

SOUTH-WEST LAKE MAXINKUCKEE CONSERVANCY DISTRICT

Annual Meeting and Regular Meeting Minutes

February 26, 2022, beginning at 10:30 and held at the Culver Library as well as via Zoom

The ANNUAL MEETING began at 10:31 a.m. and the meeting was opened by Chairman John Crist. John announced that both agendas had been posted according to Indiana's open-door policy and that a quorum was present.

In attendance: John Crist, Jackie Smith, John Stimson, and Tom Fujimura. Attending via Zoom was Rick George, with Jim Purucker joining at 10:41, and Hollie Schultz joined at 10:52. Jennifer Walker of Krohn & Associates was present for a section of the meeting via Zoom. Kathy Clark of Lakeside Consulting LLC was present as acting secretary to the Board and as manager for the District.

Appointment of Area Representatives: Crist started the meeting by asking for a motion to appoint the representatives for areas 1, 4, and 6 who he identified as Hollie Schultz, Tom Fujimura, and Jackie Smith respectively. Rick made the motion which was then seconded by John Stimson. *Voting was cast as follows: Crist Aye, George Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye.* Motion passed unanimously. Crist clarified that the former attorney for the District had failed to place the advertisements for the election in a timely manner. Clark confirmed that she now has all legal descriptions and will file the advertising needed per state statute going forward.

Summary of 2021: Crist announced that he felt the major accomplishment in 2021 was that the District was able to fill all seven seats on the board after working with many vacancies through the last eight years. Crist then noted:

- The District signed a two-year contract with Karen Heim to handle district billing services.
- The Board made a motion to cap the dollar amount of capital costs to be paid up front by anyone joining the District at the sum of \$10,830. This is the total value of the twenty-year exceptional benefit bond of \$7,500 plus the twenty-year interest of the term of the bond.
- The Board hired attorney David McGimpsey who is with the firm Dentons, Bingham, and Greenebaum.
- A new contract was signed with manager Kathy Clark.
- The Board passed a resolution to cover holding electronically ran meetings and public hearings that was requested by the Governor of Indiana. Board member Jim Purucker was offered thanks for his spearheading this effort when it began at the end of 2020.

Summary of Financial Activity in 2021: Jennifer Walker of Krohn & Associates presented the following reports:

- The Fund Report for the full year shows a thirty thousand dollar increase on the balance from 2020 to the end of 2021 between the two banks used to conduct district business.
- The CDs gained a little interest with the Lake City CD being closed out and those funds transferred to First National Bank of Monterey.

Motion to accept the financials as presented was made by Stimson and seconded by Smith. *Voting was cast as follows: Crist Aye, George Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye.* Motion passed unanimously.

The annual meeting was adjourned at 10:49 by a motion from Stimson and a second by Smith. *Voting was cast as follows: Crist Aye, George Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye.* Motion passed unanimously.

REGULAR MEETING: Crist called the regular meeting into session at 10:51.

Election of Officers: Crist stated that it appeared that everyone who was serving as an officer (Crist as Chair, Stimson as Vice Chair, and Purucker as Board Secretary) was willing to continue in those positions. He asked for a motion from the Board to retain the same officers for 2022. The motion was made by George with a second by Smith. *Voting was cast as follows: Crist Aye, George Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye, Schultz Aye.* Motion passed unanimously.

Reports: Minutes of the regular meeting held on 10/23/21 and the special meeting held on 12/2/21 were presented by Clark. Crist first asked if there was a motion to approve the minutes from the regular meeting with corrections that Clark had made previous to today. Motion was made by Fujimura and seconded by Stimson. *Voting was cast as follows: Crist Aye, George Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye, Schultz Aye.* Motion passed unanimously.

Upon review of the minutes from the special meeting held 12.2.2021, it was noted that Clark had been asked to have a discussion with Krohn about the \$4,000 invoice she had paid that was listed on the Claims Register for 10/22/21 – 11/30/21 as George had motioned for approval of those claims once a reduction had been given for the Krohn invoice noted in those claims. (*See Exhibit A attached*). The discussion continued concerning what appeared to be an overcharge by Krohn for training and for having both retiring accountant Rosy Oshry and the accountant assigned by Krohn to take over the District's accounting work, Jennifer Walker, attend the last meeting in October. Clark was asked by a board member if she was satisfied with the results from the second discussion she was asked to have regarding that invoice. Clark responded that she apparently had been incorrect in believing that the invoice had been higher than normal due to the training that took place over the months of October, November, and December. Clark asked Jennifer if she could respond any further. Jennifer then stated that Krohn had provided a discount on that invoice and that discount was the removal of her entire time from that specific meeting day. The Board was only charged for one person attending that specific meeting. Clark did remind the Board that she and Crist had requested that both attend that day, that they were aware there may be extra costs, which is why Jennifer was attending via Zoom today.

