rate
Employee Wages, Taxes and Adjustments											
Gross Pay											
Salary-6000			0.00			5,461.54			0.00		
Salary-6001			0.00			0.00			2,861.54		
Salary-6002			3,169.24			0.00			0.00		
Reg. Pay-6070			0.00			0.00	11.50		0.00		
Reg. Pay-6110			0.00			0.00	11.50		0.00		
Reg. Pay-6111		30.00	0.00			0.00			0.00		
Reg. Pay-6112		30.00	0.00			0.00			0.00		
Reg. Pay-6114		20.00	0.00			0.00			0.00		
Reg. Pay-6115		29.00	0.00			0.00			0.00		
Reg. Pay-6116		20.00	0.00			0.00			0.00		
Total Gross Pay			3,169.24			5,461.54			2,861.54		
Deductions from Gross Pay											
Emp HSA			0.00			-600.00			0.00		
Insurance			0.00			0.00			0.00		
Retirement			-95.08			-327.70			-85.84		
Total Deductions from Gross Pay			-95.08			-927.70			-85.84		
Adjusted Gross Pay			3,074.16			4,533.84			2,775.70		
Taxes Withheld											
Federal Withholding			-328.00			-676.00			-292.00		
Medicare Employee			-45.96			-70.49			-41.49		
Social Security Employee			-196.50			-301.41			-177.41		
IN - Withholding			-99.30			-146.44			-89.66		
Law. Co.			-53.80			0.00			0.00		
Medicare Employee Addl Tax			0.00			0.00			0.00		
Monroe Co.			0.00			-49.64			-30.40		
Total Taxes Withheld			-723.56			-1,243.98			-630.96		
Deductions from Net Pay											
Child Support			-540.00			0.00			0.00		
Docket Fee			0.00			0.00			0.00		
Total Deductions from Net Pay			-540.00			0.00			0.00		
Net Pay			<u>1,810.60</u>			<u>3,289.86</u>			<u>2,144.74</u>		
Employer Taxes and Contributions											
Federal Unemployment			19.01			12.83			17.17		
Medicare Company			45.96			70.49			41.49		
Social Security Company			196.50			301.41			177.41		
IN - Unemployment Company			15.84			23.19			14.31		
Total Employer Taxes and Contributions			<u>277.31</u>			<u>407.92</u>			<u>250.38</u>		

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LAKE LEMON CONSERVANCY DISTRICT

Payroll Summary

February 2021

	<u>TOTAL</u>
	<u>Feb 21</u>
Employee Wages, Taxes and Adjustments	
Gross Pay	
Salary-6000	5,461.54
Salary-6001	2,861.54
Salary-6002	3,169.24
Reg. Pay-6070	0.00
Reg. Pay-6110	0.00
Reg. Pay-6111	0.00
Reg. Pay-6112	0.00
Reg. Pay-6114	0.00
Reg. Pay-6115	0.00
Reg. Pay-6116	0.00
Total Gross Pay	<u>11,492.32</u>
Deductions from Gross Pay	
Emp HSA	-600.00
Insurance	0.00
Retirement	-508.62
Total Deductions from Gross Pay	<u>-1,108.62</u>
Adjusted Gross Pay	<u>10,383.70</u>
Taxes Withheld	
Federal Withholding	-1,296.00
Medicare Employee	-157.94
Social Security Employee	-675.32
IN - Withholding	-335.40
Law. Co.	-53.80
Medicare Employee Addl Tax	0.00
Monroe Co.	-80.04
Total Taxes Withheld	<u>-2,598.50</u>
Deductions from Net Pay	
Child Support	-540.00
Docket Fee	0.00
Total Deductions from Net Pay	<u>-540.00</u>
Net Pay	<u><u>7,245.20</u></u>
Employer Taxes and Contributions	
Federal Unemployment	49.01
Medicare Company	157.94
Social Security Company	675.32
IN - Unemployment Company	53.34
Total Employer Taxes and Contributions	<u><u>935.61</u></u>

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Debra Ladyman, Treasurer
Action Requested	Present
Item/Subject	2022 Annual Budget Timeline
Dollar Amount	N/A
Meeting Date	March 25th, 2021
Summary	Presentation of the 2022 Annual Budget Timeline.
Staff Recommendation	N/A

