

EAST SHORE CONSERVANCY DISTRICT
PUBLIC HEARING MINUTES 10.10.2020

The Public Hearing was called to order at 10:08 a.m. The agenda for the public hearing was posted according to State statute. It appeared in the Plymouth Pilot (local daily newspaper) on September 24th and in the Culver Citizen (local weekly newspaper) on October 1st.

Present: Chair Fritz Steck, Vice Chair Jim Bremner, Whitney Johnson, Peter Cleveland, and Brian Welch, all members of the ESCD Board of Directors were present. Mr. Alan Hux of Taft Law who acts as the ESCD Attorney, Mr. Buzz Krohn of Krohn & Associates who is the Board's financial consultant, and Ms. Kathy Clark who serves as the ESCD's operations manager were also in attendance.

Welch announced that the public hearing was called for public input on **Resolution #2020-0911-1 A Resolution Establishing a Schedule of Rates and Charges to be Collected by the East Shore Conservancy District, from the Users of the Sewage Works of said Conservancy District, and other matters connected therewith.**

Bremner requested a change on Section (C) Non-Recurring Charges and Other Service Charges. He asked that sub-section a) and b) both be stricken and replaced with "capital contribution to be determined by Board at a later date." After some discussion between Welch, Bremner, and Hux, sub-sections a and b were stricken as was the last paragraph of C. The first paragraph of Section C will be edited to include the words "as determined by the ESCD Board of Directors at a later date".

The hearing was then opened up to the public for comments:

Baxter, J. – Spoke to wanting clarity about the entire process of the District.

Peacock, S. – States that the option to purchase is in the rate resolution but it hasn't been signed by ESC yet. She wants to talk about the sale between the two parties. She speaks to the bathroom count on the Heise property record card. Peacock recommends an inspection be made because the Heise property record card reflects that there are zero bathrooms. Peacock asks that the annual meeting be moved to June, July or August if ESCD can't meet via zoom by next year. She also wants to ensure that there is no debt service being carried in the rates.

Hollowell, J. – Discusses the District Plan. Asks why someone whose septic hasn't failed would be made to hook up. Asks why the District Plan makes mention of disagreeing with the Board of Appraisal report if it deals with vacant lots. Hollowell requests an audit be done on East Shore Corp before any agreement is entered into.

Baxter, J. – Discussed history of the area and the sizes of homes. Wants to know why a "cottage" should pay the same amount as a new home with 6 to 9 bathrooms. Why does the property owner who only uses their lake house for months pay the same assessment as those who live here year-round. Regarding the rates, she wants more detail as to how the rates were developed. States that the proposed rate factor doesn't have a significant difference in the amount of discharge. Revisits the time an owner spends at the lake once more and how that should impact how they pay. Wants the owners to be given the option to install a flow meter to measure their waste water discharge.

Peacock, S. – Speaks again stating she skipped a whole section of her notes. Mentions the debt service, wonders if any of it will involve equity. Mentions that as a retired attorney, she knows that legal fees shouldn't be rolled into debt service or involve any legal fees involved in forming the District.

Baxter, J. – She notes that she too forgot something. She mentions a report that was developed by Bremner and Clark that was sent upon the request of her son, Ben Baxter, this last spring. She notes that the charges for pump and haul were still high even after people left for the winter.

Smitson, J. – He spoke to the earlier speakers. “We are leaving out one thing, the lake. You can have one or nine bedrooms. If you have a lake that is polluted, it is not worth the \$20,000 per front foot that it currently is. (Smitson said square feet but that was corrected by Sturman, J. immediately after the meeting.) He would prefer his home, which is on the system, NOT be beside a home with a septic tank that is filled with various part-time renters all summer with no one knowing if their septic is working or not.

Wagner, S. – Spoke and said there should be a difference between the way initial costs and recurring costs are calculated. Properties that are buildable should be included in the exceptional benefit assessment.

Steinhilber, D. – Asked if it was mandatory to connect to the system and if so, when. He also asked about where he could find his property record card.

Hippenhammer, L. – Spoke to the percentage of fees which relate to customer usage. She also agreed with Wagner that buildable lots should be included.

Comments began to come from the various previous speakers around the room.

At this point Steck said that South-West Lake Maxinkuckee Conservancy District uses the same bathroom structure, he's comfortable with how the rate resolution is written.

Welch says that the resolution is to be used as a starting point, it can be changed, but we have to get started, he has no doubt that things will change, that there are likely things the Board will need to fix.

Johnson states that every conversation she has been involved in with the other board members has led her to believe that every member is well aware of the need to do what is right, to be fair and equitable, even though that word equitable may mean different things to each person. Down the road, if there is reason to make changes, they will be made. She thinks every person on the Board is doing the best they can do for the District.

Welch makes a motion to adjourn the Public Hearing at 11:00, the motion was seconded by Bremner. Motion passed with all ayes.

10/28/2020 Board Secretary Brian Welch