

South-West Lake Maxinkuckee Conservancy District

Meeting Date: Saturday, October 11, 2008

Members Present: Kathryn Densborn, Dick Dugger, George Duncan, Chuck Norman, and Dan Yates.

Members Absent: Del Demaree, Ted Schenberg

Advisor Absent: Ron Gifford

Public Attendees: Dave Henson, (Architect working with Mark on a different project)

Presenter: Mark Sullivan, Commonwealth Engineers, Inc.

The meeting was called to order by Kathryn Densborn at 9:05 AM. Kathryn informed those attending that she had received a call from Ron Gifford at 8:15 AM that morning inquiring if she had seen the South Bend Tribune article stating that the Indiana Supreme Court had barred him from practicing law for the next 9 months. Ron offered no explanation other than to say he did something "really stupid" a couple of years ago. See the attached article.

PRESENTATION: MARK SULLIVAN, COMMONWEALTH

Funding Options

Mark Sullivan began his presentation by discussing the funding options for the project: USDA Rural Development, State Revolving Loan Fund, Revenue Bonds, and Hook on Fees. (See Attachment. My apologies not having a clean copy.) Mark indicated that it would take approximately 90 days to complete his work which is needed to make the application for funding. He briefly discussed all the funding options conceptually and highlighted the differences in respect to eligibility, interest rate and length of the loan, differing requirements, and timeline. He felt the USDA Rural Development would be our best option, but he will look at all the options and run the numbers for each once he has completed his estimate of the construction costs.

He suggested we might want to hold a public meeting even though it may not be required depending on the funding option selected. He estimated he should complete his work late December or early January. We can make the application for financing before the public meeting is held. We agreed we wanted to hold the public meeting and discussed the possibility of waiting until spring for better attendance or possibly video streaming the meeting. Nothing was decided pending a more definite estimate for completion.

Mark indicated that the Town of Culver needs to expand their plant and he believes they are interested in us connecting, but it would come down to dollars and cents for both parties. He also suggested that we should hire a rate consultant.

ACTION ITEM: By consensus, we decided that we should issue an RFP for a rate consultant, and Chuck Norman volunteered to handle this process.

Mark asked for verification of the district boundaries and a complete listing of the properties in the district, so that he may accurately determine construction costs. Dick Dugger mentioned that he has been approached by several people who are interested in connecting to our project.

ACTION ITEM: It was decided that Dick would verify the list of homes in the district and he would get back to those who indicated an interest and tell them they would need to make a formal request in writing for consideration by the board. Chuck agreed to assist Dick with the message to these folks and to draft the Q & A on this topic to be posted on the web site.

The group decided it would be best to consider additions before the project is bid, however, the board will need to establish rules that govern the process and will need legal advice to develop these rules.

Collection Alternatives

Mark suggested that two technologies needed to be explored for the district: A pressure system and a vacuum system. He eliminated the gravity system option, as the terrain is not conducive. For much of the district, the road is significantly higher than the homes. Mark said the project is right on the borderline for being cost effective for a vacuum system, but he plans to price it out to be certain. The construction method will determine which system is the better option in terms of cost. The vacuum system requires trench digging, while a pressure system can be installed with directional drilling, which does not tear up the ground.

Miscellaneous

Mark will provide the construction costs for both collection systems at the next month's meeting. He will also discuss the advantages and disadvantages of each funding option given the construction costs.

Mark suggested that the board might want to attend the November meetings of the Culver Town Council to learn more about their situation. They meet the second and fourth Tuesdays of the month.

Mark left three copies of the contract for his services totaling \$12,800. The board determined that we should investigate getting a loan to cover this expense and other professional services.

ACTION ITEM: Dick Dugger volunteered to contact both banks in town to explore the possibility of obtaining a loan based on the district's ability to levy taxes.

Minutes from the August 30, 2008 Meeting

Motion: George Duncan moved that we accept the minutes from the last meeting. Dick Dugger seconded. **Motion passed, unanimously.**

Legal Representation

The group decided that Chuck, Kathryn and Dan would obtain the names of attorneys who have experience with conservancy districts and explore their qualifications. They will make a recommendation to the board for hiring a new attorney on or before the next meeting.

Our next meeting is set for Saturday, November 8, 2008, 9:00 AM, at the Culver-Union Township Public Library.

Adjournment:

The meeting was adjourned at 10:50 AM by consent.

Respectfully submitted,

Dick Dugger