

## Ben Davis Conservancy District Board Meeting

Pursuant to notice by publication, the Board Meeting of the Ben Davis Conservancy District ("District") was held on Thursday, July 13, 2023, at the Board Meeting Room at the District Office, located at 703 S. Tibbs Avenue, Indianapolis, Indiana. Those in attendance: Mr. Fred Buckingham, Chairman; Ms. Beverly Matthews, Vice Chair; Mr. Jeff Wood, Director; Ms. Jennifer Hess, Counsel for the District; Ms. Micah Sarabyn, Project Coordinator; Ms. Angela Wirth, Secretary/Finance Officer; Ms. Dee Revnyak of Triad Associates, Inc., and Mr. Steve Brock, Municipal Financial Advisor, Mr. Corey Foster, & Mr. John Thurman, Maintenance Department. Also in attendance were Mr. Ryan Heathco & Mr. William Moser.

Mr. Buckingham called the regular board meeting to order at 9:10 a.m.

Mr. Buckingham called upon the maintenance department for the monthly report. Mr. Foster informed the Board that Carlisle Plumbing has finished the spot repair on Morris Street, raised the missing manhole on Morris Street, and will begin the Waldemere project on Monday, July 17, 2023. Mr. Foster stated he and Mr. Thurman completed the dye testing at the old Air Gas building on west Morris as the building will soon be demolished due to damage from a fire. Mr. Foster provided the remaining work completed in the District for the Inspections, locates and Grease Traps.

Mr. Moser had questions regarding the latest news on the proposed wastewater treatment plant, if the Barrett Law process was being used for any of the work, and the service boundaries of the District. Mr. Moser stated he lives outside of the District and was attempting to obtain information on the District for his daughter who is a realtor in the area.

Ms. Revnyak, discussed the status of the easements that have been obtained and are now being recorded so the payments can be made. Both Ms. Revnyak and Ms. Hess are working on finalizing property acquisition.

Ms. Revnyak inquired about the past due payment from the Indianapolis Airport Authority. Ms. Hess is awaiting a response from the airport regarding a resolution to the payment dispute and will follow up with IAA staff.

Ms. Revnyak spoke about the pre-construction meeting that was held for the cleaning and televising project. Commercial Sewer, Ms. Sarabyn, Mr. Thurman and Ms. Revnyak were in attendance to discuss the schedule and District expectations.

Ms. Revnyak noted the Preliminary Engineering Report (PER) that was prepared for the

proposed collection system rehabilitation and repair project was approved by the SRF. The final scope of work will be determined after completion of the cleaning and televising project that is currently underway.

Ms. Revnyak updated the Board about the last correspondence sent to IDEM regarding the NPDES Permit and was hopeful that a meeting could be held soon to discuss their review.

The Board agreed to Mr. Zhang's counteroffer purchase the property owned by Mr. Jerry Zhang, so long as the property closes within 30 days from the written offer. Matthews made a motion to approve the counteroffer, Mr. Wood seconded, and Mr. Buckingham approved the counteroffer. Motion passed. Ms. Hess sent Mr. Zhang the acceptance via text message and will follow up with a written offer. Ms. Hess will draft the paperwork.

Ms. Revnyak and Ms. Hess mentioned Tibbs Property Investment would like to lease the back part of the plant property which is not being used for construction. The Board agreed to lease the unused part of the parcel (3.5 acres) with a month-to-month lease and a 60 day notice for termination for \$4500 a month beginning August 1, 2023. Further, the Board mentioned that they wish to include a penalty for encroachment on the lease to ensure that the unleased portion of the site remains available for the District's intended use. Ms. Matthews made a motion to lease 3.5 acres to Mr. Denny under the terms described above. Mr. Wood seconded the motion and Mr. Buckingham approved. Motion passed.

Ms. Revnyak will continue to reach out to the adjacent property owner regarding a future purchase or a First Right of Sale. Two appraisals would need to be obtained to determine the maximum that could be offered for the property.

Mr. Brock provided the Board with a copy of SRF's 2024 Clean Water Large System Project Priority List (PPL) and noted that the District's collection system project is currently ranked 16<sup>th</sup> for SRF funding. He discussed funding alternatives and what the District may qualify for with regards to the available funding from SRF's three scheduled "Pool" Programs.

Mr. Brock also mentioned the current financial status of the District. Preliminary evaluations indicate that the District may not need to raise the monthly sewer user fee for 2024. Keeping the ad valorem tax at the current rate or lower will help offset costs to the residents. Mr. Brock updated the Board about the \$2,500,000 Bond which was issued on June 15<sup>th</sup> 2023. The Bond was used to pay off the 1<sup>st</sup> BAN in the amount of \$1,025,448.89, leaving over one million dollars for the collection system cleaning, televising, and repair projects.



