

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS FOR THE
DAMON RUN CONSERVANCY DISTRICT
AUGUST 3, 2006

The Board of Directors of the Damon Run Conservancy District met at 11:00 a.m. on August 3, 2006 at the office of the Duneland Group at 1498 Pope Court, Chesterton, Indiana. Directors present were John C. Barko and Jennifer Beauchamp. Director Bernard Madej was absent. William A. Ferngren, attorney for the District, was also present.

Mr. Barko called the meeting to order.

The Minutes from the previous Board meeting were distributed. Ms. Beauchamp moved that minutes of the Board be approved as presented, Mr. Barko seconded. Motion carried by unanimous voice vote.

Claims were presented. Ms. Beauchamp moved that the claims be approved as presented, Mr. Barko seconded. Motion carried by unanimous voice vote.

The Board discussed the contract submitted by SM & P for the provision of underground locating services as required by Indiana Code 8-1-26 *et seq.* The District engineer indicated that several other contractors were contacted, none of whom were interested in providing the service and also whom referred the District to discuss the matter with SM & P. The Board believed that SM & P's liability limit in the contract was too low at \$2,600.00; however not being able to receive any other proposals nor having the resources to provide the locate services itself, determined it was in the best interest of the District to enter the contract with SM & P. The Board authorized its attorney to contact SM & P to inquire as to an increased liability limit and if no such increase was provided, to accept the contract as is.

Ms. Beauchamp was directed to investigate insurance for the District including E&O for the Directors, general liability, property and possible umbrella coverage. Ms. Beauchamp was asked to report on the same at the Board's next meeting.

Ms. Beauchamp was directed to correspond with IAWC to indicate that so long as the District does not incur any liability or cost, it will permit its users to work with IAWC to provide a separate meter for irrigation.

Discussion then turned to Fox Chase Farms and the possible inclusion of the subdivision as part of the District. Paul Weeks of Duneland was asked to contact the District accountant to discuss cost feasibility and the concept of an exceptional benefits tax. The District would have interest in annexing the subdivision so long as no additional burden for the improvements necessary to annex and improve the sewage system are incurred by the District and any such costs are charged as a exception benefits tax on the property owners in the subdivision.

Ms. Beauchamp was directed to communicate with the District accountant to facilitate

preparation of the 2007 budget for the District and the attorney for the District was authorized to undertake any and all action necessary to begin preparation for the 2007 budget, including publication of notice and all other such necessary statutory action.

The Directors determined that at the September meeting, annexation of property into the District shall begin. The properties are to be identified at the meeting by the engineer.

There being no further business to come before the Board, Ms. Beauchamp moved to adjourn the meeting, Mr. Barko seconded. Motion carried by unanimous voice vote.

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