

Thirty Nine North Conservancy District  
Board Meeting  
August 2, 2019

Members Present

John Knoll, President  
Mark Childress, Board Member  
Ed Arnold, Secretary  
Jim Laughlin, Vice President

Staff Present

Jeffrey Haw, Radtke Eng.  
Jerry Jackson, Supt. Wastewater Dept.  
Shaw Friedman, Dist. Attorney

Public Present

Ken Ucho

President Knoll called the meeting to order.

The Board reviewed the Minutes of the July Meeting. Jeffrey Haw made a correction that the Preliminary Engineering has been done for the Water tower per the Grant from the I & M Rate Case, but is for a 500,000 gallon vessel, not as written in the July minutes. Jim Laughlin moved to correct the information on the Water tower size, and for the Board to then accept the Minutes. Second by Mark Childress, all voting in favor.

The Financial report was reviewed. One typo-graphic error was noted as corrected. Mark Childress moved to accept, Ed seconded and all voted in favor.

Bills for payment were reviewed. Ed Arnold moved to pay bills as presented and as received if in normal ranges. Jim Laughlin seconded and all voted in favor.

Old Business:

Jerry Jackson presented a quote from EMCOR for the emergency repair work to replace the panel, legs, and associated water damaged and aging parts at the two Control Stations on Hwy. 39 North going to Family Express. Ed Arnold move to approve the work per the estimates and the painting of the back board on the panel by normal Maintenance workers. Mark seconded and all voted in favor.

Shaw Friedman, Speaking to the Board regarding Project Planning costs, Advisor Karl Cender has written that it is within the scope of our needs to hire assistance of the 1816 Inc. Group to help find funds for the Water Tower that seems to be needed for all future development.. They would be tasked with working with the authors of House Bill 1406 and any other avenues which might find funds for such a project in our District. He will ask 1816 Inc. to provide an agreement for our work.

Further, Mr. Friedman discussed the circumstance of our past with the I & M Rate case in 2016. Part of the final decree for that rate case was that I & M should set aside \$240,000. In a Fund which would assist with entities who need fund to prepare Economic Development along the I & M service corridor. This fund was to be available by application to 3 cities, and 39NCD. To date on \$84,00.00 has been allocated. Our own sponsored submissions (Water Tower Pre-engineering, Request for funds for the 1816, Inc. group to look for money for the actual project, Request for fund for feasibility study for an Assisted Living facility, and a grant for Unity Fund work) were cut drastically when reviewed. And now they are asking for another rate hike.

Ed Arnold. Website information. There are two pod casts now available on our website. There is a third podcast in the planning. Ed asked again if there is anything that the Board would like to include on the Web Page. It was decided that our Monthly minutes, after being approved, should be included. Jim Laughlin made a motion that we begin doing the Minutes on the Website, Ed seconded and all voted in favor. Clerk Knoll will begin with the July minutes' approval.

Radtke Engineering: Jeffrey Haw reported:

Stanek Pond is officially complete.

The Odor Control project is having no movement at this time for lack of contact with the property owner regarding placement of the apparatus on the business property in an existing easement. Must make the contact and find out if he will still allow this placement.

Shady Grove is trying to get written agreements with the two corner property owners to join their annexation plan as a cost saving plan for all involved. Then they will proceed.

Jeffrey reported that the property owner who approached Radtke Engineering prior to last month, about doing Engineering for that property owner while being the District Engineer, will not be of consideration at this time. It turns out they are further North of the existing area of our service area and therefore will not be considered.

New Business:

Clerk Knoll has been contacted by AA Sheet Metal Products North of Road 450 N. and not in the District. They have several Billboards on the Hill above the District Acre of Property owned for a future water tower. They are asking to be able to mow our property so that the tall weed, and stubble can be removed so that their signs are more visible. They would use a Brush Hog mower behind a tractor.

Ed Arnold noted several considerations: They have already been on the property and cut trees this spring, without permission. They have taken down the toll road fence from their adjoining property to gain access to the signs. They are not District members but advertise for their own profit.

Jerry Jackson reminded that his maintenance men access one of the control panes for Family Express from the AA Sheet Metal parking area for monthly lift station checks. He would hate to see the workers have to start parking on the State Highway berm to do their job, because of safety concerns, (fast cars moving by in two lanes, no parking, the ditch is deep and rugged there).

After discussion, Ed Arnold made a motion that we agree to let them access from their land to our land to mow with these conditions:

- 1 If they mow they mow the whole plot
- 2 If they go through the fence to access, they must replace the fence with the existing fence or a gate
- 3 They must sign a standard "Hold Harmless" form for their workers to come onto our property to accomplish the mowing. (provided by Attorney Friedman if needed).

Also, we should give them heads-up that a water tower has always been the ultimate plan for the property and it may impede the view of their signs. Jim Laughlin seconded and all voted in favor. Discussion continued regarding contacting Mr. Novak of the Redevelopment Commission who has seemed negative toward our endeavors unless we have a Water Tower. Mr. Friedman discussed that Mr. Novak is in support of the water tower.

Mac Allister Machinery has contacted us that the Generator at the Lift Station is in need of being flushed and repaired. Jim Laughlin moved to approve the work to \$1000.00, Second by Ed, and all voting in favor.

Clerk Knoll has been contacted by the City Utility Office about a Bankruptcy by property owners which is in our area. The City would like us to approve writing off the unpaid amount (about \$900.00) per Their legal advisor, to clear the books. The property owners are former 39N residents who now want service in town, so the unpaid amount came up. They did not list us, but filed a Chapter 7 Bankruptcy which closed last year. Ed Arnold moved to follow the legal advisor's advise, Jim Seconded and all voted in favor.

Motion to adjourn by Jim Laughlin, Second by Mark Childress, all voting in favor.

Next meeting to be September 6, 2018. This will include the Public Hearing on the 2020 Budget.

Respectfully submitted,

Susan E. Knoll, Financial Clerk