

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS FOR THE  
DAMON RUN CONSERVANCY DISTRICT  
MAY 19, 2009

The Board of Directors of the Damon Run Conservancy District met at 9:00 a.m. on May 19, 2009 at the Valparaiso Public Library. Directors present were John C. Barko and Jennifer Beauchamp. Attorney William Ferngren and Engineer Charles Ray were present.

Mr. Barko called the meeting to order and presented the minutes of the February 17, 2009 meeting. 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 indicated that the lift station at US 6 and State Road 149 had been accepted by the City of Portage and the utility expenses for the lift station should now be paid by the City. Mr. Barko seconded the motion. Motion carried by unanimous voice vote.

Mr. Barko asked Mr. Ferngren about the status of the discussions with the Duneland School Corporation. Mr. Ferngren indicated that he had a draft contract completed and that Mr. Ray was in active discussions with School Corporation representatives about use of the District's system and matters related thereto. A goal is to have an agreement in place by the end of the summer. Mr. Ferngren further indicated that the Board is pursuing the proposed hospital at US 6 and State Road 49 as a customer of the District, but that the pending litigation regarding zoning of the parcel has stalled the hospital's commencement of construction at the site.

Mr. Barko asked about the status of St. Andrew's subdivision. Mr. Ray informed the Board that a video of the lines was completed and showed some debris. Mr. Barko stated the debris will need to be cleaned prior to the District accepting the lines. Mr. Ray next discussed the drainage issues at CR 900 North and Meridian Road stating that future construction of Timberland Farms subdivision should make the situation better.

Mr. Barko next asked about the status of Mallard's Pointe. Mr. Ray informed the Board that a drawing for the work has been completed and the work is ready to be performed. Mr. Ray indicated that the Mallard's project is one of three preliminary engineering reports his firm prepared in connection with the Federal stimulus package. The other reports pertained to extension of infrastructure to Liberty School and the proposed hospital site. Mr. Ferngren advised the Board that a public hearing was required in order to approve the reports and that the reports must be made available for at least 14 days prior to the public hearing. Mr. Barko and Ms. Beauchamp directed Mr. Ferngren to coordinate the hearing as required.

Mr. Ferngren advised the Board that he spoke with the County Auditor regarding tax distribution payments and that distributions, full or partial, should be made by the end of June. Mr. Ferngren reminded the Board that the distribution was for 2007 taxes payable in 2008. If the

distribution is made as anticipated, the District will have time to meet its July 1, 2009 interest payment. Mr. Barko asked Mr. Ferngren to work on receiving the distribution payment timely.

The Board fielded numerous questions from the general public including a request to expand the number of directors. The Board indicated that this was the first such request and would take the matter under advisement. Mr. Ferngren advised the Board if it were to desire an increase in the number of directors, a petition by the Board would need to be filed in the Porter Circuit Court. The Board also directed freeholders in attendance to its website for information about the District.

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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