

Thirty Nine North Conservancy District

October Board Meeting

Minutes

October 7, 2022

Board Present

Mark Childress

Ed Arnold

Cheryl Reinhart

Jim Clarida

Staff Present

Shaw Friedman

Gary Radtke

John Knoll

Public Present

Jeffrey Haw

John English

By Zoom connection

Karl Cender

The meeting was called to order by President Childress, who led us in the Pledge to the Flag. Clerk Knoll called the roll of all present.

Minutes for the September meeting were reviewed. Cheryl Reinhart moved to accept as read, Ed Arnold seconded and all voted in favor.

The Financial Report was reviewed. A correction was needed for the amount of the year-to-date total to read \$540,178.60 for August 3, 2022,

which is the actual total and is what the monthly ending balance reads. With that typing error correction, Ed Arnold moved to accept, Jim Clarida seconded and all voted in favor.

Bills for payment were reviewed. Ed Arnold move to pay as listed and if in normal range. Jim Clarida seconded and all voted in favor.

Old Business:

Shaw Friedman – Attorney Friedman reported that the EDA Grant committee has made the decision that they will NOT reconsider their decision to reevaluate our Grant Request. We will however use the best efforts of the Barnes and Thornberg Lobbyists to work forward on the two Grant openings which they have found that should be coming in the 4<sup>th</sup> quarter. We will also ask the Economic Development Commission if they will again work with us using Mary Jane Thomas and R. Bishop on writing these grants.

Gary Radtke: Shady Grove

Mr. Radtke handed out a work packet with multiple work items to discuss:

Shady Grove Project:

The 39N Lift station has been installed. The electric is slated to be connected next week. Since the Shady Grove Mobil Home courts will not be online for some time, it does not matter about service, but Pajay will set up for working on setting up the Family Express

change over next week. They have to be cut off from service while the connection is made, so it takes some planning.

The Generator is a 6 month delivery situation which means in the spring we will do that hook up and will need the drive way to gain access. It will not be needed until next year.

Mr. Radtke announced that as of Tuesday of this week, Mr. Singh did not send payment to Mr. Parelli, and notified everyone that he was not going to follow through with the agreement he and his lawyer and Shady Grove and Mr. Radtke had worked through and agreed on the previous Week. All of the plan is again back to being scrapped.

Mr. Radtke discussed the search for the answer to the VFW agreement. Ultimately it was found that back when the Water Booster station was installed the District constructed their adjoining driveway. After an afternoon searching the original files of the District, the first mention of an agreement was in April of 1998 which said that the VFW returned the agreement to the District for us to finalize. There were 2 bids received by the District noted in May of 1998. There was talk of changes to increase the size of the parking area. Then in August of 1998, a check was drawn on the CD account for \$24,000.00 to Kellers for the work. We have not found the actual agreement, but feel this is an accurate account of our swapping a \$24,000.00 driveway construction for the parcel of land where the water pumping station is.

John English noted how the Bella Lago Project is moving.

The BZA has 3 things for changes: one is fire protection for Bella Lago would be from the pond system only; not from the District system.

The District system would only provide potable drinking water. They might be ready for a Spring 2023 start on construction.

Jeffrey Haw on the Water Scope proposal: the paperwork just got to his office, so he understands it needs discussion. He related that all of the requested items have been removed. They did not adjust the liability clause - it can still be discussed but is a stock item.

Gary asked about Hydrant water being tested in the cold months. Jeffrey said that weather was not a problem with the testing they would do. Mr. Radtke also suggested that the connection to the City should not extend the system. He would like to be a 3<sup>rd</sup> party to investigate.

Ed Arnold said the city study need to be received by the District so we can see what it says. Mr. Friedman said that this should be an unbiased study to compare but not to cut out what we look for. Discussion was held on the price, it has gone up to \$48,900.00 now when the last amount was \$45,000.00. Cheryl Reinhart moved to use the agreement as shown but to add a "not to exceed" \$48,900.00 clause to the amount and proceed with the study instead of continuing to prolong the project. Jim Clarida seconded and all voted in favor.

Attorney Friedman asked for agreement of the Board that they strike a line through the amount to be and enter the not to exceed clause, and initial the verbage change so that things can begin.

2022 pay 2023 Budget:

Karl Cender gave a short view of our Budget proposal. Budget \$150,000.00  
Levy \$100,000.00

from taxes for Capital needs

The rate will not be known until on or after  
December when all rates are established

Ed Arnold moved to approve the Budget as listed, Cheryl  
Reinhart seconded and all voted in favor.

The Board will all sign the Form 4 and it will go to Cender -Dalton for  
posting to the DLGF site.

President Childress: There was one call to our office by a new person about the South Shore  
property. He followed with a letter that indicated that Fire suppression issue is our problem  
and referred them to the EDC.

Ed Arnold discussed the valve located at the edge of the road by his property, that was hit last  
year and cost us to reinstall for water testing purposes. He feels that we need to protect the  
valve from it happening again. President Childress asked Gary Radtke to find a contractor to do  
a barrier.

Ed Arnold made a motion that Attorney Friedman write a letter to request the "study" that  
NIES did which the City has used as their basis for their demands on the District. Jim Clarida  
seconded and Ed Arnold and Jim Clarida voted in favor. Cheryl Reinhart abstained . Motion  
passed.

Cheryl Reinhart moved to adjourn, Ed seconded all voting in favor.

Next meeting will be on November 4, 2022

Respectfully submitted,

Susan E. Knoll