

Thirty-Nine North Conservancy District
Board Meeting Minutes
October 13, 2023

Board Present
Mark Childress
Ed Arnold
Cheryl Reinhart
Jim Clarida

Staff Present
Karl Cender
Shaw Friedman
Gary Radtke

Public Present
John English
Jason Attwood (Industrial
Lumber)

The meeting was called to order by President Childress who then led the pledge to the flag. The role was called by Clerk Knoll with all Board present. No one attended the Zoom.

The Minutes from the September meeting was reviewed. Ed Arnold moved to approve the minutes as written, Cheryl Reinhart seconded, and all voted in favor.

The Financial report was reviewed. Cheryl Reinhart asked about the discrepancy in the total on the monthly/year-to-date total column. Clerk Knoll apologized and with quick calculation ensured that the typo correction will make the numbers in agreement with the year-to-date total. With that correction, Cheryl Reinhart oved to accept the financial report, Jim Clarida seconded, and all voted in favor.

The discussion continued with the question of if there has been any investment of the redeemed Certificate of Deposit, No, nothing had been done, but it is in the interest-bearing bank account. Discussion continued as to whether we could use a money market account to try to increase our yield. Cheryl Reinhart agreed to talk to Horizon Bank to see is their money market account uses the "correct" backing for a governmental institution to have money in such an account. We would then proceed to change the investment over to a more profitable account. Cheryl will work with Clerk Knoll to manage this change. Bills for payment were reviewed. Ed Arnold moved to pay bills as listed and as customary if received late, Jim Clarida seconded, and all voted in favor.

Reports:

Attorney Friedman: Attorney Friedman reported that things are moving slowly, but the Annexation is slated to be in effect as of December 31, 2023. It may not be until after January 1, 2024, that paperwork is settled. It is expected that there might be drafts and changes to make when an agreement comes out. Perhaps next week there will be a draft. Karl Cender and Cender Dalton are currently figuring out how to manage credit allocation. The city and new City services will begin as of Jan. 1. The City's representative Dentons is working on the Interlocal and Purchas agreement. Attorney Friedman asked if the Original Court order was available from the office. Clerk Knoll thought it would be easy to find in the files.

Karl Cender Financial Advisor, continued with discussion: He is working on how to set up the division of the two million dollars payment for the infrastructure. Many items are

involved for a 15-year agreement. Consideration of the Acreage fees having been paid for so long is also a need. Attorney Friedman said the city wants this to be as simple as possible. President Childress brought up the problem of leased property and how it could be included in considerations. A lease may pay a water bill, but has not paid the associated acreage fee, that should be credited back to the owner of a parcel who no longer pays a water bill on the property. Unimproved property which goes to improved property or that which sets up use of water, also should have the ability to then be included in the division of the payments.

This shows how intricate the process is for setting up a 15/20-year repayment of the purchase price.

Mr. Cender then discussed the Budget situation: Because the meeting on the October 6th date was postponed, the Budget adoption date was no longer useable. We need to set up another meeting to go ahead and do an adoption of the Budget. After discussion, we continued to October 27, 2023, at 8:00 am at the regular meeting site. A zoom attendance will be offered at a later date and advertised. Karl will get the appropriate information to the DLGF and get the portal reopened so that the advertisement will be in time for this meeting. Clerk Knoll will also make announcements of the meeting in the paper Briefs, and online on the website.

Engineer Gary Radtke: Shady Grover – John Parrilli is still in the hospital final testing is not done. The Road has been deemed acceptable. The Generator is all installed and tested okay. He will tell John Parelli that all must be done by November 1, 2023. Gallops/Singh is out of the picture again. We do need to prove the 7.5 hp pumps for the existing Family Express and Shady Grove use.

The Bachelor annexation into the district in order to be eligible for sewer hook-up is done. He could pay the correct fees and do the hookup any time. The current set-up will make an increase in the need to pump the holding tank.

Someone asked about flushing the force main. Gary replied that this will be done after the lift station is approved for FX and S.G.

A question was asked about if there was ever a ruling about the legality of the method we are working on for repayment of the money to the landowners. Attorney Friedman said that there has been a call from Senator Pressel to expedite the answer about the credits.

Other:

Ed Arnold and Jim Clarida both asked about a letter to freeholder to update them on The City Agreement. Discussion was held. The MOU was discussed. Agreement that we should do all we can to show that the Board is not leaving with no help available after the annexation takes place. They will still be in place to monitor that promises are kept. Clerk Knoll will re-advertise the meeting on October 27th, so the freeholders know it is happening.

Clerk Knoll said that it is time to plan for the 2024 Election of District 5 seat in the rotation of Board members. We need to select a date for the meeting. Traditionally the meeting is on Saturday in February. The closest dates to last year would be Feb. 10 or Feb 17. Ed Arnold made a motion to have the meeting on the 16th of February 2024, at the regular venue, IBEW meeting room, 2751 N. State Road 39 La Porte, IN, at 9 AM.

Clerk Knoll said that the city is wanting to do the Lead and Copper test for the second half of the year during the week of October 23, 2023. This will get it done when there is better weather and when "everyone" is not trying to beat a deadline, like last time. We will do ours at the same time.

Public Comment - None.

Cheryl Reinhart moved to adjourn. Ed Arnold seconded, and all voted in favor.

After the meeting Mr. Baily asked about the change in the Beacon listing of the District, which now has Tiffany Woods, and the rest of the Conservancy District area in the City of La Porte. Has that status changed?