

WEST CENTRAL CONSERVANCY DISTRICT

REGULAR MEETING MINUTES

MARCH 17, 2003

**Board Members Present: W. Holland, P. Allen, K. Buetow, B. Thompson**

Board Members Absent: J. Crowe

6 WCCD Non-Board Representatives present

WCCD Guests as per sign-in log

The meeting was held in the WCCD Board Room at 5:00 P.M.

Chairman convened meeting after recognizing that the Agenda was posted pursuant to the Indiana Open Door Law and that a quorum was present.

Motion by K. Buetow, second by P. Allen, vote unanimous, to approve meeting minutes of February 19, 2003 (Annual Meeting).

Motion by K. Buetow, second by P. Allen, vote unanimous, to approve Board of Finance Meeting Minutes of February 19, 2003.

Motion by K. Buetow, second by P. Allen, vote unanimous, to approve Special Meeting Minutes of February 25, 2003.

Financial Secretary, K. Buetow, presented review of claims. Motion by K. Buetow, second by P. Allen, vote unanimous, to approve claims (Rev) 10770 %u2013 10852,

(Cap Imp) 1034 %u2013 1036, (Exp) 10019 %u2013 10022, DC0203, PR011903, PR020203, PR022103 and PR030703, except claim 10020 which should have been a Capital Improvement claim instead of an Expansion claim and accounts were directed to be adjusted accordingly.

Financial Report as presented by R. Effner, Clifton Gunderson.

Plant Operation Report as presented by Manager.

Engineering Report as presented by W. Bernhardt, American Consulting, Inc.

A. Hux reported:

- Anderson Lawsuit %u2013 Response by March 24 for Board Members and attorney except Chairman when April date for response is due.
- Freeman Condemnation %u2013 Accepted offer for settlement, funding previously deposited with Hendricks Circuit Court and construction of fencing will be installed by Eagle Valley when they complete restoration work as weather permits.
- Bersot/IU Properties %u2013 DNR Commission Hearing 3/18/03. Resolution 03-01, Resolution Adding Additional Area Commonly Known As The Shirley A. Simmons Property To The West Central Conservancy District, presented for recommended action.

After discussion, motion by K. Buetow, second by B. Thompson, vote unanimous, to approve Resolution 03-01, as presented.

- Account Receivable %u2013 Several Small Claims filed for March 25, 2003.

Manager presented an update to progress concerning billing issues of Flat Top Mobile Home Park, Prestwick One Association, Fairway Hills Association, Washington Quarters and Settlers Run Apartments:

- Flat Top %u2013 Agreement reached with owner as to content and conditions of a Special Contract awaiting final document from attorney.
- Prestwick One %u2013 Agreement reached to bill owners individually
- Fairway Hills %u2013 Board Meeting yet this evening for determination of billing methodology.
- Washington Quarters and Settlers Run %u2013 Letter to attorney for apartments sent this date.

Ken Sebree, Sebree and Associates, presented final drawings and specifications for the Administration Building expansion.

After discussion, Motion by W. Holland, second by B. Thompson, vote unanimous, directing Manager and Mr. Sebree to complete minor adjustments to specifications, Manager to determine when bids are to be opened, and proceed with advertising for bids.

Discussion of Board %u2013Bill-Back%u2013 Policy.

Motion by W. Holland to change current policy of back-billing a maximum of 24 months to only six (6) months to become effective January 1, 2003. Motion failed for lack of a second.

Interviews for the new position of Assistant Manager were conducted by committee of Manager, P. Allen and K. Buetow. Committee briefed the Board as to the interview results and recommended Bruce P. Caveney for the position contingent upon salary negotiation within the range previously approved by the Board.

Motion by K. Buetow, second by P. Allen, vote unanimous, to offer Mr. Caveney the position contingent upon negotiated salary.

Manager presented correspondence dated February 21, 2003 from Murphy Breeding Labs, Inc. billing West Central Conservancy District a total sum of \$219,500.00 for alleged unauthorized trespass and damage to property referred to as Tract 5 to the Board for consideration. No action was taken by the Board.

Manager presented a concern of one of the Board Members at the Annual Meeting concerning the amount paid to the Election Clerks (\$50.00 each) comparing compensation to the workload. After discussion, no action was taken by the Board.

Manager presented a proposal from VoiceStream Wireless concerning possibility of a tower installation on the property recently purchased from JKJ,LLC. After discussion, the Board, by consensus, determined the District is not interested in the offer presented.

(Mr. Buetow left meeting at 7:02 P.M.)

Public comment period provided.

Chairman questioned comments of Mr. Anderson concerning allegation that Mrs. Simmons' requested her property be added to the District because of alleged intimidation as commented by Mr. Anderson. After discussion, the Board, by consensus, directed Chairman and B. Thompson contact Mrs. Simmons.

Chairman directed Manager to include Absentee Balloting Procedure on the agenda of April 21, 2003 Meeting for discussion and evaluation.

Motion by P. Allen, second by B. Thompson, vote unanimous, to adjourn meeting at 7:35 P.M.

W. Holland, Chairman