

## **South-West Lake Maxinkuckee Conservancy District**

Meeting Date: Thursday, November 24, 2010

Members Present: Kathryn Densborn, Chuck Norman, Ted Schenberg and Dan Yates.

Members Absent: Del Demaree, George Duncan, Dick Dugger

Others Present: Alan Hux, Taft Stettinius & Hollister LLP, Jane Grund

Kathryn Densborn, Vice Chairman, announced a quorum was present, called the meeting to order at 11:00 AM at the Skyline Club, top floor of the American United Life Building, Indianapolis, IN, and announced that all notice requirements of the Indiana Open Door Law had been met.

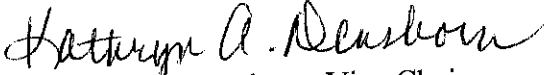
### **RESOLUTIONS:**

The Board reviewed RESOLUTION NO. 210-11-1 and RESOLUTION NO. 210-11-2 prepared by Mr. Hux. Chuck Norman moved both resolutions be approved. Ted Schenberg seconded. The motion passed unanimously.

### **ADJOURNMENT:**

Since there were no other items of business to discuss, the meeting was adjourned.

Respectfully submitted,

  
Kathryn A. Densborn, Vice Chairman

**RESOLUTION NO. 2010-11-1**

**SOUTH-WEST LAKE MAXINKUCKEE CONSERVANCY DISTRICT RESOLUTION  
CONCERNING SUBMISSION OF DRAWINGS,  
SPECIFICATIONS AND COST ESTIMATES  
TO THE NATURAL RESOURCES COMMISSION  
FOR APPROVAL OF THE  
WORK TO IMPLEMENT THE DISTRICT PLAN**

WHEREAS, the South-West Lake Maxinkuckee Conservancy District (“District”), pursuant to I.C. 14-33-6-8, ordered the preparation of construction drawings, specifications and refined cost estimates from the District's engineer, Commonwealth Engineering, Inc., for work to implement the District Plan (the “Work”), as set forth in the District Plan submitted to the Natural Resources Commission; and

WHEREAS, Commonwealth Engineering, Inc. presented to the District drawings, specifications and cost estimates which will carry out the Work; and

WHEREAS, the Board of Directors of the South-West Lake Maxinkuckee Conservancy District has reviewed said drawings, specifications and cost estimates and believes the submission by Commonwealth Engineering, Inc. carries out the Work of the District Plan.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the South-West Lake Maxinkuckee Conservancy District:

Section 1. The drawings, specifications and cost estimates for the Work, as set forth in the District Plan, as presented to the Board this 23<sup>rd</sup> day of November, 2010, are hereby tentatively adopted pursuant to I.C. 14-33-6-8.

Section 2. The Chairman or Vice Chairman is hereby directed to take any and all actions necessary to submit said drawings, specifications and cost estimates to the Indiana Natural Resources Commission for its approval.

Section 3. Upon receipt of the written approval of the plans, specifications and cost

estimates from the Indiana Natural Resources Commission, the Secretary, without further action of the Board, is directed to schedule a hearing on the drawings, specifications and cost estimates, as provided by law.

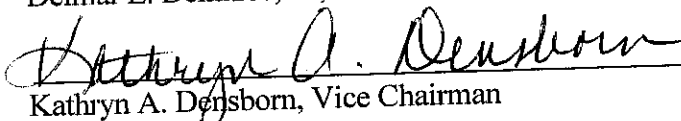
Section 4. The Secretary is hereby directed to give notice pursuant to I.C. 14-33-6-9.

Section 5. This resolution shall be in full force and effect from and after its passage.

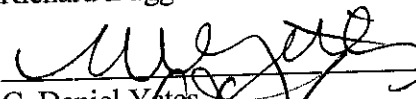
PASSED AND ADOPTED by the Board of Directors of the South-West Lake Maxinkuckee Conservancy District this 23<sup>rd</sup> day of November, 2010.

Board of Directors  
South-West Lake Maxinkuckee  
Conservancy District

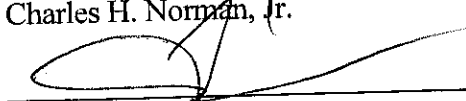
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Delmar E. Demaree, Jr., Chairman

  
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Kathryn A. Densborn, Vice Chairman

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Richard Dugger

  
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C. Daniel Yates

  
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Charles H. Norman, Jr.

  
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Theodore R. Schenberg

\_\_\_\_\_  
George A. Duncan

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**RESOLUTION NO. 2010-11-2**

**RESOLUTION OF THE BOARD OF  
DIRECTORS OF SOUTH-WEST LAKE MAXINKUCKEE CONSERVANCY  
DISTRICT ADOPTING THE DISTRICT PLAN**

BE IT RESOLVED the Board of Directors of the South-West Lake Maxinkuckee Conservancy District has adopted the foregoing District Plan including the Exhibits thereto for and as the District Plan of the South-West Lake Maxinkuckee Conservancy District.

BE IT FURTHER RESOLVED that due to the emergency nature of the need to eliminate the seepage of wastewater into Lake Maxinkuckee caused by the faulty septic systems and the desire to attempt to permit sewer hook-ups in the summer of 2011 and pursuant to Resolution 2010-11-1 the Board has tentatively adopted the drawings, specifications and cost estimate as set forth in Exhibits 7, 8, 9 and 11 of the District Plan.

BE IT FURTHER RESOLVED that Delmar E. Demaree, Jr., as Chairman or Kathryn A. Densborn, as Vice-Chairman of the Board, file a copy of this Resolution and the District Plan, which includes the detailed construction drawings, specifications and refined cost estimates as permitted by I.C. 14-33-6-8, with the Natural Resource Commission for its approval and upon said approval file same for approval of the Marshall Circuit Court.

  
Kathryn A. Densborn, Vice-President