

Lake DeSmet Advisory Board Meeting
November 18, 2020
3:00 PM

Board Members Present: Mike Whitaker, Jim Fennema, Bob Rolston, Paul Mavrakis, Joe Kalus,
By Phone: Bert Jellison

Operating Department Personnel Present: Commissioner Linda Greenough,
Cheryl Benner

Public in attendance: County Attorney Tucker Ruby, Deputy County Attorney Barry Crago, Dick Hall, Scott Pehringer, Scott Packard

The meeting was called to order at 3:00PM by Chairman Whitaker. Chairman Whitaker asked for a motion to approve the minutes of the September 30, 2020 meeting. Mr. Kalus moved and Mr. Mavrakis seconded that the minutes be approved as written. Motion carried.

Ms. Benner reported the following:

- The elevation of the lake November 1, 2020 was 4608.22.
- Opened 4X4 gate at the diversion dam October 1.
- EAP tabletop conducted by Johnson County EMC Marilyn Connolly on November 4. Despite technical difficulties, Surface Water Engineer Nathan Graves Sheridan County EMC and Deputy, Clint Culliton and LDOD personnel in attendance. Johnson County Sheriff, Sheridan County Road and Bridge Foreman and WWDO personnel were on a conference call.
- The research for funding for an electric over hydraulic system at the diversion dam continues.
- One gate at tunnel leaking. Further analysis by the engineer will be necessary.

The board went through the current regulations to discuss proposed edits. County Attorney Ruby and Deputy County Attorney Crago will present draft revised regulations incorporating the required changes, probably in January or February. The attorneys explained the public comment period required by state statute. Items to be addressed include no fireworks; no littering; exemptions for livestock operations to Chapter 2, 1.2B4; commercial use allowed only by special permission by Johnson County; grandfathering in existing fences on existing ranches and standards for those fences; no permanent structures below 4620 without valid permit from County as it may discourage public use; permanent structures constructed between 4620 and 4630 must have signed waivers, no personal property below 4620 overnight, no reserving pieces of public land.

The Commissioners entered into a Shoreline Interim Agreement with Mr. Moreland regarding the Lake Lodge property and the concrete boat ramp at their November 17th meeting. County Attorney Ruby explained that it was signed provisionally pending the approval of the LDAB and it did not give up any of the County's rights. Mr. Kalus asked when the grandfather clause expired. Chairman Whitaker explained the grandfather clause was for the boat dock, water pumping facilities and gravel boat ramp as it existed in 2010. Mr. Kalus said historically there was never really a boat ramp at the lodge, that the previous owners had used the public boat ramp at the Mikesell-Potts Recreation Area to launch boats. He also felt that Mr. Moreland was not

acknowledging the County's rights to the property. Mr. Crago asked if the LDAB was willing to grant a permit for the concrete boat ramp. Mr. Whitaker stated that the motion at the last meeting was to deny and saw no reason to have another motion on the matter. Mr. Mavrakis suggested that the matter be discussed in executive session at the next meeting.

As there was no further business to come before the board, the meeting was adjourned at 4:55 PM with a motion from Mr. Rolston and a second from Mr. Fennema. Motion carried. The next meeting will be held on December 16 at 3PM.

A handwritten signature in cursive script, appearing to read "Michael Whitaker". The signature is written in dark ink and is positioned above a horizontal line.

Michael Whitaker, Chairman