LLCD BUDGET PLANNER/KEY DATES FOR 2022 BUDGET

March 25, 2021	Budget Time-Line Calendar – Selection of Board Budget Committee
April 1, 2021 – June 19, 2021	Prepare 2022 Budget
June 19, 2021	Presentation of 2022 Budget (10:00 A.M., Riddle Point Park Shelter House)
July 17, 2021	First Public Discussion on 2022 Budget (10:00 A.M., Riddle Point Park Shelter House)
August 21, 2021	Second Public Discussion on 2022 Budget (10:00 A.M., Riddle Point Park Shelter House) *All Budget adjustments must be made by the conclusion of the August 21, 2021 Meeting.
September 23, 2021	Public Hearing on 2022 Budget
October 28, 2021 (No later than November 1, 2021)	Board Adoption of 2022 Budget

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Adam Casey, District Manager
Action Requested	Approval
Item/Subject	Bid Validity Extension
Dollar Amount	N/A
Meeting Date	March 25th, 2021
Summary	Presentation of results from Bid Validity Extension request
Staff Recommendation	N/A

Magellan Dredging, Inc.
P.O. Box 1173
Richmond, TX 77406
PH: 832-453-9891
info@magellandredging.com
www.magellandredging.com



Adam Casey
Lake Lemon Conservancy District
7599 North Tunnel Rd.
Unionville, Indiana 47468

March 13, 2021

Adam Casey,

We write this letter to you to request withdrawal of our bid on the Lake Lemon Dredging Project and to release our bond accordingly. If you have any questions or would like more information please contact me at 832.453.9891.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rusi Patel", is written over a light blue oval-shaped background.

Rusi Patel

**President
Magellan Dredging, Inc.**



9555 NW Highway N
Kansas City, MO 64153
+1 800.464.5597 | +1 816.330.3100
DREDGEAMERICA.COM

3/15/2021

Lake Lemon Conservancy District
7599 North Tunnel Rd.
Unionville, Indiana 47468

Mr. Adam Casey,

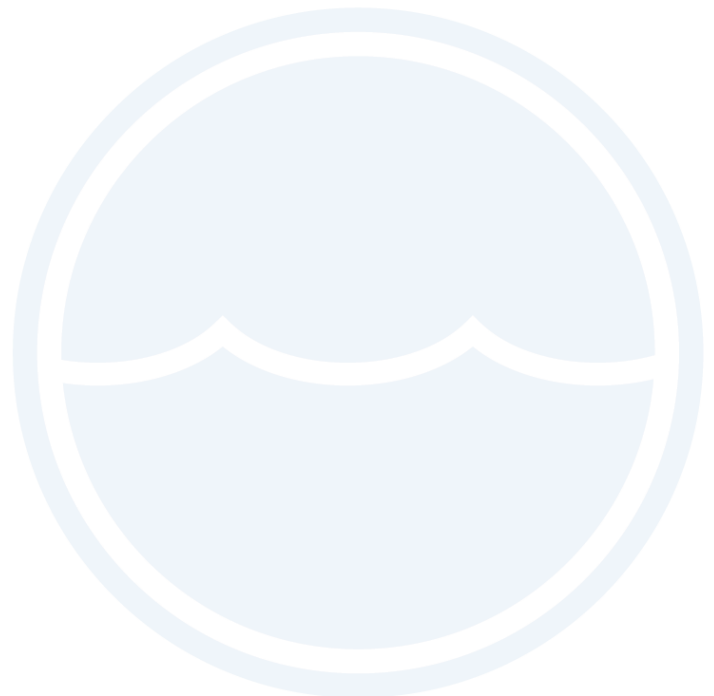
Dredge America wishes to retain the validity of our effective bid submittals and bond on the Lake Lemon Dredging Project until June of 2021.

Respectfully,

A handwritten signature in black ink that reads "Sam Robinson". The signature is written in a cursive, flowing style.

Sam Robinson, P.E.

President



March 18, 2021



Adam Casey
District Manager
Lake Lemon Conservancy District
7599 North Tunnel Road
Unionville, IN 47468

Subject: Lake Lemon Sediment Improvement Project – Bid Validity Extension

Mr. Casey,

Please allow this letter to serve as official notice of our intent regarding the time extension of our bid for the dredging portion of the Lake Lemon Sediment Improvement Project.

