

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES OF THE  
LAKE PANORAMA RURAL IMPROVEMENT ZONE**

July 29, 2022

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A special meeting of the Board of Trustees of the Lake Panorama Rural Improvement Zone was held at the Lake Panorama Association offices on July 29, 2022, commencing at 7:00 a.m. Douglas Hemphill, President of the Board of Trustees, presided and Corey Welberg acted as Clerk. Additional trustees present were JoAnn Johnson and Larry Petersen. Attending from the Lake Panorama Lake Association staff were John Rutledge, general manager, Lane Rumelhart, projects manager, Mike Monthei, dredge operation supervisor and Sandra Lowe, accountant for LPN, LLC (a subsidiary of Lake Panorama Association). Also participating in the meeting were Luke Monat, Chris Bauer and Michael Otten with Shive-Hattery and Ben Bruner, the trustees' legal counsel.

The agenda for the meeting was reviewed. Thereafter, upon the motion of JoAnn Johnson, seconded by Larry Petersen, and unanimously adopted, the Board approved the agenda for the meeting.

Tammy Deal, a Lake Panorama Association member and farm owner, was present at open forum, and offered a presentation with information related to soil quality and conservation measures, and the effect of no till and cover crops practices on soil quality, conservation, and water quality. Tammy also provided information on different organizations that assist with certain soil testing programs and assistance to farmers related to soil quality and conservation practices. Follow up meetings were discussed to further evaluate and vet these programs and potential opportunities, and the ability of the RIZ to participate in the same. Deal was invited to coordinate a follow-up meeting with Rutledge for an in-depth review. Johnson, Petersen and Rumelhart will participate on behalf of Lake Panorama RIZ, with assistance from Shive-Hattery, as determined by Rutledge.

The minutes of the March 2, 2022, meeting were reviewed. Thereafter, upon the motion of Larry Petersen, seconded by JoAnn Johnson, and unanimously adopted, the Board approved the minutes of such meeting.

Doug Hemphill started a discussion about an approach to ensure appropriate disclosure of potential conflicts of interests of trustees. It was noted that at each meeting any potential conflicts of interest should be disclosed by the respective trustees related to agenda items and action items. Further, discussion occurred concerning a potential conflict of interest policy.

The Board next discussed a proposed like-kind exchange pursuant to which certain real property owned by the RIZ would be transferred to Lake Panorama Association in exchange for those Lake Panorama Association transferring portions of their property to the RIZ. The property owned LPA could be utilized by the RIZ for conservation measures which would decrease the flow of silt and other debris into Lake Panorama. The Trustees reviewed a proposed like-kind exchange agreement that had been prepared by the Trustees' legal counsel. After discussion and upon the motion of JoAnn Johnson, seconded by Larry Petersen, and unanimously carried, the

Board authorized the execution of a like-kind exchange agreement for the proposed transaction and further authorized the Board's President to execute such agreement on behalf of the Trustees.

The Board discussed a request and proposal from Lake Panorama Association for an amendment to the 2022 Dredging Contract to increase the fuel cost cap provided for therein from \$160,000.00 to up to \$225,000.00 based on the unforeseen increases in costs of fuel over the past year. Thereafter, upon the motion of Corey Welberg seconded by Larry Petersen, and unanimously adopted, the Board approved the aforementioned increase in the fuel cost cap and accordingly an amendment to the 2022 Dredging Contract to reflect the same (and authorized the Board's President to execute any such formal amendment deemed necessary).

Next, the Trustees discussed its proposed general hunting policy on the real property it owns. It was noted that the Board approved, in its August 18, 2021, and November 19, 2021, meetings, public hunting in the Helen's Cove wetland and Smith wetland, subject to certain terms and conditions noted in said meeting minutes. After discussion and upon the motion of JoAnn Johnson seconded by Larry Petersen, and unanimously adopted, the Trustees determined that public hunting would not be allowed on property owned by the rural improvement zone except as previously authorized in the Helen's Cove and Smith wetlands, and for clarification the approved policy is shown as follows:

*Public hunting shall only be permitted in the Helen's Cove wetland and Smith wetland, subject, however, to the following restrictions put in place by the Rural Improvement Zone, and further subject to the right of the Rural Improvement Zone to preclude all hunting from time to time when warranted by existing conditions. Restrictions: (1) firearms shall be restricted to only the use of a shotgun, (2) only nontoxic shot may be used, (3) no shotgun slugs may be used, (4) no permanent blinds or stands may be constructed and (5) no target practice is allowed.*

Luke Monat gave a review of the notice, bidding and project documentation for the proposed South Shore Rip Rap Armoring project. The bidding documentation will be released and advertised to bidders within the next month with the bid due date on or around September 15, 2022. After discussion, and upon the motion of JoAnn Johnson, seconded by Corey Welberg and unanimously approved, the Board authorized Shive-Hattery to issue and publish the requests for bids and corresponding project specifications for the South Shore Rip Rap Armoring project, posting of notices for the same on its website and on the Construction Update Plan Room Network, and set a public hearing date of September 30, 2022 for approval of the contract form and for letting the contract.

John Rutledge indicated that Shive-Hattery would be prepared to provide services to assist with the modification and updating of the 20-year capital improvement plan for the Rural Improvement Zone consistent with the extended life for the Lake Panorama Rural Improvement Zone that was authorized by action of the Guthrie County Board of Supervisors. He discussed the potential items that would be included in such amendments and updates to the capital improvement plan and indicated that such services could be provided on an hourly basis with a cost not to exceed \$10,000.00. He presented to the Trustees a proposed contract relating to such services. Thereafter upon the motion of Larry Petersen, seconded by Corey Welberg and unanimously approved, the

Board authorized entering into a contract with Shive-Hattery to provide certain specified services in connection with the amendment and updating of the 20-year capital improvement plan.

Luke Monat and John Rutledge gave the following updates on the current projects/contracts being handled by Shive-Hattery:

- A. The 180<sup>th</sup> Trail Silt Basin Expansion Project work by Spring Lake Construction, LLC continues. There was a recent drone survey to track the amount of dirt that has been moved related to the wall heightening. The project appears to be on track from a timing standpoint based on progress reports and engineering supervision.
- B. At a recent meeting with USACE, IDALS, and IA Farm Bureau re: stream mitigation for wetlands discussion occurred concerning the location and type of projects that would require mitigation, including but not limited to the Wood / Chaloupka project.
- C. General discussion occurred concerning the Helen's Cove pond project, West Fork project, and County Basin capacity surveying, and certain timing considerations with regards to the same.

John Rutledge and Mike Monthei next gave a quick update on certain miscellaneous and general LPA matters and items. Of note to the RIZ, it was noted that LPA is on track with regards to the dredging yardage progress for the 2022 Dredging Contract.

There being no further business to come before the meeting, the meeting was adjourned.

  
Corey Welberg, Clerk