

SOUTH-WEST LAKE MAXINKUCKEE CONSERVANCY DISTRICT
Annual Board Meeting
Culver Public Library
Culver, IN

Meeting Date Saturday February 15th, 2014

Members Present Kathryn Densborn, John Demaree, Richard George, John Crist, Jane Grund.

Others Present: Alan Hux, the Attorney for the District and Kathy Clark, Lakeside Consulting LLC as the District Coordinator. Also present were retiring board members Ted Schenberg and Charles Norman.

Chairman Densborn called the meeting to order at 1:09 p.m. It was noted that Jane Grund was elected to the Board by Area Six petitioners. She was sworn into office by Mr. Hux.

Approval of Minutes The minutes of the November 16th, 2013 meeting were approved as written by a motion from Mr. George and a second from Mr. Demaree. The motion passed unanimously.

District Consultant's Report Mr. Crist asked about the informal discussion that took place at the last meeting concerning reducing the board membership. He had been unable to attend. Hux stated that to formally reduce the board membership a court order would be required. If no one comes forward to fill a vacancy, there is no requirement to fill that vacancy at this time. In the future, as terms end, adjustments can be considered to allow that everyone within the District is fully represented by someone living in their Area. An example was given that Mr. Yates would come up for re-election next year, and his district is next to Mr. Norman's who did not accept a re-appointment this year. Areas 1 and 2 could be joined next year if no one steps forward to serve between now and then.

Approval of Claims Ms. Clark presented to the Board the registry of operations and maintenance claims that had already been paid, those totaled \$14,884.65. A motion was made to approve these claims by Mr. George. The motion was seconded by Mr. Crist. Motion passed unanimously. Ms. Clark then offered the Board an unpaid claim from Taft Stettinius & Hollister LLP for the legal expense of adding two new lots to the District. She explained that both freeholders involved had paid their \$6,734.25 share of what she thought was the invoice total, \$13,468.50. Clark explained she had misread the invoice and wanted the Board to decide if she should send out a third bill to both freeholders for their \$108.68 share of the unbilled amount of \$217.37. The total bill was \$13,685.87. The Board stated that the full bill should be covered by the Freeholders. Clark will bill for the equal share of \$108.68, one cent will come from the District as it is impossible to split equally.

District Coordinator's Report Ms. Clark had no report.

Financial Report Mr. Schenberg had sent out the 2013 year-end Financial Report and the January Report previous to this meeting.

New Business

- 1) Chuck Norman declined to be re-appointed as representative of Area 1. This position will remain unfilled at this time due to lack of candidates. John Demaree accepted re-appointment as representative of Area 4 and a motion was made by Mr. George with a second from Mr. Crist to accept his one year appointment. Demaree was sworn in to office by Mr. Hux. A motion was made by Mr. George to seat Kathryn Densborn as Chair, John

Crist as Vice Chair, and Dan Yates as Secretary. The motion was seconded by Mr. Demaree. Motion passed unanimously.

2) Clark will check with O.W. Krohn to see if the District will be required to file for a Form 1782 and report back to the Board.

3) Discussion of a possible change to the rate resolution took place. The issue revolved around extending the timeframe when late fees were assessed. Currently, the bills are sent out on the 15th of the month and cover from the 1st to the end of said month. They are due in 15 days, on the 16th day a late fee is applied. After discussion, Mr. George made a motion to extend the time period, prior to assessing a late fee, from 15 days to 25 days. Mr. Demaree seconded the motion. The motion passed unanimously. Mr. Hux explained to the Board that this motion is appropriate for now, and if they consider a rate resolution after March of 2015, they can wrap this language into the amendment. Once the \$1.5 million bond is forgiven in March of 2015, it may also be possible to lower the base rate.

Old Business

Mr. Crist asked the Board to recognize Mr. Schenberg as a consultant, giving Schenberg authority to oversee the transfer of financial matters to O. W. Krohn and oversee and handle, along with Mr. Crist, the finding of a solution on the H2S mitigation issue. The Board agreed.

H2S Mitigation: This involves the District being out of compliance with the Town contract in regard to H2S (hydrogen Sulfide) limits. This is the only contract issue that has occurred to date. An accompanying odor issue also seems to affect 948 W. Shore Drive, which is located near the manhole where the H2S was found to be above the acceptable limits. Mr. Schenberg explained to the Board that he had received a proposal from Commonwealth Engineers (both the District's and the Town's engineer of record) that listed several possible solutions to lowering both the H2S and possibly the odor.

Schenberg stated that he felt the best short term solution would be to purchase an **Enduro Composites Odor Control Manhole unit** which fits on the underside of the manhole cover and costs approximately **\$800**. Filters would be replaced periodically. To this end, consideration was also discussed for replacement supplies and long-term maintenance.

Next to be discussed was purchasing an **OdaLog Logger L2** as part of a long-term solution, cost would be approximately **\$3,000 to \$5,000**. This piece of equipment reads H2S levels for about 30 days, then the equipment needs to be pulled and rested for about 7 days. It records continuously in a streaming fashion. (This equipment is also used to 'size' the unit discussed in the next step.) Again, a discussion occurred surrounding on-going maintenance and labor involved for this as well as seeking a lower price through someone other than Commonwealth.

Last to be discussed, was the installation of a **Lo-Flow Odor Control System** placed somewhere across the road from the manhole. This is a 60 gallon drum filter connected to the line at the manhole. It pulls the gas to it and runs it through carbon before releasing the odorless fumes into the air. The projected cost for this system would be roughly **\$30,000 to \$40,000** plus the cost of a shed to surround the drum and long-term maintenance costs.

A motion was made by Mr. George to authorize the purchase of the following:

a) A Carbon Cap for approximately \$800 along with any maintenance and installation costs associated with this equipment;

b) an OdaLog Logger L2 for approximately \$5,000 or possibly less, along with any maintenance and installation costs associated with this system;

c) and to allow for further investigation into a Lo-Flow Odor Control System, or a similar system, as part of a long term solution to the H2S mitigation.

This motion was seconded by Mr. Crist. Motion passed unanimously.

Mr. Norman was asked to contact Astbury to discuss their possible charges to maintain any systems installed by the District.

Public Comment - none

Meeting adjourned at 2:57 p.m.

Respectfully submitted,

Kathy Clark, District Coordinator in lieu of Dan Yates, Secretary
February 18, 2014