REGULAR MEETING

Pursuant to notice, Fred Buckingham, Chairman, called the meeting to order at 5:40 p.m. on Tuesday, September 9, 2025. Those in attendance: Fred Buckingham, Chairman; Ryan Heathco, Director; Beverly Matthews, Vice Chair, joined via Zoom; Angela Wirth, Finance Secretary; Micah Sarabyn, Project Manager; Jennifer Hess, Counsel; Steve Brock, MBA, CPA; Lou Savka and Darrin Garrett, VS Engineering; John Thurman and Brandon Cook, Maintenance Superintendents; Also in attendance was Ms. Christy Hayes, Freeholder and Mr. & Ms. Robinson, Freeholders.

Mr. Buckingham opened the meeting and asked Mr. and Mrs. Robinson if they had any concerns; they did not. Mr. Buckingham asked Ms. Hayes if she had any concerns or comments, she did not. Mr. Buckingham, then requested that the maintenance department present their report. Mr. Cook reported that 100 feet of sanitary sewer line was cleaned, 250 feet of line had been dye tested, no smoke testing took place this period, 23 manholes were inspected with GPS, and 35 grease trap inspections were completed. Mr. Cook and Mr. Thurman completed 91 sanitary sewer locates. In addition, there was one incident report and 20 manhole lids replaced. Mr. Heathco made a motion to approve the Maintenance Report. Mr. Buckingham was also in agreement. Motion passed. Maintenance Report approved.

Next Mr. Savka of VS Engineering provided the Engineering Report. Mr. Savka submitted In Liner Pay Claim number 17 in the amount of $75,737. Mr. Heathco made a motion to approve the pay claim, Mr. Buckingham seconded the motion. Motion passed. Pay claim approved. Mr. Heathco inquired as to how much of the project was completed at this point and Mr. Savka stated In Liner was at approximately 92% complete.

Mr. Savka presented information to the Board regarding a City DPW project that would construct a storm drainage retention pond above some of our gravity sewer lines and showed the Board a drawing depicting such. Mr. Savka, Darin Garrett and Levi Garrett participated in a Teams meeting-with the engineering firm, HNTB regarding this matter and hopes to receive additional information at a later date.

Mr. Brock distributed the August 2025 Financial Status Report. Mr. Brock stated the greatest notable in finances is the Trust Indiana account now sitting at $3,346,000. Mr. Brock also stated that he and Ms. Wirth met via telephone with Mr. Sam VanderVeen, Budget specialist for the Indiana Department of Government Finance to review the 2026 Budget and to ensure all figures are accurate for Mr. VanderVeen, to upload into the Indiana Gateway. Mr. VanderVeen also verified with Mr. Brock and Ms. Wirth the Public Notice Hearing for the upcoming Public Meeting on September 29, 2025 at Fleming Garden Christian Church at 6:00 p.m., for the public to voice their objections or options regarding the new 2026 Rate Tariff for the District, the Salary Budgets for the District, and the 2026 Operational Budget.

Mr. Brock also shared the news that the District is able to keep the monthly sewer user fee for a fourth year in a row at $40.00 and the District received great news for the freeholders that the ad valorem tax rate is going to drop from .1747 to .1387 which will benefit all freeholders. Mr. Brock is still concerned that the District may exceed the allocated portion of the Budget for the Citizens Energy Group Sewer Processing Fees.

Ms. Hess passed out a legal update for all matters she has been working on since the last Board Meeting in August.

Ms. Hess informed the Board that freeholder, Mr. Brent Swallers is suing the District for $350,000,000 because he does not want to continue to receive sanitary sewer service and wishes to disconnect. He is self-represented. Ms. Hess presented a proposed letter for the Board to review that she prepared for submission to Mr. Swallers lettering Mr. Swallers know that we hear his concerns, but it is necessary for the health and safety of all those around him that maintain sanitary sewer service. Ms. Hess will respond to the complaint.

Ms. Hess noted that she searched the IURC archives to see if territorial authority was granted to serve some of the contract customers whose boundaries lie outside the District and who CEG cannot serve. She searched the 1961, 1962, 1963, 1964, 1969, and 1970 archives and was unable to find where territorial authority had been granted. As a precautionary measure she is requesting that the District file a petition with the IURC to obtain territorial authority to service these locations. Mr. Heathco made a motion for Ms. Hess to prepare and file a petition for territorial authority for all locations served by the District that are not within our boundaries. Mr. Buckingham approve. Motion passed.

Ms. Hess prepared and presented the (3) three resolutions to be presented at the September 29, 2025 Public Hearing and for the board to adopt for the 2026 fiscal operating year; to wit, the Budget Resolution, Rate Resolution with Rate Tariff, and Salary Resolutions and Ms. Hess asked the Board to review and make any updates or suggestions before September 19th so that the proposed resolution could be posted on the website and in the office ten (10) days before the public hearing on the 29th of September. Mr. Heathco made a motion to preliminarily approve the draft resolutions for public consideration at the public hearing subject to some scrivener's errors that were noted and revised. Mrs. Matthews seconded the motion, and Mr. Buckingham was also in agreement. Motion passed to preliminarily approve the resolutions for public consideration and public hearing. The resolutions will not be approved or adopted until such time after the Board has conducted a public hearing and taken into consideration public comments and concerns.

