



**DEVILS LAKE**  
**WATER IMPROVEMENT DISTRICT**

**WORK SESSION MINUTES**

September 24, 2024

**1. Call to Order** 1:00 pm by Chair Tina French

**2. Roll Call**

**Board Members Present:** Susan Elworth (virtually), Bob Stolberg (virtually), Dayton Mays, Tina French in person; Keith was able to join virtually at 1:56 pm

**Board Members Absent:** none

**Staff Present:** Boone Marker

**3. Blue Heron Landing**

**Discussion:** Dennis Regen appeared virtually to discuss the property sale. Tina spoke about past discussions concerning sale of the property, and retaining an office and boat slip for the District. Discussion took place about the parcels that make up the property. Dennis said that the zoning allows for a hotel, condominiums or single-family residences. R-C zoning may not allow an office on site, unless it might be connected to tourism. He suggested that there may be an allowance due to the special district status of DLWID. Dennis talked about possible restrictions to be included in a listing and said that national real estate practices have changed regarding broker compensation, as of August 17<sup>th</sup>. Bob asked about clarification of buyer broker compensation. Dennis said that his services would be at 3%. Interest rates have dropped and more buyers are coming forward. Currently there are no lots for sale on the lake, nothing since 2021. Some houses on the market now. Dennis talked about the desirability of the BHL site.

Bob asked about buildability of the land, and he was told that wetlands are on the property, and a setback would be needed. Dennis suggested a wetlands survey be done before building. Building upland and near the road would be possible. Discussion about a wetlands survey would be something for the buyer to do. Further discussion took place about selling the parcels separately and the restrictions that could be in place. Susan suggested changes to the existing building to make space for DLWID, or including space for DLWID in new construction. Discussion about changes in the city planning department and possible uses of the property. Dennis assured the board members that restrictions could be placed so that DLWID would not be forced into a sale.

\$875,000 was purchase price, and balance on note is \$576,000. Closing costs were mentioned – estimated at \$3,500. Listing price was discussed with discount for both parcels. Dock access was

discussed and from which parcel. Boone will contact DSL for clarification. Sale can be subject to a survey. Dennis reported that only 95 properties are currently for sale in Lincoln City, and only 7 on the lake. Discussion about building season and timing of listing. Dennis will put together paperwork and get it to Boone. Boone will report to Dennis about the dock access. Dennis left the meeting.

Discussion took place about real property sale restrictions as a special district, and limits to pay the real estate agent.

Boone confirmed that there can be no decisions at work sessions, and that voting needs to be done at a board meeting. Bob suggested that information be shared with Keith. Further discussion took place of selling one parcel and keeping building.

#### **4. Oregon Coast Bookkeeping Contract Review**

**Discussion:** The current contract was discussed, which was entered into in 2019 or 2020, and a possible expanded scope of work. Susan said that a description of services is included, but many necessary elements are missing. Tina suggested that Boone reach out to Cameron for a new form of contract with binding terms, with additional scope of work for \$50 increase.

#### **5. Dredging Project Exception Review**

**Discussion:** Boone reported that he met with the city engineer last week about the District's exemption letter, and what needs to be done. Boone has a meeting tomorrow with a contractor. Discussion took place about limits of spending and requirement of soliciting bids. Under \$105,000 can be hired without bids. If over that amount Boone can reach out to five contractors. Work done by Civil West will help. Hopefully some of the work done for the City can be used. Boone spoke with Eric Campbell about work that had been done. Larry Morris may also be interested in doing the work. Dayton asked about using K&E. Boone talked about a "best value" RFP.

Boone talked about his conversation with Greg at Special Districts about the process of hiring a contractor. Tina talked about discussion with City staff about ownership of the lake, and City's survey of flooding in the area. Tina suggested Boone talk to K&E about feasibility of expanding scope of work. Discussion about talking to City staff first. Susan asked about public contracting rules, and discussion continued about possibilities.

Keith was able to join virtually at 1:56 pm

Bob asked about a location for spoils from dredging. Larry Morris may be interested in purchasing sand. Discussion about additional costs of dredging project. 2,000 cubic yards

expected to be removed, which should be 200 dump truck trips at \$1.17/cubic yard to DSL. Discussion of haulers to move sand and cost of removal. Boone suggested that the engineering firm list dewatering options, and what the City plans to do.

## **6. Miscellaneous**

**Discussion:** Boone said he is working on the easement application for the aerators. He was asked about permits to do the work, but flood plain permit application needs to be submitted for the compressor. Mitch suggested looking at current FEMA floodplain map. Discussion about need for surveyor.

Boone will send updated email tomorrow to board.

Mitch talked about what a great summer for the lake and no harvesting was needed.

Algae on the lake was discussed, and the need for an aerator in the Indian Shores lagoon. Bob will bring this topic up at next board meeting.

**7. Adjourn:** Work session adjourned at 2:13 pm

**Next meeting:** Wednesday October 9<sup>th</sup>, 2024 at 6 pm at Oregon Coast Community College, Room 211

Submitted by Susan Wahlke