Valenti-Held Contractor/Developer, Inc (DBA Heartland Dredging) agrees to extend the validity of our bid for the dredging portion of the Lake Lemon Sediment Improvement Project for 60 days until May 14, 2021. Any further extension of time will need to be agreed upon prior to May 14, 2021.

If you need any additional information, please let us know.

Thank You,

A handwritten signature in black ink that reads 'Michael Janson'. The signature is written in a cursive style with a large, stylized 'M' and 'J'.

Michael T. Janson
Chief Financial Officer
Valenti-Held Contractor/Developer, Inc
DBA Heartland Dredging, LLC
3961 Perry Boulevard
Whitestown, IN 46075



A Biosolids Management Corporation

March 15, 2021

Lake Lemon Conservancy District
ATTN: Adam Casey
7599 North Tunnel Road
Unionville, IN 47468

RE: *Notice of Intent, Lake Lemon Dredging Project*

Dear Adam:

Please allow this letter to serve as our intent to retain the validity of our effective bid submittal and bond until June of 2021. If additional information is required, please contact our office. Thank you.

Sincerely,
Merrell Bros., Inc.

Dustin Smith
Chief Business Development Officer



Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Adam Casey, District Manager
Action Requested	Approve Resolution
Item/Subject	Resolution 03-21-04: Playground Equipment Acceptance
Dollar Amount	N/A
Meeting Date	March 25th, 2021
Summary	Approve Resolution 03-21-04: Playground Equipment Acceptance.
Staff Recommendation	Approve Resolution 03-21-04: Playground Equipment Acceptance.

RESOLUTION 03-21-04

**RESOLUTION ACCEPTING THE TRANSFER OF PLAYGROUND EQUIPMENT & OWNERSHIP FROM CARMEL CLAY
PARKS AND RECREATION**

WHEREAS, the Lake Lemon Conservancy District, Monroe/Brown Counties, Indiana is an Indiana political subdivision organized and existing under Ind. Code §14-33 *et seq.* and governed by the Board of Directors (the "Board"); and

WHEREAS, Ind. Code 5-22-22 (the "Act") sets forth the procedures required for political subdivisions and their agencies to transfer or otherwise dispose of specified property under various circumstances; and

WHEREAS, the Act provides a purchasing agent may sell or otherwise dispose of property by public or private sale or transfer without advertising if the property to be sold is (i) one item, with an estimated value of less than One Thousand Dollars (\$1,000.00); or (ii) more than one item with an estimated total value of less than Five Thousand Dollars (\$5,000.00); and

WHEREAS, Carmel/Clay has offered to transfer ownership of playground equipment that is of no further use to their board and whereas the Lake Lemon Conservancy District believes the equipment generally described in Exhibit "A" attached hereto and incorporated herein (the "Equipment") will be installed and utilized at Riddle Point Park; and

WHEREAS, the Equipment does not include a single item with an estimated value of more than One Thousand Dollars (\$1,000.00) or more, or have an estimated total value of Five Thousand Dollars (\$5,000.00) or more; and

WHEREAS, the LLC Board of Directors desires to direct and empower the District Manager and Park Operations Supervisor to take all action and to execute documents necessary to transfer the equipment from an eligible governmental or charitable organization, all in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The foregoing Recitals are incorporated herein by this reference.
2. The District Manager and Parks Operations Supervisor, are hereby authorized, empowered and directed to take all actions, and to execute and deliver all documents, necessary to transfer the Equipment from Carmel/Clay Department of Parks and Recreation.
3. The District Manager and Parks Operations Supervisor, are further authorized, empowered and directed to negotiate the terms of transfer of the Equipment on terms and conditions, and with such consideration, as are approved by the District Manager and Parks Operations Supervisor.
4. Upon the adoption of a substantially identical resolution by any governmental transferee, and upon execution of an Acknowledgement, Transfer and Release of liability executed by an authorized officer of any eligible transferee in the form attached hereto as Exhibit "B," the District Manager and Parks Operations Supervisor, and each of them individually, are hereby authorized and directed to take any and all actions necessary to transfer the Equipment in accordance with the Act.

