

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

Meeting Date Saturday August 30, 2014 held at 9:00 a.m.

Members Present Kathryn Densborn, John Demaree, Dan Yates, John Crist, and Jane Grund.

Others Present: Alan Hux, Attorney At Law for the District and Kathy Clark, Lakeside Consulting LLC as the District Coordinator.

Chairman Densborn called the meeting to order at 9:03 a.m.

Approval of Minutes The minutes of the June 14th, 2014 meeting were approved as written by a motion from Mr. Demaree with a second by Mr. Yates. Motion passed unanimously.

Financial Report The Bi-Annual Financial Report as well as the month end financial report were approved as presented with a motion from Mr. Crist and a second by Mr. Yates. Motion passed unanimously.

Approval of Claims Ms. Clark first presented to the Board the registry of operations and maintenance claims that had already been paid and was emailed to the Board August 23rd, these claims totaled \$13,440.18. A motion was made to approve these claims by Mr. Demaree. The motion was seconded by Mr. Yates. Motion passed unanimously.

Ms. Clark then offered the Board a second claims register for claims received but unpaid between August 23rd and August 29th. These totaled \$11,941.41. She noted that a claim from JMC Engineering was delayed in being received due to the health of the business owner who underwent a heart and liver transplant. His wife is the company bookkeeper. Clark verified each inspection was completed and compared them with past claims and with the freeholder list. Also discussed in further detail with the Board were the Astbury claims for emergency work completed this past winter and spring. The explanations were accepted by the Board as acceptable. Mr. Yates made a motion to accept these claims and his motion was seconded by Ms. Grund. Motion passed unanimously.

District Coordinator's Report Ms. Clark informed the Board about the following items:

- She had not heard back from the County Commissioners regarding the letter sent requesting reimbursement for the cost to repair the valve box that was torn out by a snowplow this past winter. She noted that it is part of a tort claim according to Mr. Hux.
- She stated that she had filed the access easement for Mr. Makowiecki and all fees had been paid.
- The basement spare pump will be ordered when the Stalbaum pump is ordered in a couple of weeks.
- The connection from the main line running to the property lines of both Makowiecki and Stalbaum was being installed last Thursday and Friday by Thomas Excavating. These two properties are located across from the West Shore DNR landing.
- Lake City Bank reported that, within Indiana, State law says only the originator could request and hold a written agreement from any property owner to access their checking account. They cannot do this electronically.
- A lien has been filed by Mr. Hux on the freeholder of account #501 for past due bills.
- Bruce and Arin Pursch wanted information on joining the district. They have a lot to the immediate north of the two lots mentioned in point four above.
- The 2014 update for the reference manual has been completed and will be posted if the Board approves.

- Mr. and Mrs. Brandt Oosterbaan have recently purchased 475 South Shore and have provided their contact information for billing purposes.

The Pursch email requesting information on the district was discussed further by the Board and it was decided that Clark would contact them and explain they would be welcome to join the sewer district and also to explain their potential expenses to have this move forward. Because septic systems can fail, the Board determined that the most prudent approach was to allow them to become part of the district if they choose to do so.

New Business *Mr. Yates offered his resignation* for his seat on the Board of Directors. He explained that his involvement of more than twenty years was an interesting chapter in his lake life. He noted that one neighbor who fought the formation of the district recently told him that they regretted ever doing so as it was such a great benefit. The Board members stated that they were extremely grateful for his service over the past twenty years.

Mr. John Stimson expressed his willingness to fill Mr. Yates' term which expires in February of 2015. Mr. Crist made a motion to appointment Mr. Stimson the representative of Area 2. This was seconded by Ms. Grund. Motion passed unanimously.

The position of Board Secretary was then discussed as that would be unfilled with Mr. Yates' resignation. Mr. Demaree accepted this appointment made by a motion from Mr. Crist and seconded by Ms. Grund. Motion passed with all ayes. It was determined by Mr. Hux that no treasurer was required as Ms. Clark had been appointed financial clerk in the past.

