

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS FOR THE
DAMON RUN CONSERVANCY DISTRICT
FEBRUARY 17, 2009
ANNUAL MEETING

The Board of Directors of the Damon Run Conservancy District met at 9:00 a.m. on February 17, 2009 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. Attorney William Ferngren was present.

Mr. Barko called the meeting to order and announced it was the annual meeting of the District. Mr. Ferngren indicated that the election of a director for Ms. Beauchamp's position. The only nomination for the director seat was Ms. Beauchamp. The ballots were cast and Ms. Beauchamp was elected to serve as a Director for the District. Her four year term will expire in February, 2013. The Board then nominated officers of the District. Ms. Beauchamp made a motion that Bernard M. Madej serve as Chairman and President, Mr. Barko serve as Vice-Chairman and Secretary and that she serve as Treasurer. Mr. Barko seconded the motion. Motion carried unanimously. Mr. Ferngren was directed to notify the Department of Natural Resources of the outcome of the election as well as a current list of directors and officers for the District.

Ms. Beauchamp presented the minutes of the December 18, 2008 and January 28, 2009 meetings. Ms. Beauchamp moved that minutes of the Board be approved as presented. Mr. Barko seconded the motion. Motion carried by unanimous voice vote.

Mr. Barko asked if there were any claims to be paid. Ms. Beauchamp presented the claims for payment and made a motion that the claims be paid as presented. Mr. Barko seconded the motion. Motion carried by unanimous voice vote.

Mr. Ferngren provided the Board Resolution No. 2009-01 regarding the Winter Averaging for water usage in determining the sewer bills during the summer months. The resolution and its terms derive from the IAWC questionnaire completed by the District to allow for a winter average for water usage to be applied to the sewer usage in the summer months. Mr. Barko inquired about whether the resolution was consistent with the current ordinances and further inquired about the minimum charges imposed by the District for sewer being adequate to cover the billing from the City of Portage for sewage treatment. Ms. Beauchamp responded that the resolution was accurate, that the minimum was based on a recommendation from the Duneland Group for water flows, and she will investigate accounts utilizing the winter average and whether the minimum is still sufficient. Ms. Beauchamp moved that Resolution No. 2009-01 of the Board be approved as presented. Mr. Barko seconded the motion. Motion carried by unanimously.

Mr. Ferngren then presented Resolution No. 2009-2 pertaining to general scheduling and related matters of the District for 2009. The resolution established meeting dates, named William A. Ferngren attorney for the District and the Duneland Group, Inc. as engineer for the District. Ms. Beauchamp moved that Resolution No. 2009-01 of the Board be approved as presented. Mr. Barko seconded the motion. Motion carried by unanimously.

Mr. Barko indicated that the City of Portage formally accepted the lift station at US 6 and State Road 149 at its meeting of the Water Reclamation Department in February, 2009. Mr. Ferngren was asked to determine warranty start dates and related matters with respect to the lift station and report back to the Board.

Mr. Barko announced that he and the Duneland Group will be presenting information about the District to the Duneland School Corporation at the School Corporation's March 2009 meeting. The School Corporation and the District have been in discussions for some time regarding connection to the District. Mr. Barko will advise the Board of the outcome of the meeting. In general, the initial theory is that the District will enter into a service provider agreement with the School Corporation in lieu of collecting a tax from the School Corporation. This approach would require IURC approval and as well as approval from the City of Portage to service outside the District. The terms of the agreement will be determined at a later date.

Pat Klieghe, the developer of St. Andrew's Subdivision, asked the Board for written confirmation that the St. Andrew's development is a part of the District. Mr. Ferngren indicated he would provide Mr. Klieghe a copy of the Court Order indicating it was in fact a part of the District. Mr. Ferngren further explained that the District's policy regarding inspections and approval of the infrastructure installed in St. Andrew's must be adhered to prior to acceptance. The policy was provided to Mr. Klieghe who agreed to the terms and further indicated that most if not all the inspections and related information was complete. The Board asked Mr. Klieghe to provide the information, tests, etc. and he indicated Duneland Group had the information. Mr. Barko agreed to follow up with Duneland Group to determine the status of the information and testing. Mr. Klieghe further stated that repairs to the roadway in Timberland Subdivision will be undertaken in Spring, 2009.

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.