REGULAR MEETING

Pursuant to notice, Fred Buckingham, Chairman, called the meeting to order at 9:03 a.m. on Thursday, August 13, 2026. Those in attendance: Fred Buckingham, Chairman; Beverly Matthews, Vice Chair; Ryan Heathco, Director; Angela Wirth, Finance Secretary; Sarah Kennedy, Administration & Finance with the Ben Davis Conservancy District; Micah Sarabyn, Project Manager; Jennifer Hess, Counsel for the District; Steven Brock, MBA, CPA Municipal Financial Advisor; Lou Savka, and John Mowery of VS Engineering; Brandon Cook; Maintenance Superintendent; and Brian Daviau, Maintenance Department. Also in attendance were Ms. Christy Hayes, Freeholder, and Mr. Sanjay Patel of VS Engineering.

Mr. Buckingham asked Mr. Cook to present the maintenance report from July 9 to August 13, 2026. Mr. Cook said it was a good month. He referred everyone to the maintenance report provided. Mr. Cook informed the Board of two sperate incidents with the Cloverleaf Apartments including holes drilled into clean out pipes allowing infiltration, which has been repaired, and clean out caps being removed allowing raw sewage to flow on to the property. This has also been repaired and remediated since the incident.

While reviewing old maps of the District, Mr. Cook and Mr. Daviau were able to identify and then locate previously unknown lines. These have now been documented. Two companies were found to be digging without a permit. One stop order was required. Both sites now have the proper permits.

Ms. Sarabyn shared additional work being completed. While cleaning out an unutilized desk, some additional information regarding projects and missing manholes was found. This is now being reviewed. It was identified that the flow meter data is off by four hours and over two days of data is missing. It was suggested to investigate a battery backup for the system. Mr. Mowery states that lateral infiltration is probably more significant than sump pumps for increased flows during the rain.

Ms. Sarabyn had stop-work order paperwork put in each truck to prevent the Maintenance Team from needing to return to the office to shut work down at unpermitted sites. She is also creating work standards for staff and contractors. She is updating standards from another utility company and requests that VS Engineering review and update the document once she is complete.

Sanctuary Indy will be submitting their construction timeline soon. The District is waiting to get an updated schedule for a representative to be present for construction Ms. Sarabyn is working on a handout for fiber optic companies to keep everyone safe and not damage the lines. This is to help prevent issues like the one at 1311 S Lynhurst.

Wright Traffic Control has signed an agreement with the District to provide service for projects that will block the road. She is working with Best Equipment to have a trade offer for the District's jet truck to purchase a combo truck. Best will provide a free demo of the truck the District is interested in. Ms. Sarabyn plans to do this at Lynhurst and Minnesota. Wright will provide traffic control for this demo once scheduled.

Culy's first pay order has been submitted. This project was delayed from the SRF focus last year. There will be a change order to remove some manholes that were completed within the SRF project. Culy is inserting risers and lids in 139 manholes. They are also completing before and after scans for $10 versus the $100 per scan that R&R was charging.

Ms. Sarabyn reviewed the 2027 project priority list discussed at the last meeting. She has been in contact with leadership at Indy Gateway for the park in Shirley Heights. They indicated that bathrooms will not be added to the park, and it is acceptable to line over the open laterals for the property. They also stated that there are old clay laterals visible from the walking trails within the park that are taking on a lot of ground water. Ms. Sarabyn stated that $23,147.40 was collected from contract customers in July.

Mr. Mowery presented on behalf of VS Engineering. He continued work on the High School Road Force Main project. This should go to bid at the end of August or September. Bids were received for the Bertha and Lucerne projects on August 7th. SLB was the only responsive bidder with a bid of $376,499 for the project. The recommendation is to accept the bid for Bertha but not Lucerne. Mr. Heathco asked Ms. Sarabyn if the bid for the Bertha Project was reasonable. She said that it was. Mr. Heathco motioned to approve and accept the bid from SLB. Ms. Matthews second the motion and it was approved by Mr. Buckingham. It was found that SLB had the lowest and was the most responsive bidder. The contract includes that the project must be completed within 180 days of acceptance. Ms. Wirth confirmed that this project includes replacing the four laterals connected to the line. Mr. Mowery confirmed they are included in the bid.

