

REGULAR MEETING

Pursuant to notice, Fred Buckingham, Chairman, called the meeting to order at 9:15 a.m. On March 12, 2024. Those in attendance: Fred Buckingham, Chairman; Jeff Wood, Director; Beverly Matthews, Vice Chair; Angela Wirth, Finance Secretary; Micah Sarabyn, Project Manager; Jennifer Hess, Counsel; Lou Savka, Triad Associates; Steve Brock, CPA/MBA Therber Brock LLC; John Thurman, and Corey Foster, Maintenance; Ryan Heathco, Communications. Freeholder Audrey Strucker was also in attendance.

Ms. Strucker inquired if the work for the sewer lining contract signed in February had started. The District responded the preconstruction meeting is Monday. She has questions regarding vitrified clay and plastic lining. Mr. Savka suggested that they discuss the matter more in depth and that he would provide written answers about the integrity of the lining and the use with clay pipe.

Corey Foster discussed the Maintenance Report and discussed Calumet still out working on the Storm Sewers in the District and the Biltmore Gardens area. Mr. Foster mentioned he and Mr. Thurman have been working closely with Darrin Garrett of Triad on the Waldemere Emergency Project overseeing work completed by Hydro Inc. Mr. Garrett had drawings and notes from the work being completed and assisted in authorizing payment upon work completed for Hydro, Inc. Mr. Foster discussed the meetings held with Micah Sarabyn, Lou Savka, and other contractors for upcoming projects. Mr. Buckingham inquired about the Grease Traps in the district and how things were progressing with the restaurants. Mr. Foster stated most of the facilities had updated their grease traps and or now had outdoor pits that are cleaned out on a regular basis with their contractors.

Mr. Savka presented an agreement with Inliner Solutions Inc. He is trying to get point repairs on Chelsea Street completed ahead of payment. There is no escrow for the retainage. The SRF will keep the retainage. Ms. Hess reviewed the inline contract and recommended approval. Mr. Wood made a motion to accept and execute the contract. Mrs. Matthews seconded. Mr. Buckingham also approved. Motion passed. The Contract was executed by Mr. Buckingham on behalf of the District.

Mr. Savka addressed the airport issue. The airport is planning to develop property that will be known as Ben Davis Station. They plan to develop sites A, B, C, and D as shown on a map. The only area not mostly within the District Boundaries is site C. The majority of the

project is within the district boundaries. Once the property is sold, it will no longer be a nonprofit like the Indianapolis Airport Authority. Mr. Savka believes that the District has the capacity to serve. possible sources of funding include Ready, Grants and TIF funding. The District hopes to be the most economical option for this development. Mr. Savka hopes to have the proposal ready in the following weeks. The Airport Authority continues to believe they are exempt from payment of the ad valorem property taxes owed to the District. However, it is the contention of the District that the airport does receive a benefit in that they have the ability to develop the property instantly as the Ben Davis Conservancy District has maintained infrastructure on this property. The properties more valuable because of this and the lines have been maintained and are ready to use. The IAA needs to continue to pay ad valorem taxes. Mr. McDermott from of the OCC City of Indianapolis reached out and Ms. Hess will respond.

Ms. Hess noted that she had sent an additional letter to Beth Heline of the IURC but at the time of the meeting had not received a response. Ms. Hess noted that the Annual Report submitted to the Marion County Circuit Court for 2023 had been approved.

Ms. Hess brought up the issue of the potential litigation against CEG. She brought up that a two year statute of limitations will soon be expiring he The Board indicated that they do not wish to file a civil complaint against CEG at this time in the Marion County Circuit Court, but wish to file a consumer complaint with the Indiana Utility Regulatory Commission regarding CEG's interference with the District's attempt to create a treatment plan and interference with customer relations. Mr. Buckingham made a motion to file a complaint with the IRC. Mrs. Matthew seconded the motion. Mr. Wood also approved motion past Miss Hess will prepare a consumer complaint to file with the IURC.