5. All actions heretofore taken by the officers of the Board and the District Manager and Parks Operations Supervisor to further the transfer of the Equipment pursuant to this Resolution are hereby ratified and confirmed in every way.
6. This Resolution shall be effective immediately upon its adoption.

PRESENTED to the Board of Directors of the LLCD this 25th Day March 2021.

ADOPTED BY THE FOLLOWING VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
<u>PAM DUGAN, CHAIRMAN</u>	<u></u>	<u></u>
<u>MARY JANE BROWN, VICE-CHAIR</u>	<u></u>	<u></u>
<u>DEBRA LADYMAN, TREASURER</u>	<u></u>	<u></u>
<u>MICHAEL KLITZING, Sub-Area I</u>	<u></u>	<u></u>
<u>STEVEN PRIDDY, Sub-Area IV</u>	<u></u>	<u></u>
<u>LES WADZINZKI, Sub-Area V</u>	<u></u>	<u></u>
<u>MICHAEL BLACKWELL, Sub-Area VII</u>	<u></u>	<u></u>

ATTEST: _____
LLCD District Manager

EXHIBIT "A"

Description of Equipment

5-12-year-old play structure
3-bay swingset
climbing panels
flippo offspring rider
twin rider
multi-pondo

EXHIBIT "B"

ACKNOWLEDGEMENT, TRANSFER AND RELEASE OF LIABILITY

THIS INDENTURE WITNESSES that the Carmel/Clay Board of Parks and Recreation ("Transferor"), in accordance with Ind. Code 5-22-22 *et seq.* ("Act") and for the exchange of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby assign, transfer, convey and set over unto Lake Lemon Conservancy District ("Transferee"), all of the Transferor's rights, title and interest in the equipment listed in Attachment "A" attached hereto (collectively the "Equipment") on the terms and conditions set forth herein. The transfer of the Equipment is made on an "as is," "where is" basis. There are no warranties made by the Transferor relating to the Equipment, its condition, use and/or value, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose.

The Transferee hereby releases and forever discharges and agrees to indemnify and hold harmless the Transferor, its officers, employees, agents, and their successors, from and against any and all claims, demands, actions, causes of action, liabilities, losses and expenses whatsoever, including but not limited to reasonable attorney's fees, arising out of or incurred with respect to the disassembly, transfer, transport and/or use of the Equipment, including but not limited to its condition, operation and/or use by the Transferee or any subsequent owners or users thereof.

ALL WARRANTIES OF QUALITY OF FITNESS FOR A PARTICULAR PURPOSE AND MERCHANTABILITY ARE EXPRESSLY EXCLUDED. THE EQUIPMENT TRANSFERRED HEREUNDER IS SOLD "AS IS," "WHERE IS" AND WITH ALL FAULTS, WITHOUT ANY REPRESENTATION OR WARRANTY BY TRANSFEROR.

This transfer is being made in accordance with Ind. Code 5-22-22.

The undersigned persons hereby represent and certify that he/she has full power and authority to execute this Acknowledgement, Transfer and Release of Liability.

IN WITNESS WHEREOF, Transferor and Transferee have executed this Acknowledgment, Transfer and Release of Liability this ____ day of _____, 2021.

TRANSFEROR

CARMEL/CLAY BOARD OF PARKS AND RECREATION

By: _____
Michael W. Klitzing, Director

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public residing in _____ County, Indiana, personally appeared Michael W. Klitzing, Director, who, in my presence, acknowledged the execution of the foregoing Acknowledgement, Transfer and Release of Liability this ____ day of _____, 2021.

County of Residence: _____
_____, Notary Public

**TRANSFeree
LAKE LEMON CONSERVANCY DISTRICT**

By: _____

Adam W. Casey, District Manager

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public residing in _____ County, Indiana, personally appeared _____, who, in my presence, acknowledged the execution of the foregoing Acknowledgement, Transfer and Release of Liability this ____ day of _____, 2021.

County of Residence: _____
_____, Notary Public

Lake Lemon Conservancy District
Board Meeting Agenda Item

Presenter	Adam Casey, District Manager
Action Requested	Approval
Item/Subject	Playground Installation Contract
Dollar Amount	Not to Exceed \$12,000.00
Meeting Date	March 25th, 2021
Summary	Review and approve the Playground Installation Contract.
Staff Recommendation	Approve the Playground Installation Contract.

