

**South-West Lake Maxinkuckee Conservancy District**  
**October 15th, 2011**  
**Regular Board Meeting**

Meeting Date: Saturday, October 15th, 2011

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

Others Present: Alan Hux, Taft Stettinius & Hollister LLP, and  
Kathy Clark, Lakeside Consulting

Kathryn A. Densborn, Chairman, announced a quorum was present, announced that all requirements of the Indiana Open Door Law had been met, and called the meeting to order at 9:24 a.m.

**Approval of Minutes**

The minutes of the September 24th, 2011 meeting were approved by a motion from Mr. Schenberg and a second from Mr. Norman. The motion passed unanimously.

**Approval of Claims**

The Operating Claims register was reviewed by the Board and approved by a motion from Mr. Schenberg for the total amount requested of \$3,460.50. The motion was seconded by Mr. Duncan. The motion passed unanimously.

The SRF Reimbursable Claims register was then reviewed by the Board. A total of \$144,519 in SRF claims was approved by a motion from Mr. Schenberg and a second from Mr. Duncan. The motion passed unanimously.

**District Consultants' Comments**

Mr. Hux presented the 2012 District budget for final approval. A motion was made by Mr. Yates to approve the budget and this was seconded by Mr. Duncan. The motion passed unanimously.

Mr. Hux reported that the Board of Appraisers will have their final report complete by next week. It will then be filed with the court. Mr. Duncan made a motion giving Mr. Schenberg the authority to calculate any exceptions the Board will file to the exceptional benefit report. The motion was seconded by Mr. Yates. The motion passed unanimously.

Mr. Hux reminded the Board that the following directors will need to file for elections by December 1st, 2011 if they choose to run: Ted Schenberg – Area 6, Rick George – Area 3, as well as someone for Area 4 to replace Ms. Shea. The District election will be held at the annual meeting in February, 2012. Mr. Hux will handle the publishing requirements for the annual meeting and the elections.

The Board was also informed by Mr. Hux that they would need to pass a “use” resolution that outlines to the freeholders what cannot be put in the new sewer system. He will draft something for the next meeting.

### **Project Update**

Mr. Norman reported that he would draft a materials release form that is to be used when someone wants to pick up a grinder pump. This will need to be signed before any pumps are moved.

After a discussion by the Board about the contractors who will install the pumps for the property owners, the following motion was made by Mr. Norman – All contractors wishing to work on the District’s system will need to present a \$10,000 liability bond as well as naming the District as an insured on the contractor’s general liability policy. Mr. Duncan seconded this motion. The motion passed unanimously.

Mr. Norman then updated the Board on the project’s completion. He stated that Haskins will be substantially complete in 10 days and will then begin restoration paving as well as getting power to the lift station. Once these items are completed, the contractor will then schedule a walk through. Mr. Duncan made a motion to allow Mr. Norman to sign off on the project for the District once the engineer has signed off on the project’s final completion. This motion was seconded by Mr. Schenberg. The motion passed unanimously.

It was further discussed that if Mr. Norman can obtain a discount on the price, all of the remaining pumps should be delivered to the Culver storage facility. This will allow the final billing to be completed in time for final SRF settlement in January. Mr. Duncan made a motion to authorize Ms. Clark to pay invoices presented by EOne upon approval from Mr. Norman. The motion was seconded by Mr. Yates and passed with all ayes.

The Board then discussed how to handle someone who may want to alter the District easement granting pump access. Mr. Hux stated that anyone desiring to do so must contact his office and be prepared to bear all costs, including legal fees. Further discussion took place on small items to be updated on the District’s website.

### **Billing Update**

Mr. Schenberg explained to the Board that RPL will begin to send him a variety of receipt reports which he will use to post to the District’s ledger. Once these procedures are running smoothly, new arrangements will be discussed.

### **New Business**

A discussion took place regarding a FAQ sheet drafted by Mr. Schenberg for posting on the website. This sheet attempts to explain how to hook-up if there is only a vacant lot, joining the District, the easement as well as frequently asked billing questions. It was decided that the first four pages of this submission would be posted on the website once Mr. Schenberg completed another edit.

Since there were no other items of business coming before the Board, the meeting was adjourned at 11:40 a.m.

Respectfully submitted

George Duncan, Secretary