

**EAST SHORE CONSERVANCY DISTRICT  
REGULAR MEETING JUNE 23, 2023**

**11:00 a.m. at the Maxinkuckee Country Club**

**CALL TO ORDER:** ESCD Chairman Fritz Steck announced that the meeting was being conducted in accordance with Indiana's Open-Door law and that the agenda had been posted and that a quorum was present.

**OPEN REGULAR MEETING:** Fritz opened the meeting at 11:04 a.m. Present in the room were Jim Bremner, Vice Chairman, Brian Welch, Board Secretary, and Peter Cleveland. Attending via zoom was Brad Wilson. Also present was Kathy Clark of Lakeside Consulting LLC acting as secretary for Brian and as manager of the ESCD.

**REPORTS:**

**Minutes** were presented from the annual and regular meetings held February 9<sup>th</sup> at the Culver Library. The minutes were reviewed and a motion was made by Jim and seconded by Pete. Motion approved unanimously.

**Financial Reports** were given by Jim due to the absence of Steve Carter. Jim first noted that as of May 31<sup>st</sup> the total of all funds held by the District stood at \$55,255.89.

Jim then explained that the District collected and then passed on to the Bank of New York a total of \$434,350.37 in early exceptional benefit assessment (EBA) payoff funds. The debt service has been reduced by that amount to \$1,268,000 and change. Bond principal and interest will continue to be collected from people's property tax bills who did not do an early payoff. Brian reminded everyone that the District will be sending out a reminder again this year on October 1<sup>st</sup> to allow anyone the opportunity to pay off their portion of the outstanding EBA loan that is now being collected on the property tax bills. Those funds must be received no later than November 15<sup>th</sup> so that they can be transferred prior to December 1<sup>st</sup> to the BONY escrow account and reported to the Indiana Finance Authority by December 1<sup>st</sup>.

Jim then informed everyone that yesterday, on June 22<sup>nd</sup>, the County disbursed \$27,887.42 of spring special benefits assessments (SBA) collected on property tax payments and \$48,513.34 of EBA collections to the District. The SBA was deposited directly into the District operations account and the EBA funds went into the District's escrow account and will be sent on to BONY as per the bond regulations.

Brian made a motion to approve Jim's report and that motion was seconded by Fritz. Motion passed unanimously.

**Claims Register:** Kathy presented the claims register for the period of 2/15/23 to 6/15/23 for the Board's approval, noting the bond interest payment and the final basin kit payment both received approval prior to payment as per policy. The amount was \$127,244.74. A brief discussion about the variation of the monthly sewage treatment bills took place and it was concluded that it is simply based on who is at the lake at any given time. A motion was made to approve the claims register by Fritz and seconded by Jim. Motion passed unanimously.

**Administration Report:** Kathy presented her report that centered around verifying emergencies or ensuring the alarm your neighbor hears is for your sewer pump before you call, it will save you a trip charge. The report was accepted by a motion from Brian which was seconded by Fritz. Motion passed unanimously.

#### **NEW BUSINESS:**

**Digitizing documents** and files was an issue raised by the Board at its last meeting. Brad took the lead on this and presented his summary to this group. He stated that by digitizing documents they can be securely stored online and made accessible to customers, board members, the State, etc. Due to the cost (\$574 per year for 8 users), Brad's recommendation would be Sync as the organization to use. He and Kathy had met to discuss this along with the web designer a little earlier and they reviewed four service providers. Most legal documents and minutes can be found on the [www.eastshoresewer.org](http://www.eastshoresewer.org) website now. Those will be easy to transfer over to the digitizing site. He believes this will meet all of the District's needs. Brad noted that with the new addition of Ginny to Lakeside's staff, she could be the person that will scan and digitize all remaining files.

The project approach was discussed and it was decided that under Brad's supervision, Kathy would draw up a "tree" outlining the main files which would be emailed to the Board members showing potential files to be copied from both ESCD and ESC. Kathy's one recommendation would be to do ESC last as most of those files don't pertain to ESCD, those that do are already part of the ESCD filing system and will be included under that heading. Once Brad, Kathy and Ginny agree on the files tree it will be sent to the full board. This will allow the board members to decide what should be done first as this project could take some months to get completed if the list is very long. Everything is stored in Kathy's computer except for some early ESC files which are at Ginny's office. The older documents will need to be scanned.

Brian made a motion to use Sync to do this project and that motion was seconded by Fritz. Motion approved unanimously. Once Kathy gets moved, she will reach out to Brad to work on the file tree.

**Rates and Charges Resolution edits** were discussed with Brian leading. The first issue was about the hourly rate the District's contractor would charge for installations and that will be changed to what the contractor's current rate is and not mention a dollar amount at all.

The second issue is about a permit fee and it has been determined that a \$300 fee will be charged beginning January 1, 24 for anyone requesting NEW service within the District.

The final issue concerned not only the number of days that a bill would be considered delinquent, but also how that would be handled. Brian noted that in order to become compliant with state statutes, a certified letter would be sent if the customer falls 90 days behind in payments. That letter would explain that failure to pay will result in a lien being filed, and that once a lien is filed with the Recorder's office, a list of all liens filed within a given month must be submitted to the County Auditor. Once that occurs the District can no longer accept payment and the lien will attach to the customer's property tax as a true property lien. The lien can increase from interest charged by the County the longer it remains unpaid as well as other costs

and fees, including attorney fees. Brian stated he would work with counsel to write up the language for the text of the resolution and letter for this additional item and get it to Kathy. A motion was made by Jim to approve all the changes discussed today and that was seconded by Fritz. Brian offered that a public hearing will be held before passing this before the next meeting. That new resolution will be titled Resolution No. 2023-0209-1 amending Resolution No. 2020-0911-1 in connection with the rates and charges of the sewage service provided to its users. Motion passed unanimously. (The original document used for this discussion is attached to these minutes.)

**OLD BUSINESS:** Fritz gave a brief update on the installation of those not yet using the sewage system. Everyone on the lakeside except for Kortepeter and Neubauer, both of which are in construction mode today. Bickle is not hooked up yet on the off-lake side of the program as well as Bozic home which was just purchased by Elwood. The Board was informed by the owner that the basin kit for the Elwood has been paid for just this week. She showed Kathy the proof of the check's front and back.

A homeowner made a complaint about Thomas' work on his installation saying his electrician thinks they either scraped or somehow damaged the electrical line to his garage so nothing works now. Fritz will help him speak to Thomas about this issue.

**OTHER BUSINESS NOT ON THE AGENDA:** Kathy handed the corporate resolution covering all of the bank accounts of any kind held at First National Bank of Monterey for the Board members to sign. This will allow Ginny Munroe, Lakeside Consulting LLC's new project manager, to access and sign any and all accounts held at that bank. Brian made a motion to approve the corporate resolution and that was seconded by Jim. The motion was approved unanimously.

Motion to adjourn was made at 12:32 p.m

Brian Welch, Board Secretary  
Kathy Clark, acting secretary to the ESCD Board

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In attendance: Bill Furry, Jerry Hazlewood, Susan and John Nash, Ed Shroeder, Linda Hippenhammer, Mrs. Elwood, Jim Sturman, and Dave Gibson. Several others were in the audience but their names are unknown to the secretary. Via zoom: Sally Peacock, Mary Thompson, Stacy Wurster, and Julie Hollowell.