Mr. Brock also stated that in order to qualify for funds in the SRF Pool Program, a letter would need to be submitted to request funding consideration. Mr. Brock will draft a letter for Mr. Buckingham to sign in an effort to be considered for one of the three pool financing dates. programs. There The SRF has currently scheduled 3 pool programs; one in Summer 2023, one in the Fall of 2023 and one in the Spring of 2024. The Spring 2024 pool date is the most likely funding timeframe for the collection system project. Mr. Wood made a motion to approve the letter to the SRF to participate in the pool program and additionally authorizing Mr. Buckingham to sign the letter. Mrs. Matthews seconded the motion, and Mr. Buckingham approved the motion. Motion passed.

Mr. Brock spoke about the 2024 Budget and Budget calendar and the dates set by the DLGF and the SBOA for the 2024 Budget deadlines.

Mr. Brock provided the Board with the Districts cash balances and thus concluded his presentation.

Mr. Heathco updated the Board with the progress of the Website, and informed the Board that the site is receiving around forty (40) visits per day. He also noted that phone calls are down 10%. Mr. Heathco was going to put together some statistics regarding the demographics of the visits to the website.

Mr. Heathco is running an ad campaign to inform the residents of the current project and work zone schedule throughout the District. Mr. Heathco is also working with Ms. Sarabyn on the Connection Permit process and hopes to get this process back online shortly.

Mrs. Sarabyn collected \$25,218.43 for June. The District received 642 Lien monies/paid & unpaid from the Marion County Treasurer's Office. A total of 391 residents paid, 222 were unpaid, and 29 were partial payments. The total received from Liens less Marion County Treasurer's Office fees was \$137,524.35. Approximately 50 sewer liens were released with a follow-up notification sent to residents. The QR code for our invoices has been fixed and the invoices now provide additional information for the residents. Carlisle Plumbing performed a sewer replacement on Morris Street. The repair on Waldemere will be started soon. Commercial Sewer has begun their cleaning and televising work in Zone 5.

Mrs. Sarabyn has been communicating with CEG regarding the estimated April 2023 flows and the charge for CEG bleeding their water lines (without the consent of the District) into the Districts system after repairs are made to their lines. Mrs. Sarabyn has also notified CEG of

the need to televise the sewers in Kokomo Lane and Vanceburg since they discharge to the District's system. She also informed them about the flow meter on Oliver Street that needs to be removed for the televising project.

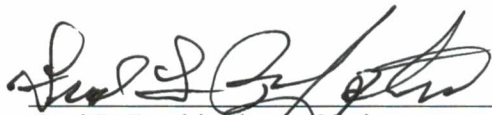
Mrs. Sarabyn and Mrs. Wirth met with and looked over US Hydrovac proposals/options to be an on-call emergency provider in addition to CSC.

Reconciliation of the Bank Statement was completed for June as well as the monthly state and county taxes, the quarterly 941 & workforce development taxes and documents paid and filed. Mrs. Wirth worked with Ms. Revnyak and Sarabyn to verify connection of the 5234 W Morris Street so Denny Excavation can demolish a building and disconnect it from the sewer system. Mrs. Wirth entered all receipts for June (she is training Cathy Baker) and worked with Govolocity in sending letters out for June QR code errors. Mrs. Wirth and Sarabyn help Carolina (the BDCD Bilingual Billing Clerk) put NSF letters together for repeat offenders to include a \$30.00 check fee to their accounts. Mrs. Wirth worked with Meridian and Hocker Title to assist a new owner that received a lien but the title company dropped the ball on payment for the past due amount at closing. Mrs. Wirth also worked with Mecca Market and the ISBH to provide documentation proving their connection to the District Sewer System for a re-certification.

Mrs. Wirth worked with Mr. Brock to set up the "Collection System" Fund Accounts for the Bond funds received in the amount of \$1,391,851.11 that was wired into the District's GF on June 15, 2023. Most consulting parties have been paid. The District is waiting on a letter of confirmation from Barnes & Thornburg to confirm that they are paid in full and no further monies are due for their services with regards to the Bond project. Mrs. Wirth and Mr. Buckingham went to Chase on the 6<sup>th</sup> of July to open the Escrow "Retainage Account" for Commercial Sewer and to fulfill the obligations of the Bond requirements.

The building at 629 Tibbs has a new A/C unit and security cage. The Alarm company is checking on new installation or connection with the existing alarm to better protect the unit. The District collected \$674,035.10 in spring taxes.

The next board meeting is set for August 10, 2023, 9:00 a.m. at the District Office Board Room. There being no further business to come before the Board at this time, Mr. Buckingham, Chairman, motioned to adjourn at 12:00 p.m.

  
Fred F. Buckingham, Chairman

  
Beverly A. Matthews, Vice Chairman

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Jeff T. Wood, Director

ATTEST:   
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Angela Wirth, Secretary

