

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS FOR THE  
DAMON RUN CONSERVANCY DISTRICT  
DECEMBER 13, 2011

The Board of Directors of the Damon Run Conservancy District met at 5:00 P.M. on December 13, 2011 at the Valparaiso Public Library, 103 Jefferson, Valparaiso, Indiana. Directors present were Richard Hardin, Jennifer Beauchamp, Jack Barko and George Grace. Also in attendance was Bill Ferngren of Ferngren Law.

The minutes of the October 26, 2011 meeting were distributed to the Board members. Ms. Beauchamp made a motion to approve the minutes. Mr. Grace seconded the motion. Motion carried unanimously.

Ms. Beauchamp provided the Board a list of claims for payment. It is duly noted that there was an error on the payment to Portage Utility Services. Mr. Hardin made a motion to approve the claims with the modification to the Portage Utility Service listing. Mr. Grace seconded the motion. Motion carried unanimously.

Mr. Barko gave an updated on the flushing of the lines and the current maintenance initiatives. The septic conditions have been greatly reduced and he will be checking with Portage to see how much we can reduce the peroxide currently being put into the lines. With the additional of Porter Hospital, we should see these septic conditions go away in the future, but will continue to monitor.

Mr. Ferngren gave an update on the candidates that are currently running for the vacant position on the board that was vacated through Ms. Mitckess's resignation. Only two candidates filed their petitions in time being Michelle Wertzberger and Don Wilhelm. The election will take place on 2/21/12. Ballots will be available at the meeting as well as on the website.

An update to the IURC status was given by Mr. Ferngren. We are officially approved and authorized to provide services to Porter Hospital. We must now seek formal approval of the rates through the IURC. Attorney Shultz and Mr. Walsh of Umbaugh are currently putting the documents together for submission and should be available shortly after the first of the year.

It has recently been found that Liberty Schools has not been receiving sewer billing statements. Indiana American Water is taking full responsibility for the error and will be correcting the error in billing. Additionally, Indiana American Water has upgraded their billing system and determined that it will no longer be efficient for them to continue billing for sewer services. This billing from IAW will cease in October 2012 providing enough notice for all entities to seek other methods for sewer billing. IAW will provide a list of outside contractors for billing services.

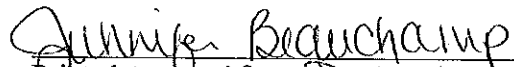
Information was presented to the board from St. Andrews Development and Timberland Farms in the form of written communication. These properties are seeking confirmation that the District would not pursue a special recapture district as permitted in the agreement with Hospital due to the voluntary grant of easement. Mr. Hardin asked if this would set a precedent and not allow the district to ever pursue a recapture district with future annexed properties. Mr. Ferngren assured that this agreement would not inhibit future designations for recapture and would only affect the two designated properties. More specifically, that the line running through this easement is the only line that falls under the agreement with

Porter Hospital. The other lines were installed by the district and/or the developers while this line was installed by the Hospital. After board discussion, it was decided that with the relationship between the district and the two properties having granted easements voluntarily, the district should move forward with the agreement. Due to Mr. Barko's close ties to the project at Timberland Farms, he recused himself from the discussion and voting. Ms. Beauchamp moved to create the resolution. Mr. Grace seconded. Motion passed unanimously with Mr. Barko recused.

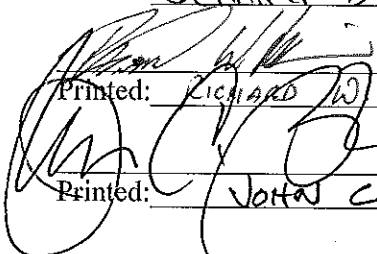
Mr. Ferngren gave an update on the annexation petition of the Bromley property. The annexation was completed on December 10, 2011 with all information being sent to the Auditors as well as the state agencies. Due to the timing, the property will not be considered for assessed value in pay 2012, but will be considered for pay 2013.

Mr. Ferngren then gave an update to the annexation of the St. Andrews and surrounding homes. All properties surrounding the St. Andrews development have signed on with the exception to the Kliver property. With only one property owner not signing on, we can move forward with the annexation as it is annexation by majority of property owners. Mr. Grace made a motion to move forward with the annexation petition and resolution, Mr. Hardin seconded. Motion passed unanimously.

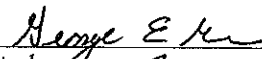
There being no further business to come before the Board, Ms. Beauchamp moved to adjourn the meeting, Mr. Grace seconded. Motion carried by unanimous voice vote.

  
Printed: JENNIFER BEAUCHAMP

  
Printed: RICHARD W. HARDIN

  
Printed: JOHN C. BARKO

ATTEST:

  
Printed: George E. Grace