Coordination with AES is still in process to obtain power for the Lucerne Ave project. There was no utility coordination activity last month. Mr. Mowery heard back from MapIndy regarding the submission of manholes and sewer mains; the naming convention used was too long. Mr. Mowery asked permission to continue work on this project, to rename the assets on MapIndy. The Board unanimously gave permission to continue.

Upcoming work for VS Engineering includes finalizing the plans for the High School Road Force Main project with DPW, assisting with construction phase one on Bertha once the project is awarded, following up on the IDEM permit for Lucerne and next steps there. Ms. Sarabyn recommended waiting to move forward with the Lucerne project until the IDEM permit was approved.

Mr. Savka recommended purchasing the E1 grinder needed for Lucerne straight from the supplier to cut the mark up. Mr. Buckingham raised concerns about the warranty being void if it was not purchased through the contractor. Mr. Savka explained that it would be written into the contract that the supplier does the final check and turns on the grinder.

Mr. Mowery reviewed the 2026 Mid-Year Report. Over 73,000 feet of pipe has been rehabilitated, 61-point repairs and 57 manholes. Operational assistance has been provided for MapIndy and technical resources. Three projects have had design services and eight utility coordination projects between DPW and private development.

Ms. Sarabyn confirmed that AES will need to be paid in advance for power to be added for the Lucerne Ave Project. Mr. Mowery confirmed it will be $2,500 to get the power set up.

Mr. Brock stated that he had several items to discuss regarding the 2027 budget that should be discussed in executive session. Ryan Heathco stated that would be acceptable and so Mr. Buckingham called upon Ms. Hess for her monthly legal updates.

Ms. Hess re-introduced Resolution 2026-07-09, renamed Resolution 2026-08-13 respectively for the Board to adopt and sign. This resolution was created so that funds from the Trust Indiana Investment Account could be utilized for maintenance projects or equipment and be repaid to the TIA once a Bond has been established. Mr. Buckingham made a motion to approve and adopt Resolution 2026-08-13, Ms. Matthews seconded, and Mr. Heathco approved. Motion passed. Resolution approved and adopted.

Ms. Hess also discussed her contact with Lisa Martinez, the niece of the deceased owner, at 715 S. Tibbs Avenue. Ms. Martinez filed to spread the will of record. Ms. Hess stated she had sent over an offer to purchase an option for the right of first refusal to purchase the property for $2500.00. Hess will wait to see what the offer is from other prospects to purchase the property.

Ms. Hess stated she had reached out to Mr. Alan Hux representing Cloverleaf on three occasions to set up a meeting to discuss Cloverleaf and their allegations against the District and sent him additional information in response to his letter. Mr. Cook mentioned he located a document regarding their affiliation as a contract customer from the 1980's and how an engineering firm would oversee this project, but that Cloverleaf was liable for any oversight and maintenance regarding the infrastructure. Ms. Hess also stated she sent documents to Mr. Hux regarding Cloverleaf not being compliant with the cleaning and servicing of their grease cleanings. It was suggested the district investigates the viability of involving the DNR and or the Indiana State Department of Health give Cloverleaf's repeated failure to comply with regulations. Mr. Cook also stated that upon the Cloverleaf maintenance staff inspection in which their staff seemed bothered that the District was following up on the work they were completing that a lateral had been broken from a lawn mower running over it. Mr. Cook stated the complex had two hours to fix the problem, or they would be reported for allowing raw sewage to spew out of the broken lateral. Mr. Cook also explained he was following Indiana Plumbing Code and IDEM regulations.

Ms. Kennedy stated Cloverleaf received a pre-lien letter in error and that Cloverleaf did respond by contacting the office. Ms. Kennedy spoke with a contact from their local offices and they would bring their account current. Ms. Kennedy also stated their home office is in California.

Ms. Hess stated she had some additional questions for the Board regarding CEG and the agreement between CEG and the Ben Davis Conservancy District. The terms of the agreement are from 2017 and do not state they can be adjusted from time to time by a Commission order. Mr. Brock stated the IURC has standards to follow and that CEG did not give BDCD a revised rate notice or notification of a rate change. It was noted that Lawrence had also not signed on to the CEG contract offered. The District is working with Chris Janak of Bose to help resolve this issue. The Board would like CEG to agree to object to a Petition for Territorial Authority which will be filed with the IURC whereby Ben Davis services customers that CEG does not have the ability to service and will not object to annexation of these customers should the Board decide to annex these customers. The Board is also requesting that should CEG file a rate case that the same would not be effective until 2031 as CEG has indicated that they do not intend to seek a rate increase until this time. The District would like this as part of the agreement. The Board directed Ms. Hess to include these items in the offer to resolve this issue with CEG.

