



## **EMERALD LAKE VILLAGE DISTRICT MINUTES FROM MAY 5, 2006, MONTHLY MEETING**

The meeting was called to order at 7:02 pm, with Commissioner Fred Sanborn and Co-Chairs Joseph Statkus and Deborah Gilbert present.

### **ADMINISTRATIVE BUSINESS:**

The Board went over the payroll and payment manifests. Commissioner Statkus explained that the payment manifest included a \$100 check for the former District Clerk, Melanie Netto, which will be charged to legal fees. This check reimburses her for the loss of a day's pay when she testified on the District's behalf at the U.S. District Court on May 4, 2006, in *Stankunas v. Statkus et al.* Commissioner Statkus made a motion that the payroll and payment manifests be accepted; seconded by Commissioner Sanborn. There being no further discussion, it was approved 3–0. Commissioner Sanborn asked about the refunds of monies paid to the Parks & Rec Committee; Commissioner Statkus announced that the refunds were mailed today.

The Clerk read the minutes from the April 7, 2006, monthly meeting. Commissioner Statkus made a motion that the minutes be accepted as read; seconded by Commissioner Gilbert. Approved 3–0.

Commissioner Statkus reported on loan rates. Citizens Bank offers commercial loans of up to ten years only. The Municipal Bond Bank currently offers a rate of 4.5%; however, the funds would not be available until the end of July, which will delay the water projects. Commissioner Statkus renegotiated with Earle Rosse at Sovereign Bank and obtained a reduced interest rate on the 20-year loan of 4.65%; the previous rate was 4.75%. The funds will be available during the first week of June. There being no further discussion, Commissioner Sanborn made a motion that the District borrow \$700,000 to go forward with the water projects; seconded by Commissioner Statkus. Approved 3–0. Commissioner Statkus will call Earle Rosse on Monday, May 8.

Commissioner Statkus announced that the water ban violation notice has been posted at the mailboxes, and copies were sent to water users with the recent mailing regarding water quality issues. Commissioner Gilbert added that the notice will be published in the May 11, 2006 issue of *The Villager*. Commissioner Statkus read the draft of the warning letter that will be given to residents who violate the ban. Each Commissioner will have a

supply of the letters, which can be delivered in hand or left at the door, in which case a copy of the warning letter will be sent to the resident by certified mail the following day. Whenever possible, a second Commissioner will be present as a witness. Commissioners will note the date, time, and address in a log book. For subsequent violations, a disconnect notice similar to the warning letter will be delivered as described above, and Water Systems Operators will be contacted to shut off the water. Commissioner Statkus made a motion that the water ban violation notice be accepted as written, the procedure described above be implemented, and that a disconnect notice be drafted using the same format as that of the warning letter. Commissioner Gilbert seconded. Approved 3–0.

Commissioner Statkus received a letter from Wendy Dampier of the Local Government Center's Health Trust Division regarding a health insurance policy that former Commissioner Stankunas set up for Sharon Lindstrom while she was employed as the District's secretary. Ms. Dampier asked Commissioner Statkus to write a letter indicating whether the policy was authorized by the District. When Commissioner Statkus checked the minutes from the meetings, he could find no such authorization. Commissioner Statkus drafted a letter to Wendy Dampier regarding this issue. Commissioner Statkus made a motion that the Board sign the letter; seconded by Commissioner Gilbert. Approved 3–0.

## **AGENDA:**

Sue Ireland distributed a proposal for a tribute to Jerry Burnham. She asked that residents bring their ideas to the next monthly meeting. Kay Burnham will have the final approval. Commissioner Gilbert stated that Kay would like something simple and particularly liked the idea of a bench and an ornamental tree. A Jerry Burnham Award for Community Service, to be given twice each year, was discussed. Sue is also looking for volunteers to work on this project. Commissioner Statkus made a motion that Sue Ireland be in charge of gathering the suggestions to be presented at the next monthly meeting; seconded by Commissioner Sanborn. Approved 3–0. Commissioner Statkus mentioned that he had purchased a \$450 rock for a memorial to Jerry Burnham, which is still at the supplier in Eliot, Maine. Commissioner Statkus will call the supplier about obtaining a refund.

Commissioner Statkus announced that Tom Kuck has volunteered to make necessary repairs at Eastman Park at no cost to the District and donate a raft for the swimming area. He will also move loam to Eastman Park and take the trash near the treatment plant to the transfer station. Commissioner Statkus made a motion that Tom Kuck be given the electrical box from the office trailer in return; seconded by Commissioner Gilbert. Approved 3–0. Commissioner Statkus also reported that Mike Boudreau is willing to do the electrical work on the gazebo; Tom Kuck will dig the trench for the electrical conduit. A resident mentioned that some of the swings need chains. Commissioner Statkus also discussed the need for volunteers to clean the beaches before Memorial Day weekend. He will ask Tom Kuck and John Plummer to rake the beach as part of the cleanup effort.

The Treasurer distributed the Quarterly Reports. A resident requested that capital reserve funds be included in future reports. The Treasurer will look into getting a balance statement for these funds.

## QUESTION-AND-ANSWER PERIOD:

Commissioner Statkus opened the meeting to questions and comments from residents.

1. A resident mentioned that the gravel on Emerald Drive near the mailboxes is a big improvement to the road. Commissioner Statkus will let Skip Edwards know.
2. There was a question about the \$18,000 overpayment, resulting from the actual cost of the treatment plant being less than the estimate. Commissioner Statkus will check with the Kansas State Bank for additional information.
3. A resident asked why there has not been a forensic audit of the District's accounts. There is currently no money to pursue this.
4. A resident asked about having the large tree that fell on Hummingbird Lane removed, as it is causing water to wash down the hill from above. Since the tree is on District property, Commissioner Gilbert will look at it and get in touch with Wayne Labombard about removing it.
5. Ben Molanari will check the sinkhole on Pine Glen and report to the Board.
6. Paul Sylvia brought up the issue of Commissioners speaking with individuals who are currently involved in lawsuits against the District. Commissioner Statkus made a motion to incorporate as a bylaw into District policy that no sitting elected official shall engage in conversation with any litigant involved in legal matters against the District. Seconded by Commissioner Gilbert. Approved 3-0.

There being no further business, Commissioner Statkus made a motion that the meeting be adjourned; seconded by Commissioner Sanborn. Approved 3-0. The meeting was adjourned at 8:45 pm.

Respectfully submitted,  
Nan McCarthy, District Clerk

Approved:  
Deborah Gilbert, Co-Chair  
(signature on original)

Joseph Statkus, Co Chair  
(signature on original)

Fred Sanborn, Commissioner  
(signature on original)

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