CONTRACTUAL AGREEMENT

THIS AGREEMENT is entered into this 25th day of March 2021, by and between the Lake Lemon Conservancy District (“LLCD”) and PlayPros (“Independent Contractor”). In consideration of the covenants and promises herein provided, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree:

1. Description of Services. The LLCD maintains Riddle Point Park, owned by the City of Bloomington (“CBU”) and leased to the LLCD. The LLCD hereby retains Independent Contractor and Independent Contractor agrees to provide playground installation services to the LLCD. Equipment to be installed is referenced in Attachment “A”

2. Term. The Term shall be from March 25th, 2021 to May 1st, 2021.

3. Payment for Services. For the entire contract, LLCD shall pay, based on time and materials, Independent Contractor a sum not to exceed \$12,000.00, and which payment will be made within 30 days of receipt invoice presented to LLCD.

4. Relationship of the Parties. Independent Contractor is an independent contractor in the performance of each and every part of this Agreement and solely liable for the costs of all labor, equipment, tools, and expenses in connection therewith and for any and all damages that may occur because of Independent Contractor’s performance under this Agreement, whether for personal injuries or damages of any kind. Nothing in this Agreement shall be construed in any way to constitute Independent Contractor as the agent or representative of the LLCD. Nothing in this Agreement shall prohibit Independent Contractor from engaging in work for anyone other than the LLCD.

5. Insurance. Independent Contractor shall maintain appropriate commercial general liability insurance in a minimum amount of One Million Dollars (\$1,000,000) per occurrence. The LLCD and CBU shall be included as additional named-insureds on the policy and Independent Contractor shall provide proof of Insurance.

6. Liability. The LLCD and Independent Contractor acknowledge and agree that the services to be performed by Independent Contractor under this Agreement are to be performed by Independent Contractor at their own risk and that Independent Contractor assumes all responsibility for any damages or injuries that may result from Independent Contractor’s performance of services under this Agreement. Independent Contractor agrees to indemnify and hold harmless the LLCD and CBU from any and all liability for any injuries (including death), damages, loss or claims based upon, arising out of, or in any manner connected with Independent Contractor’s services provided under this Agreement, which includes but is not limited to claims for workers’ compensation coverage. It is further agreed that Independent Contractor shall bear all costs of obtaining and maintaining for the term of this Agreement all required licensing, permits, liability insurance and Workers’ Compensation insurance.

7. Tax Liability. Independent Contractor shall exonerate, indemnify, and hold harmless the LLCD from and against, and shall assume full responsibility for all federal, state, and local taxes, or contributions imposed or required under unemployment insurance, workmen’s compensation, social security, and income tax laws with respect to Independent Contractor’s services under this Agreement.

8. Remedies. A party shall be entitled to seek and obtain all relief, whether in law or in equity, for breach of the Agreement by the other party, including damages and reasonable attorney fees.

9. Assignment. The Independent Contractor's obligations under this Agreement may not be assignment or transferred without the prior written consent of the LLCD.

10. Venue and Applicable Law. This Agreement shall be governed by and construed under the laws of the State of Indiana, and the Monroe Circuit Court, Bloomington, Indiana, 47404, shall have exclusive jurisdiction over disputes arising hereunder.

11. Entire Assignment. This Agreement constitutes the entire contract between the parties. There is no statement, promise, agreement, or obligation in existence which may conflict with the terms of this Agreement, or may modify, enlarge, or invalidate this Agreement or any provisions of it. This Agreement may not be amended, supplemented, or modified except by a written document signed by the LLCD and Independent Contractor.

12. Non-Waiver. The failure of any party to insist upon performance of any of the provisions of this Agreement or to pursue its rights hereunder shall not be construed as a waiver of any such provisions or the relinquishment of any such rights.

13. Safety Standards: Provide playground equipment installation complying with or exceeding requirements in ASTM F 1487.

The foregoing Agreement is hereby executed on the terms stated above.

Lake Lemon Conservancy District:

Independent Contractor:

By: _____

By: Adam Casey
Its: District Manager

Justin Moos
Vice-President

EXHIBIT “A”

Description of Equipment

5-12-year-old play structure
3-bay swingset
climbing panels
flippo offspring rider
twin rider
multi-pondo