Mr. Heathco presented information via email on the BDCD website and how it continues to be used heavily by customers for billing, account access, notices, and general District information. In the last seven days, there were 630 page views; 281 views of the billing page, 218 views of the home page, 246 clicks from the website to the online billing system, 177 views came through search engines such as Google. In the last 30 days, there were more than 2,500 page views, 1,001 views on the billing page, 854 views of the home page, 832 clicks to the online billing system & 690 views came through search engines

In addition, Mr. Heathco reported that in 2026, the website has recorded more than 15,500 views from users in the United States. Customers are viewing the billing site as the most-used part of the website. Customers are also regularly using: Contact Us, My Account, Services, Notices, Permits, Board Meeting Information, Financial Assistance, Educational articles and Customer Resources. Mr. Heathco reported the numbers show the website is serving its primary purpose well: helping customers quickly find information and access their accounts and billing.

Improvements will continue to be put into place by Mr. Heathco as he works on updating the functionality, usability, maintenance and security of the bdconservancy.com website. He is also reviewing the site to ensure commonly requested information is easier for customers to find, via Customer Communication and Reputation Management by monitoring comments, questions and feedback related to the District via social media and other channels. Mr. Heathco reported his goals in being Transparent and helpful with the website will improve the public's perception in our ability to respond appropriately to concerns, make accurate information easier to find, and to encourage positive customer experiences and reviews when appropriate.

Mr. Heathco stated he will be working with Ms. Sarabyn to create clearer online resources related to fiber strikes and service interruptions. The goal is to give customers one easy place to understand what happened, what the District is doing, who they should contact, and what they can expect while service is being restored.

Ms. Kennedy completed the July Bank Rec for Chase and BNY, completed quarterly taxes and uploaded all the Indiana Gateway documents. Ms. Wirth and Ms. Kennedy have looked into new software for the District that is cloud based and encompasses the utility billing, accounting and payroll all in one package. Pricing is extremely high at this point and will need to be reevaluated at a later date. Mr. Brock stated he can include the cost in a bond if and when necessary. The District paid a downpayment for the new camera system. Ms. Kennedy filed and printed off 700 pre-lien letters. The office staff helped to print off fold and stuff 700 Pre Lien notifications. Two lien releases were prepared for homes being sold within the District.

Mr. Heathco, Mr. Cook and Mr. Brock zoomed in to join the meeting. Ms. Wirth, Mrs. Sarabyn, and Mr. Brock worked with Steve on the budget for 2027. Brian Daviau is registered for his CDL course. Ms. Wirth, Cathey, and Ms. Posada helped clear out several support emails and voicemails left as the Ampstun system was down for 3 days. Mrs. Wirth set up additional security features for Trust Indiana. Mrs. Wirth spoke with Eddie from Best Equipment regarding the Combo regarding used combo trucks and what the options were for purchases. Trucks and options for the maintenance staff. Mrs. Wirth completed a webinar for Perf updates and a survey for their services to the District. Mrs. Wirth spoke with two companies to come and measure the pole barn area for potential rebuilding and to include a new combo truck. Mrs. Wirth updated Concentra with new employee list and Indiana 811. Mrs. Sarabyn and Mrs. Wirth met with Maggie Murry from Uline to update product line and needs for maintenance staff and ordered new chairs for the Boardroom. Mrs. Wirth and Ms. Kennedy worked with Team Logic and Ms. Posada for problems she has been having with her computer locking up and not being able to print reports. Mrs. Wirth prepared appropriation reports for Steve Brock for the years 25 and 26 to prepare for 2027 budget. Mrs. Wirth worked with Steve Brock to get the final payments to Nannette for her part in the SRF hourly wage verification.

Ms. Wirth presented July 2026 Minutes. Mr. Buckingham made a motion to approve July 2026 Minutes, Mr. Heathco seconded the motion and Mrs. Matthews was also in agreement. Motion passed, July minutes approved. There being no further business to come before the Board currently, Mr. Buckingham motioned to adjourn the meeting. The meeting adjourned at 10:30 am.

Fred F. Buckingham, Chairman

Beverly A. Matthews, Vice Chairman

Ryan Heathco, Director

ATTEST:

Mrs. Angela Wirth, Secretary