The Joyce property submitted a petition to have their new land brought into the district. This lot is located across the road from RPL location #608. Mr. Hux verified that the email sent qualified as their petition. Maps were reviewed and it was agreed that a request be made for a site plan to determine where the building being constructed actually sits. Once it is determined where the structure sits in relation to the rail right-of-way, Mr. Hux can proceed with a meets and bounds description for the courts. If a survey is required, the Joyce's should carry the cost. Clark should contact Mr. Joyce and ask for the site plan, explain the costs to bring the extra land into the district, that some of these costs may be shared if another land owner also decides to join the district. Costs were explained as \$10,000 to \$15,000 for legal costs, approximately \$7,500 for capital costs, \$350 for application/inspection fees, plus whatever the costs are for installing the pump (donated by the district) and connecting to the main sewer valve at their property line. Mr. Hux stated that if things move along the process may be able to be completed in two months.

The 2015 Board Meeting Calendar was presented to the directors for their review. Mrs. Densborn explained that 4 out of the 7 positions must be represented at each meeting to form a quorum. The following dates were discussed for 2015:

February 28th, 2015 – Culver Library at 10:00 a.m. – Agreed by those present, George and Stimson will need to confirm. Annual Meeting will be held first for election of new board members. Officers will be elected at regular meeting; a review of the rate resolution will take place. (see attached Board Calendar for full schedule.)

May 30th, 2015 – Culver Library at 10:00 a.m. – Agreed to by those present, Demaree cannot attend, George and Stimson will need to confirm. 2016 elections will be discussed so petitions can be distributed; 2016 budget will be reviewed for presentation to county; review district coordinator; approve June bond payment.

July 25th, 2015 – Culver Library at 9:00 a.m. – Agreed to by those present, George and Stimson will need to confirm. The 2016 budget public hearing will be held first. Approval of district coordinator contract for 2017.

October 17th, 2015 – Culver Library at 10:00 a.m. – Agreed to by those present, George and Stimson will need to confirm. Adopt 2016 budget. Review insurance coverage; approve December bond payment.

District Coordinator review for January 2015 contract will be handled by a review committee consisting of Mr. Demaree, Mr. Crist, and Mrs. Densborn.

Approval of 2015 Budget that was submitted to DLGF under the Marshall County budget was agreed to by consent of the Board.

The 2014 Board Calendar required meeting changes as follows:

- September 20th, 2014 – 2015 Public Hearing on Budget to be held at the Culver Public Library at 10:00 a.m. in the large room. (Only one board member needs to be present. Jane Grund is available as is John Crist.)
- October 18th, 2014 will be the last 2014 Board meeting to be held and it will be at the Culver Public Library, 10:00 a.m. in the small room. Crist cannot attend. George and Stimson will need to confirm for a quorum.

In order to finalize the 2015 budget process we need to advertise two times for the 2015 budget prior to 9/14 and 9/21. The public hearing for the 2015 budget will be September 20th as noted above. The adoption of the 2015 budget will be held during the October 18th meeting, also noted above. O.W. Krohn & Associates will handle this advertising.

A Notice of Elections, which invites people to submit petitions if they seek election to the Board, must reference IAC 14-33.5-3; include the date, time and place of the submission of petitions; and be published twice after October 24th and before November 1st. Notice of the Annual Meeting must be done 14 days prior to the date of the meeting. Mr. Hux will handle the election advertising process.

Old Business Crist reported to the Board about odor issue. Crist spoke to the supplier of the Carbon Unit regarding the need for changing out the charcoal. B L Anderson Company said they would furnish a year's supply at their cost if it is found that it is required in the future. This is due to the confusion of the time lapse between replacement. Crist also explained that he and Clark met with the town manager and town utility manager and they have agreed to wait until late October to review more Odalog readings. At this time, only one reading averaged 14 ppm, the others averaged 5 ppm for April, 5 ppm for May, and 4 ppm for June. The high of 14 ppm was during July.

Late Fee Policy. Mrs. Densborn informed the Board that the late fee policy adopted at the previous meeting would need to be part of the rate resolution that will be offered in 2015.

District Maintenance contract. The District Coordinator and Mrs. Densborn presented the new two-year contract rate proposal submitted by Astbury and a summary of their discussion with Astbury regarding the rate increases. Crist made a motion to authorize the District Coordinator and Mrs. Densborn to finalize and sign a new two-year contract with Astbury at the proposed rate increases. Demaree seconded the motion. Motion passed unanimously.

Meeting adjourned at 11: 25 a.m.

Respectfully submitted,

Kathy Clark, District Coordinator
Acting as secretary for John Demaree, District Secretary
September 5, 2014