

South West Lake Maxinkuckee Conservancy District

Meeting Date: Saturday, November 28, 2009

Members Present: Del Demaree, George Duncan, Dick Dugger, Chuck Norman and Ted Schenberg.

Members Absent: Kathryn Densborn, Dan Yates

Del Demaree announced a quorum was present, called the meeting to order at 10:00 AM at the Syndicate Sales offices in Kokomo

MINUTES FROM THE SEPTEMBER 19, 2009, MEETING

Mr. Duncan moved to approve the minutes of the meeting of the Board of Directors (the "Board") of the South-West Lake Maxinkuckee Conservancy District (the "District") of Sept 19, 2009. Mr. Schenberg seconded. The motion passed unanimously.

Old Business

Motion from Sept 19 meeting: Mr. Norman moved that the District's attorney, Alan Hux, begin drafting a contract for service with Commonwealth Engineering for the installation of the sewer lines in the District. Mr. Schenberg seconded and the motion passed unanimously.

In the absence of attorney Hux, the request regarding contract for services with Commonwealth Engineering was postponed for discussion until the January meeting

New Business

Commonwealth Engineers Mark Sullivan, Project up-date:

Mark reported on his negotiations with IDEM to gain approval for re-rating the Culver Treatment plant and approval for connection to the SWLM District.

Due to new government regulations, Indiana is in the process of developing new sewage standards referred to as "anti-degradation rules". As such, the decision from IDEM has been delayed. Mark will continue discussion to get an update from IDEM as to their decision. A timetable for IDEM contact will be the week of December 1st with report back to the board by December 4th. (Mark feels that the new rules will include exemptions for sewage "taken" from septic systems similar to the rules for the northern portion of Indiana

These minutes are not approved – they are subject to approval at the next Board meeting.

Authorizations for payment of invoices once the Districts funding is in place:

- (1) Mr. Dugger moved that Commonwealth Engineering's invoices dated 3/19/09 and 4/27/09 be paid in the sum of \$20,300
Mr. Schenberg seconded and the motion passed unanimously.
- (2) Mr. Norman moved that O W Krohn's invoice of 3/31/09 in the amount of \$2197 be paid and invoice of 4/30/09 to be questioned.
Mr. Duncan seconded and the motion passed unanimously.
- (3) Mr. Schenberg moved that the McClain Matthews D & O insurance invoice in the amount of \$1733 be paid. Invoice for cost of required bond to follow
Mr. Norman seconded and the motion passed unanimously.

Mr Duncan moved that legal document submitted by Alan Hux and written in agreement with legal advice of Lake City Bank be reviewed and discussed for Board approval.

Mr Norman seconded, discussion followed and the motion passed unanimously

Unapproved minutes:

Lake City Bank Loan Amendment: An amendment requested to amend the bank loan was discussed This amendment would allow borrowing by the District in multiple withdrawals toward meeting payment of invoices when due as opposed to borrowing versus a single \$200,000 loan withdrawal as stated in the original loan agreement.

Discussion for approval to be voted on at next committee meeting

NEXT MEETING

The Board tentatively determined to meet on Saturday, January 23, 2010, at 10:00 AM.
The location to be decided at a later date.

ADJOURNMENT

Upon motion duly made, seconded and unanimously passed, the meeting was adjourned at 11:30 AM.

Respectfully submitted,

Richard P. Dugger, Secretary

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