

SOUTH-WEST LAKE MAXINKUCKEE CONSERVANCY DISTRICT
REGULAR MEETING

MINUTES

8888 Keystone Crossing, Rm 1450
Indianapolis, IN

Meeting Date: Saturday November 10th, 2012

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

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

The Regular Meeting was called to order by Mrs. Densborn at 10:45 a.m. She recognized the posting of the agenda in accordance with the Indiana Open Door Law and noted that a quorum was present.

Approval of Minutes

The minutes of the October 13th, 2012 meeting were approved as written by a motion from Mr. Yates and a second from Mr. Norman. The motion passed unanimously.

Approval of Claims

Ms. Clark presented to the board the list of operations and maintenance claims totaling \$97,187.41. A motion was made to approve by Mr. Schenberg and seconded by Mr. Norman. Motion passed unanimously.

District Consultants' Comments

Hux informed the board that the following will need to have petitions in by December 1st if they are running for re-election: Densborn (Area 5) expires 2/13, George (Area 3) expires 2/13 (has three petitions in at this time), Demaree (Area 4) expires 2/13, Schenberg (Area 6) expires 2/13. Duncan (Area 7) will not be running so the board will need to find a replacement for this area. Schenberg will serve if appointed but will not run. Clark was asked to send Densborn a list of emails/phone numbers for her district. Clark will do the same for Demaree. Hux explained that only four, plus the person running, needed to sign petitions by the deadline. Hux also informed the board that they may consider dropping to 3 to 5 people once everything is in finally in place and the project is built out as planned.

Clark requested the board make a decision about joining the Association of Indiana Conservancy Districts. After discussion, it was decided to join for one year then re-evaluate. The cost is determined to be \$550 based on an approximate assessed value in 2009 of \$120,000,000. Clark will contact them to verify that membership would run until December 2013.

Two letters were then presented by Clark from people asking for an extension to hook-up to the system based on personal issues. Freeholder One has submitted a contractor application and paid their inspection fee. They asked for an extension until June or July of 2013. Yates made a motion to grant them an extension until July 15, 2013 at which time they must be completely hooked up to the system. This was seconded by Norman. Motion passed with all ayes. Freeholder Two was requesting an extension until July 15, 2013. They have not submitted their contractor application or paid their fee. Yates made a motion to allow them an extension until July 15, 2013, at which time they will be completely hooked up to the system, on condition they pay their \$300 late inspection fee within 10 days of receipt of

this letter. This motion was seconded by Norman. Motion passed with all ayes. A third motion was made by Yates that both letters must also include notice that the freeholder must also make provisions for picking up their pump within ten days of the date of this letter. This motion was seconded by Norman. Motion passed with all ayes.

Clark requested that the board furnish her with a limited debt/credit card so she can remove several repetitive charges from her own credit card. These charges will continue into the future and this action will safeguard the district if they choose someone else to act as their district coordinator. Schenberg will check with Lake City Bank.

Project Update

The board was presented with the latest pump distribution list showing only 10 people remain to be hooked up from the district's side of the work. Clark will try to get the contractors to pick up their pumps by the end of the year so the final storage unit can be released. Two of the 10 outstanding have not been able to be contacted. One is deceased and Yates offered to search estate records to find a contact once Clark provides their living address. The other, Clark is working with Bennett's to contact them directly since they requested a price quote from Bennett's last June. The board gave Clark permission to send a letter notifying both parties of the consequences of inaction by the end of the year. She will work with Hux on this.

There was discussion about one freeholder who is thought to be planning to build a new house on a lake lot or part of their lot that sits between the road and the lake. After further discussion, it was determined that no certificate of occupancy (CO) could be issued if the home isn't hooked-up to a sanitary system and the homeowner would be required to contact the District to connect. No further action is required.

Clark informed the board that one pump will be going back to the manufacturer as an overage they didn't catch before shipment. She will inform Astbury to pick up the maintenance items and store them also.

Billing Update

Schenberg informed the board that they are in good financial shape with cash in the checking account as well as a CD holding reserve monies. Billing is going well though some people are dropping off their credit balance so collections should begin again.

New Business

The 2013 budget was discussed then Schenberg made a motion to approve the final budget as submitted in October. This motion was seconded by Norman. The motion passed with all ayes. Hux explained that until the state changes the laws governing conservancy districts, he feels it is best to 1) pass the annual budget each year then 2) pass it on to the county for their action 3) then hold their own public hearings at the same time the county budget hearings are being held. This will insure the district remains in compliance with state law.

The board set their next meeting for March 9th, 2013 at 10:00 a.m. Due to this action, Schenberg made a motion to give Clark permission to pay ordinary and necessary bills, including the December bond payment and to present such claims to the board at their March meeting. If any bill exceeds \$2,500 the permission of one board member will be needed. This motion was seconded by Yates. The motion carried with all ayes.

Clark was instructed to set the meeting at the library and this meeting will include both the regular meeting but also the Annual Meeting of the District.

The District Coordinator contract is up at the end of December. A motion was made by Yates to give Densborn and Schenberg permission to seek anyone interested in holding the position and negotiate said contract. The motion was seconded by Norman. Motion passed with all ayes.

Public Comment – There was no public comment

Meeting adjourned at 11:45 a.m.

Respectfully submitted

Kathy Clark, District Coordinator for George Duncan, Secretary
SWLMCD