Mr. Brock noted that the District is closed on the bonds. These bonds are for 35 years with a fixed interest rate of 2.3%. This is below market rate. The average savings per customer equals \$1063. This equates to over \$5 million and savings for the District. The District moved \$500,000 to Trust Indiana fund in order to obtain a 5% interest rate.

Mrs. Sarabyn noted that Home City Ice accepted the 22 EDU and they have been making payments. The newsletter that was sent out to customers created confusion. Unfortunately, Citizens Energy Group attempted to charge the Ben Davis Conservancy District 2024 rates for services rendered in 2023. They have been made aware of this. The Commercial Sewer

televising project should be closed out soon. There will be one major change order, and the other will go into contingency.


Mrs. Sarabyn collected \$32345.60, for February and is working to set up the TRECS collection process. Mrs. Sarabyn has been working with Robert Jones of the Indianapolis Airport Authority to ensure that work orders and permits are acceptable to IAA as to not disrupt the districts work in the future. Mrs. Sarabyn has been working with Mrs. Revnyak on the Sources and Uses Spreadsheet to clear off Commercial Sewer and get the project completed. Mrs. Sarabyn viewed the tutorial and set up District for the TRECS (Tax Refund Exchange Compliance System) information and is working on processing the first list to be submitted to TRECS. The Waldemere Project is complete and the District is now waiting on Hydro Inc. to pave the street. They are waiting on Asphalt. Mrs. Sarabyn reached out to GRIP regarding the flow meters to be installed for the District and Triad to ensure the District has the capability to handle the lines for the proposed Westside Merchants Project.

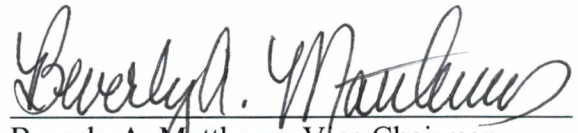
Mrs. Wirth completed the Audit findings have been provided to Board Members, Jen Hess and Steve Brock. The Chase Bank 1 and Bank 2 accounts have been reconciled and financial reports are included for February 2024. Mrs. Wirth and Mr. Buckingham met with Crowe, LLP via teams for the Exit Interview and Eric with Crowe went over the findings. Eric stated to Fred that Mrs. Wirth had submitted all documents requested by CROWE LLP in a timely manner and this allowed Crowe to assess the documents and complete the audit for the years 21 and 22 by the end of February.

Mrs. Wirth set up BNY Mellon Bank to be on the receiving end of the SRF Loan which closed on March 5, 2024. Mr. Brock will get with Mrs. Wirth to ensure payments are sent in a timely manner as well as all of the forms to be submitted to the SRF for draw payments to Inliner. The 2023 Annual Financial Report complete and submitted into the Gateway and all information has been entered into the Gateway for December.

Mrs. Wirth has worked with extensively with Boyce and Gateway representatives and Steve to correct the two audit findings from 2021 and 2022 as well as to ensure the beginning balances for 2023 are accurate and 2023 can be reviewed closed correctly for the next audit for 2023. Mrs. Wirth transferred \$500,000 from the Chase Savings Account to the Trust Indiana Account. Mrs. Wirth obtained a Cage & Unique Identity number through the Federal Government on behalf of the District required by the SRF.

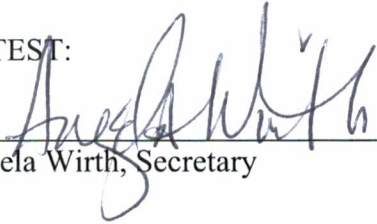
The next board meeting was scheduled for April 9, 2024. There being no further business to come before the Board at this time, Mr. Buckingham, Chairman, and Mr. Jeff Wood, Director, motioned to adjourn the meeting. The meeting adjourned at 11:45 a.m.


Fred F. Buckingham, Chairman


Beverly A. Matthews, Vice Chairman


Jeff T. Wood, Director

ATTEST:


Angela Wirth, Secretary