

WEST CENTRAL CONSERVANCY DISTRICT

REGULAR MEETING MINUTES

MAY 19, 2003

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

Board Members Absent: None

8 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 B. Thompson, vote unanimous to approve Meeting Minutes of April 21, 2003.

Financial Secretary, K. Buetow, presented review of claims. Motion by K. Buetow, second by P. Allen, vote unanimous, to approve claims (Rev) 10953 %u2013 11001, (Cap Imp) 1040 %u2013 1043, (Exp) 10028 %u2013 10029, DC 042903, DC051403, PR050203, and PR051603.

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

Plant Operation Report as presented by Manager.

Mr. Janak, Bose McKinney & Evans, representing Settlers Run and Washington Quarters, appeared before the Board making presentation and requesting the Board change the User Classification of the apartment complexes from residential to commercial user.

Motion by J. Crowe, to change the current billing procedure from residential to commercial accounts. Motion failed for lack of second.

There being no further motions, the User Classification remains unchanged.

Engineering Report as presented by W. Bernhardt, American Consulting, Inc. Mr. Bernhardt then presented a proposal concerning the Clark's Creek Sewer System and Sewer Study at a cost of \$92,265.00.

After discussion, motion by K. Buetow, second by B. Thompson, vote unanimous, that the study is to be paid for on an hourly basis not to exceed \$92,000.

Chairman recessed meeting at 5:45 P.M.

Chairman reconvened meeting at 5:50 P.M.

A. Hux reported:

➤ Freeman Litigation %u2013 Documents submitted to Freeman attorney. Mr. Hux was

notified of a standing water issue %u2013 Eagle Valley to review and report finding

➤ Anderson Litigation %u2013 Communication between attorneys concerning parties

working toward settlement has not been productive. Options presented to Board being attorneys continue working toward settlement or proceed with present position.

Motion by P. Allen, second by J. Crowe, vote unanimous, to proceed with present position.

Easements received from ACE for Prestwick Golf Course %u2013 will proceed with procuring those easements.

Chairman requested Board consider the upcoming Master Plan Update Meeting July 17 at 1:00 P.M. and requested the Board submit items of concern to the Manager that those items can be addressed at the meeting.

Admin Building Expansion:

Manager reported that ten bids had been received for the project and that those bids were opened by committee on July 16 at 2:00 P.M. Bid amounts ranged from \$348,000 to \$493,600. Bid documents were presented to Mr. Sebree for review and to make a recommendation to this Board.

Mr. Sebree recommended the low bidder, Pyramid Architecture/Engineering & Construction Administration, Inc. at the price of \$348,000.

Motion by K. Buetow, second by P. Allen, vote unanimous, to award contract to Pyramid Architecture/Engineering & Construction Administration, Inc. at the price of \$348,000 for expansion of the Admin Building.

Motion by K. Buetow, second by P. Allen, vote unanimous, to authorize Chairman to sign contract documents and Manager to issue The Notice to Proceed once documents are prepared and signed.

Discussion took place regarding the Town of Avon directing that sidewalks be installed as a condition of this expansion. The Board, by consensus, directed Manager to discuss issue with Town Officials and request waiver of condition if necessary.

Manager presented a proposed Board policy authorizing the Manager to waive certain charges as appropriate when such charges are beyond the control of the customer and or circumstances dictate remediation of customer account status.

Motion by P. Allen, second by B. Thompson, to approve policy as submitted. P. Allen, B. Thompson, J. Crowe, W. Holland for, K. Buetow against. Motion passed.

Tabled item from April 21 Meeting, Absentee Balloting Procedure, was discussed by the Board.

Motion by B. Thompson, second by J. Crowe, that the policy timeframe for Absentee Balloting would change and reflect the four business days prior to the annual Meeting during the timeframe of 11:00 A.M. to 6:00 P.M. and the Saturday prior to the Annual Meeting during the hours of 10:00 A.M. to 2:00 P.M. B. Thompson, J. Crowe, W. Holland, P. Allen for, K. Buetow against. Motion passed.

Manager reported the 2004 Budget Timeline indicating proposed Budget will be presented to Board Members during the latter part of July/August. The Board will receive the Proposed Budget at the August Board Meeting and the advertised Special Meeting for Budget Consideration will be in September.

Special Agreements Update was presented:

Update as to Mr. Dickey's request to the Board by W. Bernhardt, ACE.

ACE Master Plan Update Meeting scheduled for July 17 at 1:00 P.M.

Chris Badger, Falcon Engineering, presented Hearth at Prestwick concerns of financial obligations to WCCD. No action was taken by the Board.

Public comment time provided.

Motion by P. Allen, second by K. Buetow, vote unanimous, to adjourn meeting at 7:22 P.M.

W. Holland, Chairman

J. Crowe, Secretary