



Nyona/South Mud Lakes Conservancy District

Date: December 1, 2025 Time: 5:00 PM

Chairman: Tom Trent called the meeting to order and the Pledge of Allegiance to the flag was recited.

All five board members were present. Steve Carter, Conservancy Accountant, was present.

Joe Eddingfield, NSML conservancy attorney was present.

Ten public attendees were present.

Public Meeting: Tom made an opening statement that we are having our public hearing on the issue of price increase for ordinance, 25-001, however, the board will table the vote at this time. These actions will allow our attorney, Joe Eddingfield, sufficient time to ensure all actions and procedures taken by our conservancy follow legal standards.

An attendee made the first statement, "it is obvious this needs to happen, and it's a hell of a lot better than every month having to have our sewers pumped out. This place is a lot better now than it has been in the past and I'm good with it".

Tom shared that Dan Fox, our plant manager, created a list of all the items that could fail, are subject to fail, or on its way to failing for our 20 year old facility. This list involves items to just keep our plant operating. The total for these foreseeable repairs is \$2,028,300.

An attendee reminded the room that when the system was installed, every piece of property that did not have a building had to decide if they wanted a sewer pod. If they chose to have a pod they paid the full amount. We then decided that it would be ½ the cost of a full bill, it hurt everyone on the lake. Tom agreed that an ordinance was created by past boards after the initial setup that the cost of a pod not in use for a freeholder would be reduced to just the cost to maintain the pod.

Joe Eddingfield recommended that we make a motion to hear the public, convene the meeting to consider a motion to table the vote, and any further action on the ordinance and set a date for a future meeting. Joe shared we have concerns on legal notice, specifically to the Town of Macy, and he wants to be sure we are in full legal compliance with our notices.

Brian made comment that a Macy board member was present. Tom and Brian, both thanked her for attending.

Joe shared that this is a public meeting, but we should consider tabling any action and reschedule a future public meeting to take action on the ordinance. Joe recommended we try Monday December 29th. Tom agreed to reschedule the public meeting to December 29th at 6pm. Brian made a motion to table a vote and any action regarding the ordinance for today and reschedule another meeting for December 29th at 6pm. The motion was seconded by Kevin and passed unanimously.

Minutes from November meeting: A motion was made to accept minutes of November's minutes. The motion passed unanimously.

Treasurer's Report: Kevin presented Treasurers reports for December in detail. Kevin shared our ending balance in December of \$27,274.29 is the smallest remaining balance the conservancy has ever had. We did buy 5 more E-One pumps in November. No questions were raised. The motion to accept the treasurer's reports passed unanimously.

Reconciliation:

Steve Carter, our conservancy accountant, shared he reconciled all bank statements today and he agrees with Kevin's financial assessment, deposits, and balances. An outstanding check of \$300 remains and is being addressed and rectified. Steve will provide the board stipend checks in December and July as usual. A question from the public asked if the ending saving account balance is the USDA loan payment. Kevin explained the conservancy needs to pay the USDA semi-annually for our initial loan to build the facility and the system that flows into it. It was a 40 year loan that approximates \$36,000 every six months. The conservancy places \$7,000 per month into the savings account to pay this loan. The conservancy will be issuing a check to the USDA for approximately \$36,000 next month and it will be taken from the savings account. The conservancy calls it a savings account to differentiate this balance for our USDA loan payment.

The motion to accept the reconciliation as presented passed unanimously.

Maintenance Report:

Tim was not present. Tom shared his review of the maintenance report. The conservancy is operating smoothly. Maintenance call outs were low for the month of November. Grinder station maintenance and inspections are continuing. Stations are being vacuumed during inspections. Our vacuum trailer is being winterized. We have 91 pumps remaining that will receive inspection and maintenance. Our maintenance fund still has \$4,868.48 remaining and we may see some of this balance carryover into 2026. At the beginning of the year, we start with \$25,000 in the maintenance fund and as Astbury replaces capacitors, chemicals, field supplies, hose parts, etc., they draw from this account. The conservancy also has paid \$59,000 for maintenance parts and supplies this year to keep the operation working. Kevin asked about billing. The damages that will be paid by the free holder at 6183 N Lakeshore and on Sunset with the car that damaged the pit. Tom shared these costs are not part of the either of the reported maintenance funds. The motion to accept the maintenance report as presented passed unanimously.

Old Business:

Tom shared we received another check from the individual that drove his car over our well at the conservancy. We are receiving \$25/month until the well damage of approx. \$300 is paid. Brian Roller's board member vacancy had expired, and no one applied. Brian is the only person who applied for his position. Due to this, we will not have an election for the position. Brian Roller will be sworn in at the Jan meeting for another four years of service. Our annual meeting will be January the 5th 2026. Our monthly meeting will then follow the annual meeting. Our Krohn and Associates accounting bill is increasing. We currently pay \$915/month, and it will increase to \$1,100/month. Kevin shared we rely on Krohn and Steve Carter to make sure our figures are accurate, creates our budget, and Steve files all the state and federal regulatory reports. Steve is also our financial liaison with Astbury. Kevin made a motion we approve the price increase for Krohn and Associates. The motion passed unanimously. Kevin made a motion to approve the 2026 budget submitted by Steve Carter.

Tom shared in 2026 our conservancy will fall \$98,241 short of this budget. Kevin shared he overall agrees with Steve's budgeted numbers for 2026. The budget is attached as an exhibit to the minutes. The motion was made to accept the 2026 budget proposed by Steve Carter for our conservancy. The motion passed unanimously.

New Business: No new business was presented. The motion to accept no new business passed

unanimously.

Open floor meeting:

Kevin made a statement about our voting situation. He pointed out that every vote we make is unanimous. Kevin shared, he believes, the reason is there is not much choice in our decisions. There is no discretionary spending, we have limited options, like not replacing pumps or broken services. We cannot stop using electricity, we cannot stop maintaining the system. There is not much left to discuss and vote on.

The Lake Association president made a comment that in the last 40 years, 20 new homes have been built. He believes our population is stable. As old homes are taken down, new homes are replacing them.

A person asked about the situation on Sunset with the electric company breaking the sewer line. Brian shared he spoke with the owner of the company that did the damage. The owner had a significant amount of documentation that showed they did not cause the issue. The company owner also shared their insurance will not accept the \$8k repair cost we submitted. Tom shared Astbury's attorney believes we may win a court case however the conservancy will see large attorney fees. We will likely spend more in attorney and court fees than the amount we need to recover, if we win the court case. There was a discrepancy on the timeline for the location markings and how they were marked. There were two sets of location markers, one from the company that worked at the site and one set of marking from Astbury. Kevin shared he does not see any traction that could lead to a court case against this company for what occurred. Brian shared we are not going to be able to recover the cost of this repair.

Meeting ended 6:47 PM

Written by: Terry Pierce
Board Member: Nyona/S Mud Lake Conservancy

Chairman: _____

Vice Chairman: _____

Treasurer: _____

Secretary: _____

Member at Large: _____