

**Thirty Nine North Conservancy District**  
**January 6, 2023**  
**Board Meeting**

Members Present

IN person

Mark Childress

Staff Present

Via Zoom

Cheryl Reinhart

Ed Arnold

Shaw Friedman

Jeffrey Haw

Karl Cender

Gary Radtke

Public Present

Yvette Golec

With Only 3 Board Members Present, and only one in person, the Scheduled Board meeting for January 6, 2023 is not to be held.

Since Board members are available for discussion purposes only, the Board considered a round table- Committee of the whole approach with no voted business.

President Childress led the group in the Pledge to the Flag and the role was called.

Minutes of the December meeting, the financial report and bills for payment were all looked over with no abnormalities being found. Clerk Knoll cited the original Resolution made for payment of bills in a timely manner by the District, and will pay regular vendors based on that Resolution #1, from 1998.

Attorney Friedman reported that one of the Barnes and Thornberg team is still working on Grants for the Water Tower. Discussion was held that Cheryl Reinhart attended the meeting with the City which was held recently and it was just a re-hash of the timeline and nothing new. She did say that there was negative comment regarding our spending money on a water study. She said that the City Attorney was present at the meeting when we were told no attorneys were to be allowed. They gave an excuse that the Attorney had information to present, so he was invited. Attorney Friedman replied that it is only common practice that at least the Chair and Legal representation would be invited to such a meeting.

Gary Radke discussed the Shady Grove progress. The 39N lift station is operating, but only Family Express is using the facility. The gravel driveway still is to be done. The Shady Grove grinder station is installed and electricity is still to be attached. No one is using at this time. The 8" sewer line is attached.

Mr. Radtke reported that Mr. Parelli and Mr. Singh have agreed to a connection and Mr. Parilli has been paid the agreed amount. While the Board can note their agreement at the next Board meeting, there is no reason for the District to be a signatory to any agreement.

Attorney Friedman at this time, disclosed that his firm has been retained by one of the Singh Companies owned by Mr. Singh, operating five different facilities in Northern Indiana. This would be for legal issues unrelated to any matter involving the District. Mr. Friedman noted that if Mr. Singh and the District ever had interests that were somehow "adverse", Mr. Friedman would recuse on any issue involving Mr. Singh and special counsel would have to be consulted. Mr. Friedman said he has made this same disclosure to Mr. Singh as is required under the Attorney Code of Ethics.

President Childress asked what will happen down the line if Singh's sell as they own the Laterals? Gary Radtke said that it should have no effect as the lines are in the District and go with the property.

The work at the Shoffner property has come up and at this time there is an application for hook-up which Engineer Radtke is reviewing. Mr. Shoffner wishes to hook a new garage with a bathroom to his existing service.

Advisor Karl Cender will present a resolution in February for use of tax money.

Jeffrey Haw noted that he has received some information from the City and will get started entering it into their model. They will need some more information when the ground thaws in the spring to finish the project. He did note that the City has said that they will not be giving out any more information. Attorney Friedman asked Cheryl if she could encourage the City to be transparent and exchange information as needed.

President Childress reminded that the next meeting will be the Annual meeting on Saturday February 11<sup>th</sup> at 9 AM. The meeting will be at the IBEW office meeting room. Yes, there will be coffee and donuts. Clerk Knoll reminded that we re-appoint Professional Services at this meeting. Contracts by those wishing consideration should be sent to the office for early review by Board members by 1/20/23.

Respectfully submitted,

Susan E. Knoll, Financial Clerk