Ms. Hess has been working with Ms. Sarabyn on the revised contract customer contract and is reviewing with Ms. Sarabyn and the maintenance department for clarification. Ms. Hess still needs to meet with Ms. Wirth regarding insurance limits, quotes and new proposals that have been presented. The issue was raised of the possible annexation of certain parcels that cannot be serviced by any other provider. Ms. Hess will coordinate with Ms. Sarabyn and determine what areas will be included so that all parcels can be annexed in at the same time. Ms. Hess will continue to work on proposed changes to the District's Sewer Use Ordinance.

Mr. Heathco updated the board on the District Website and the overall views for the website. Mr. Heathco mentioned he finished the Landlord Trifold and updated the District Welcome Packet. Mr. Heathco also stated he worked with Ms. Sarabyn on the Newsletter and will be beginning the year end newsletter in late September for the October bills.

Mr. Heathco shared his news about arranging a meeting with the Board, Councilor Jared Evans and Mr. Jonathon Weinzapfel, attorney for the Indianapolis International Airport, regarding the Westside Development Project. Mr. Heathco also discussed the use of how the Liens versus TRECS was working from a collection process and he felt that liens were a much better way for the District to obtain past due funds.

Ms. Sarabyn collected $22,811.40 in the month of August from Contract Customers. Ms. Sarabyn is still working with Ms. Thomas and Ms. Posada on training for lien filings and releases. Ms. Sarabyn stated that over 780 Pre Lien notifications were sent out by the District staff and that by the time of the filings, there were 528 liens filed suggesting that approximately 272 freeholders either paid current their bills and or made arrangements with the staff to be on a payment plan.

Ms. Sarabyn discussed the Gripp installation of the temporary flow meters and provided a Sheet listing of the locations to be installed. High School Road, Biltmore Gardens, were discussed regarding flow meters.

Ms. Sarabyn also stated that Culy had completed the manhole linings, and RFQ's were sent out to Culy and ART for approximately 100 manholes to be lined and plugged. Ms. Sarabyn stated the manholes in Harrison Mobile Home Park and Garden City Mobile Home Park need repairs. The District asked Culy to provide a quote for the work which was presented at the meeting. Mr. Heathco made a motion for the District to have the work performed as to reduce I&I as soon as possible and for District to provide the customer with a payment plan. Mrs. Matthews seconded the motion and Mr. Buckingham as also in agreement. Motion passed. The Board approved Ms. Sarabyn to approve a payment plan for reimbursement to the District for any work completed if necessary.

Ms. Sarabyn stated Mr. Adam Wright from Wright and Sons will be working with the District to cut back, remove, and stump grind trees or large bushes in areas that are keeping the District from reaching the manholes or allowing access to perform work. Ms. Sarabyn mentioned R&R is being considered for Manhole inspections for the year 2026 at $100 per manhole and will provide much needed details about each manhole. R&R is going to help the District recover a crowbar that was obstructing the main interceptor at Taco Bell off of Washington and Lynhurst.

Ms. Wirth reconciled the August Bank Statements and Trust Indiana and paid state and county taxes. Ms. Wirth has been providing insurance comparisons from two companies for renewal comparisons on the commercial policy and the pollution policy. Ms. Wirth is working with Ms. Hess to review the policies and verify appropriate coverage limits. Ms. Wirth and Mr. Brock went over the appropriation accounts to see what needed to be increased and what should stay the same in the budget. Ms. Sarabyn joined in to discuss Sewer Maintenance and Processing budgets and salaries for her maintenance staff. Team Logic Eric came and installed new computers for Mr. Thurman and Mr. Cook and assisted the office with minor issues.

Ms. Wirth, registered Ms. Sarabyn, Ms. Thomas and Mr. Cook for the Alliance of Indiana Water and Wastewater Ft. Wayne Fall Conference in October of 2025. Ms. Wirth also registered herself and Ms. Thomas for a Boyce Keystone Fund training in Muncie during October 2, 2025. Mrs. Wirth set up the Fall Public Hearing and the dates for the 2026 Budget in Gateway for the adoption and approval of said resolutions for Budget, Salaries, Rates and Tariffs, and possibly amendments to the Sewer Use Ordinance. Mr. Thurman renewed his CDL for 1 year and Mr. Cook is working on completing his CDL training.

Ms. Wirth presented the August 2025 Minutes. Mrs. Matthews made a motion to approve the August 2025 Minutes. Mr. Heathco seconded the motion, and Mr. Buckingham was also in agreement. Minutes approved.

There being no further business to come before the Board at this time, Mr. Buckingham motioned to adjourn the meeting. The meeting was adjourned at 6:36 p.m. A public hearing regarding the Rate, Budget, and Salary Resolutions will take place on September 29, 2025 at Flemming Garden Christian Church at 6:00 p.m. The next regular meeting of the Board of Directors will take place on Thursday October 9, 2025 at 9:00 a.m. at the Ben Davis Conservancy District located at 703 S. Tibbs Avenue, Indianapolis, IN 46241 in the Board Room.

Fred F. Buckingham, Chairman

Beverly A. Matthews, Vice Chairman

Beverly A. Matthews

Ryan Heathco, Director

ATTEST:

Mrs. Angela Wirth, Secretary