

39 North Conservancy District
Board Meeting Minutes
July 7, 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

Bert Cook

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 June meeting were reviewed. Ed Arnold moved to approve, Cheryl Reinhart seconded and all voted in favor.

The Financial report was reviewed. Cheryl Reinhart moved to approve, Ed Arnold seconded and all voted in favor.

Bills for payment were reviewed. President Childress asked about the VS Water Study Report. Gary Radtke replied that he just received his copy and has not had time to review the revised copy. Ed Arnold moved that we pay the bills as as received or if normal with the exception of the VS Engineering final billing for the Water Study, pending discussion next meeting. Cheryl Reinhart seconded and all voted in favor.

Reports:

Attorney Friedman discussed the Annexation situation to date;

At this time, 1 The Fiscal plan has been reviewed by Financial Advisor Karl Cender, and There are still points lacking as to what sources are going to be used to accomplish the Capital improvements which are required by State Statute under annexation 2. There is still no written directive from the DLGF (an opinion letter) saying that a rebate on payments for water would be legal to rebate the purchase funds agreed on, to freeholders. There are still other minor items for discussion also. (Carrying the rebate With the property not the current owner; Service agreed on for all of District not just what has been noted in the City written materials being two of the most prominent items.)

Karl Cender has gone through the document of BakerTilly and has questions about section #5.

How rates for the new area would be figured, is not indicated in any way. They need to be noted in writing as part of the documentation.

The "pay back" is not indicated at all in the BakerTilly paperwork that is the backbone of the City explanations to us.

Attorney Friedman continued: At the City Council Meeting on the prior Monday, there was a discussion about purchasing needed equipment before the Council, but it was then discussed that they could not move forward on any of the requests because there was no money available. The Bonding level available to the City has been reached at this time. Atty Friedman asks: how can they do infrastructure in a new area (an annexed Area – us) without raising taxes - for City residents too, There are still a lot of unanswered questions for us.

President Childress noted that there has been no reply from the City since the Letter that came to the Board and then was sent to the City. They say there is a new date for a final decision, but has not listed it as yet.

Mr. Cender said that there is a lot that needs to be said or clarified yet.

Ed Arnold spoke, saying 1) we need to be treated like all the rest of the City on taxes and that has not been written as and agreement point. 2) any relief for a property has to stay with he property until it has reached the full share for the property, not die with a sale to another owner.

Discussion was held with Advisor Cender regarding 2024 taxes. It is time to begin working toward the next tax season. We need to have the Board discuss what we will plan for the next tax money spending. This could be done at the August meeting. Then we formulate the tax proposed and have a Public Hearing which could be done at the September meeting. This meeting needs to be advertised one time on the Gateway internet site 10 days before the meeting. And Then we could have the adoption vote at the October meeting. The Budget must follow this timetable, but can adjust as long as we have the Public Hearing with the 10 day advertisement and the vote before the 31st of October. If any agreement with the City were to come to fruition we could rescind a plan. The Board agreed to the August Discussion; September public hearing, and will announce the date in October when an adoption would take place at a later date.

Gary Radtke, Engineering discussion:

The generator is installed at the lift station, but not yet working. Still needs Gas service, which process has been started with NIPSCO.

There has been gravel applied to the drive created, but it is not yet acceptable. He will work on this.

We are still using the old station because the new is part of the Shady Grove project, and that has not been completed.

Shady Grove is done in effect: the last pipe has been pressure tested and sensor line has been tested. The Record Drawings and Cross Certification for Cost recovery are not done. These should be done by next meeting.

The low pressure line is a 3" line, not a 4" and is corroded from the FX station to the toll road. We may need 10 HP pumps not the existing 7.5 HP Pumps. The discharge corrodes the line but that would change with more use.

There has not been time to review the VS report yet. It will be done for the Meeting next month.

There has been no contact with the prospective sewer hook-up from 300 N. There has been some talk about a project of an improvement to an existing Building, but there has been no plan formed yet.

Jeffrey Haw, VS Engineering:

The changes made in the Water Study included an up-date 2.4 for the Western flow area. Tho this does not include actual analysis of the area (3.5 mi longer and more hookups) it does not change the conclusions reached before.

Discussed the elevated tank at 250,000 gal. This will not meet fire requirements, (750,000 elevated would). Need a plan to include what sizing which gives the gives 3 hour fire need and how we could get it with one or a combination of items .

Clerk Knoll gave a synopsis of the items that were discussed during a meeting with the head of Indiana IDEM. Some of these were in general and some were new for future needs for our IDEM compliance. This includes water testing and health and safety issues we are now responsible for.

Discussion was held on the September meeting date. It has been scheduled for September 1st, and are we sure we still want to have the meeting on the Friday before the Labor Day holiday Monday? The Board agreed that they are available for that date, so the meeting remains scheduled for September 1, 2023.

Public Comments (limited to 3 minutes)

- 1) Chris D Discussed how the Mayor is giving all the conditions and ultimatums, but now we find that the City is in debt/has no money. She urges that we be carefull to make sure that they can provide what they promise.
- 2) Steve Reinhart asked questions about our AV and how much it would "give" the City for Bonding etc. Why does he want us? Advisor Cender gave the general idea of how to figure the increase in Bonding might be (very little) but suspects it is the taxing at the City rate which would help the City the most.

With no other public comments, Ed Arnold move to adjourn, Cheryl Seconded and all voted in favor.

Respectfully submitted.