Purucker offered that there should be a letter of engagement with Krohn that lays out fees, travel costs, and any other charges that we should expect along with the services that they provide. If there isn't one, Clark should request one. Jennifer offered that their hourly costs are what they are and that they don't charge time and a half, like Clark had mentioned earlier, but just the hourly rate they would on a regular day. Walker then noted "that the only extra charge on the invoice was for the travel time, that it was a two-hour trip (there) and a two-hour trip back." Clark apologized for her earlier misstatement but noted that in her memory there was a 7-hour travel time logged on the invoice in question and if what Jennifer says is true, she is disappointed because she feels they then charged for the time they spent at lunch that day with her. Clark apologized to the Board for her misunderstanding of the situation. She agreed to ask Krohn to provide an updated engagement letter for the Board that will outline everything Purucker requested. Crist then again called for a motion to approve the minutes from the special meeting. Motion by Smith, second by Stimson. *Voting was cast as follows: Crist Aye, George Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye, Schultz Aye.* Motion passed unanimously.

Claims were presented for the year ending 12/1/21 thru 12/31/21 and for the period of 1/1/22 thru 2/18/22. Year ending 12/31/21 claims balance was \$41,142.89 which included the approved bond principal and interest payment to Bank of New York for \$30,456.00. The first quarter claims had a balance paid of \$25,473.49. Crist noted a charge from USIC that reportedly was for an in-ground pool. Clark noted that she never saw a pool permit come through and that Thomas isn't the excavator so she was unaware until she saw it on the bill. Schultz said it is not next to the lake so it is not like Irsay's pool that sits right beside the lake. Crist wants to know that it is certain that the water won't go into the lake. He wants to know if they intend to drain it each winter. Clark agreed to check on this. Crist called for a motion to approve the claims. A motion was made by George and seconded by Smith. *Voting was cast as follows: Crist Aye, George Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye, Schultz Aye.* Motion passed unanimously.

Manager's Report: Clark presented her report to the Board. Crist noted a charge on the last claim's register for USIC that is for a locate ticket for a pool on Sycamore. Schultz offered that she has owned pools and never drained their pools. Purucker agreed. Crist still wants to know where the water goes. Clark will ask the people involved what their plans are.

Clark spoke briefly about the new billing system, noting that there are still four or five people mailing their checks to Lake City's lock box. Those will be stopped before your next meeting.

Bioxide pumps seem to be having an issue due to the levels not going down as they should. She and Jason Young are talking to the chemical people about the possible cause and how to verify that everything is running fine. Clark asked the Board for permission to see if there is someone in the area that might have more technical understanding of the Odalog systems and would be willing to take over pulling the units and doing the readings on a monthly basis. The Board gave their permission for her to do this.

The CD rates were discussed and the Board told Clark to put any CDs coming due into the smallest term available until the economy changes. Clark agreed to do this.

New Business: Crist presented the Town of Culver's recent water rate study that shows a substantial rate increase is due to happen. John wants to see how the Board feels about having a possible discussion on what they may be looking for from the District. Clark stated that she emailed to everyone the agreement between Culver and the District, also stating that the Town hasn't followed that agreement to the letter but does adhere to specific things like testing and hookups. Purucker suggested that each board member really digest the agreement that is in hand and be prepared to present a list of possible changes that we should consider in any potential future negotiations. George agrees with Prucker on just getting prepared for when the Town approaches us.

The next meeting was set or June 11th at 10:30 a.m.

Crist asked for a motion to adjourn at 11:54 a.m. Motion was made by Stimson and seconded by Purucker. *Voting was cast as follows: Crist Aye, Smith Aye, Fujimura Aye, Stimson Aye, Purucker Aye, Schultz Aye.* Motion passed unanimously.

Minutes drafted by Kathy Clark May 12, 2022 for Board Secretary Jim Purucker