

39 North Conservancy District
Board Meeting Minutes
June 2, 2023

Board Present
Ed Arnold
Cheryl Reinhart
Jim Clarida
Mark Childress

Staff Present
Shaw Friedman
Gary Radtke
Karl Cender

Public Present
See attached list of
sign in persons

Zoom Attendance:
Jeffrey Haw and others

The meeting was called to order by President Childress, who led the pledge to the Flag. Clerk Knoll called the roll of the Board.

Minutes of the May meeting were reviewed. Cheryl Reinhart moved to accept, Ed Arnold seconded and all voted in favor.

The Financial report was reviewed, with Clerk Knoll reminding that interest was not yet included because of the early date of the meeting for June. Cheryl Reinhart moved to approve, Jim Clarida seconded and all voted in favor.

Bills for payment were approved. Ed Arnold moved to pay as presented or as received if as normal billings. Cheryl Reinhart seconded and all voted in favor.

President Childress noted that we were going to speak first with Tim Werner from the Water Department regarding some issues at the pumping station, via Zoom. However a message from Mr. Werner was that he was taken to a problem uptown and would make contact at a later date.

Reports:

Attorney Shaw Friedman: We have been trying to continue good faith negotiations to make informed decisions going forward. WE insist on two things come to the Board:

1. An opinion in writing from the DLGF as to how we can legally distribute any funds from the "sale" of the District to the City. So far this has not been responded to by the City or BakerTilly. The question is where does the money go from our side?
2. The Fiscal plan for moving forward in the two different phases of Annexation.

This is an item required by statute which says what costs there would be and how they would be addressed by the buyer in both the Capital and Non Capital areas. The Board and City Council both need these two items to proceed: The Board to decide if the agreement is equitable, the City to decide if the plan is fiscally possible. Then we could ratify the process. But to date these questions have not been answered.

Karl Cendre, as our Financial Advisor agrees that without these two documents we have not enough information to make any decision.

President Childress presented a motion of support for consideration:

"I would ask the board to consider a Motion of Support for Attorney Friedman and myself to continue good faith negotiations with the City of Laporte in regards to the purchase of the 39 North conservancy district that could result in the transfer of assets, dissolution of the conservancy district, and our boards support of the city's annexation plan.

These negotiations would resume only after we receive an opinion from The department of Local Government Finance that says a water and sewer credit plan is legal and that our financial advisor has an opportunity to review the City's fiscal plan that is required to be supplied by the city under annexation stature."

Cheryl Reinhart moved to approve.

With no discussion, The vote was unanimous to approve by Ed Arnold, Jim Clarida, and Cheryl Reinhart.

Ed Arnold requested the floor saying; Each Mayor since Mayor Gonzalas has wanted our system. Now there has been an offer and so Mr. Arnold would like to offer a resolution:

Cheryl Reinhart replied that all has been said in the motion, discussion and vote of approval just taken. The reading of the offered resolution died for lack of a motion from the floor.

President Childress continued: We await making an informed decision - not today or tomorrow, but when there is completeness. We need more information before a decision can be finalized.

Shady Grove: The electrical is done but not yet connected. The 8" sewer line on Hwy. 20 is in and inspected

The gravel driveway is installed. The final testing is not yet done. The pumps to the lift station are being fixed

The Generator: The supplier thought Radtke Engineering was the owner instead of the District. The error was just discovered and the situation is worked out, the District will receive a billing this week. We still need gas service installed to the generator, so Radtke's office is working on that focus and will be in touch with the District Office when needed to get the account set and work done.

The 300 North property that has discussed annexation for sewer needs has not contacted the Radtke office lately. He might be waiting to see how annexation would effect his needs in the short term and may wait instead of annexing into the District for quicker service.

Water Study report has been dissected and Gary will await further revision as more information is available. He has sent a red-lined copy to the Board of his items to discuss.

Gallops Gas Station have again announced interest in connecting. The INDOT permitting on the project is expired but the IDEM permit is still intact. As of yet, they have no contractor for the work. Gary suggests they come to the July meeting to discuss their plans.

Jeffrey Haw, VS on the first version of the Water Study: All data is not yet reviewed but changes in data have not changed conclusion: our flows can be met everywhere but on 450 North and 39 leg where they opted to serve themselves. Discussion on storage ideas is forthcoming. The Executive summary is in current review. Final comments will be considered in the final version.

President Childress addressed a discussion about the July meeting date. The time chosen for the meeting in February was the 14th, however, he asks if the regular first Friday of the 7th would work instead. All Board members agreed the 7th would work so the meeting is officially changed and will be advertised for the 7th of July.

Public Comment : Random comments or discussions from the audience:

Chris - When was last date for signatures? Shaw said May 31st was the Mayor's date of choice. The Statutory date is October 1st.

October is the formal required legal petition date for annexation which must be turned in to the Court.

Rich Kentaft

1. Mayor says he will provide lights/curbs/sidewalks et. He can
2. T do it in town and hasn't done it in town They are not fixing things The City is tapped out now, how can they promise and do things for you?

Lisa Pierzakowski 1/ at the meeting at the Civic? Where are the numbers coming from that are coming out in comments and at the Civic meeting? How has Annexation been brought to the Council? We don't ever hear that they know much less understand annexation.

Shaw Friedman: The Water tower grant application is pending . Stag Grand an Community Projects forum Please email Congressman Mrvan at info@mrvan for congress.com
Or Mrvanforcongress.com to request support for our request for a grant.

Jeff:

What is the cut off date for the presentation of the fiscal plan and where did that motion come from

Jody

Was the City coming today?

Where is value of not bargaining with the city?

We need to have signature count to verify his words before negotiating...don't put the horse before the cart.

County Redevelopment could help

Motion to adjourn:

Mr. Bailey

In his contact with the Mayor's office, no document has been presented: is that legal? The burden of proof in on the City

Dave 2.5 – the bid seems low, why? Discussion on quick figuring by Karl Cender's office, and that it is a low end possible number....

Jeff: Described Problems he has had with City on items since having a property there.

Cross: New to area and wanted to see what this was about.

Cheryl Reinhart moved to adjourn the meeting: Jim Clarida seconded and all voted in favor.

Next meeting will be July 7, 2023, regular 8 AM time and at this regular IBEW Meeting Room.

Respectfully submitted,

Susan Knoll, Financial Clerk

