

ACRSD Board
Meeting Minutes
February 14, 2020

The following persons were present:

Nate Rumschlag, Secretary
Steve Bailey, Board Member
John Carroll, Board Member
Don Bergdall, Board Member
Jim Franz, Board Member
Barry Scherer, Superintendent
Mark Burry, Attorney
Brooke Hindenlang, Paralegal to Mark Burry

The following persons were absent:

Shannon Smitley, Chairman
Dick Lambert, Board Member

APPROVAL OF MINUTES

Board reviews minutes.

MOTION TO APPROVE MINUTES BY JOHN CARROLL, SECONDED BY JIM FRANZ.
APPROVED 5-0.

APPROVAL OF CLAIMS

- Barry reviews the list of claims presented.
 - Total claims are \$13,964.12 (See attached)

MOTION TO APPROVE CLAIMS BY JOHN CARROLL, 2ND BY STEVE BAILEY.
APPROVED 5-0.

DISTRICT SUPERINTENDENT REPORT

- Barry advises the Board that the audit was completed yesterday, and an exit interview was held.
- Barry advises the Board that flyers are being sent out on the next billing to notify residents that we have electronic bills
 - This will help save on postage and postcards if utilized
 - Nate commented that it will depend on the accessibility of customers to this service.
- Barry reported that he received a call from IDEM. Angela Bottom notified him that she is the Regional Sewer District Coordinator.
 - Jim asked if she might come to one of our meetings, Barry believes so.

- A leak was found on Salem Road last Friday. Flemings came out on Tuesday and again on Thursday. They ran 1 million gallons through the Mercer meter. The job is only half fixed. Nathan Scherer will be checking the leak while Barry is off.
 - Jim asked if this is why treatment costs were up.
 - This has probably been part of the problem and has been ongoing but has gotten increasingly worse per Barry.
 - Barry noted that normally the manholes are not opened, but Verlin (from the City) told Barry that it was so bad, Barry felt like he had to open it.
 - Jim also asked if the work Fleming did help any, Barry replied that although it is not perfect, it should help.
 - Ben remarked that VTF will be digging with the new project and they should be able to identify and make corrections.
 - Nate asked if there will be a new manhole, per both Ben Adams and Barry Sherer – Yes.
 - Ben and Barry both discussed what may have caused the condition involving the leak.
- Barry reminded the board that he will be away due to his surgery and that Verlin said his guys could cover the big pumps, Monroeville can cover the grinders and Nathan will be checking on Mondays, Wednesdays and Fridays.
 - Nate asked who would be covering the phone and email while he is gone.
 - Brooke will be checking the emails and his wife will answer the phone until he is able.

ENGINEERS REPORT

- Ben advises that he doesn't have much.
 - Finished the preliminary design on Preble/Peterson. Should be able to formalize.
 - Waiting on Linn Grove.

DISTRICT ATTORNEY REPORT

- Mark Burry introduces Jeff Rowe from Baker and Tilly and Randy Rompola from Barnes and Thornburg.
 - Board needs to approve the engagement letter. 30K to be disbursed at the contract closing.

MOTION MADE TO APPROVE BARNES/THORNBURG CONTRACT BY JIM FRANZ, 2ND BY STEVE BAILEY. APPROVED 5-0.

- Copy given to Randy
- Board also needs to approve engagement for Baker & Tilly.
 - Jeff R. discusses the fees from the rate study through the date of closing.
 - These are costs covered, budgeted for 125K which includes bond counsel, financial advisor fees and local counsel.

- Local legal counsel fees are 24K from July of 2019-completion/connection.
- MOTION TO APPROVE RATE SCHEDULE MADE BY STEVE BAILEY AND 2ND BY JOHN CARROLL. APPROVED 5-0.
- Need to have an agreement for Mark Burry's services which total 24K over entire project; 50% at closing through connection.

MOTION TO APPROVE MARK BURRY'S CONTRACT BY JIM FRANZ AND 2ND BY DON BERGDALL.

- Mark Burry introduces Resolution for meeting dates.
 - Board decides to move the April date from the 10th to Thursday the 9th.

MOTION TO APPROVE RESOLUTION 2020-1 MADE BY NATE RUMSCHLAG AND 2ND BY JIM FRANZ.

PUBLIC HEARING ON AMENDED RATE ORDINANCE

MOTION TO SUSPEND MEETING TO CONDUCT PUBLIC HEARING MADE BY DON BERGDALL AND 2ND BY JIM FRANZ.

- Barry has proof of publication for 1/31 and 2/7.
- Brooke asks if this is being paid by the district or SRF.
 - Barry believes the district is paying for it.
 - Brooke advises a copy has already been sent to Arjun.
 - Possibly SRF will pay but not certain.
- Mark Burry reviews the 2020-1 Amendatory Rate Ordinance that was introduced at the last meeting.
 - Scope was changed to add Rivare/Bobo/US 33/Salem Road Extension
 - Interim Rate was removed from the Ordinance
 - Since this is 100% funded by SRF, no interest accumulation.
 - Future projects will need this issue addressed.
 - Also modified connection fee section to make it clearer.
- Meeting opened to the public for comments.
 - JOHN GILBERT: If connection must occur within 90 days from the start, will the property owner be held responsible if weather impedes the connection process/work?
 - Barry replies that the District won't release until the whole project is done.
 - Ben said connections won't begin until the end of summer or early fall.

- Mark Burry states that the connection letter will go out and then you will have 90 days, but you don't necessarily have to wait until the letter goes out.
- Ben also said that things can be worked out.
- Nate explains that there will be a group connection notice issued to those along the connection line.
- Barry also stated that the bill will start when notice is issued.
- Mark also said that inclement weather could cause a waiver of the 90-day rule
- LEWIS SEFFERNICK: The 93.30 starts the day the notice to connect is sent and a charge of \$2000.00 will occur if the connection occurs after the 90 days.
 - Barry comments – that is how it is worded.
 - Lew replies that he feels this is a double payment.
 - Barry replies that the tap fee is waived for the first 90 days.

MOTION TO CONCLUDE THE PUBLIC HEARING AND RESUME NORMAL MEETING MADE BY DON BERGDALL AND 2ND BY STEVE BAILEY.

MOTION TO ADOPT 2020-1 AMENDATORY RATE ORDINANCE MADE BY JIM FRANZ AND 2ND BY JOHN CARROLL.

MOTION TO AUTHORIZE BARRY TO SIGN AND REVIEW PROJECT DISBURSEMENT MADE BY STEVE BAILEY AND 2ND BY JOHN CARROLL.

DISCUSS FUNDING AND APPROVE FINANCING OF CURRENT PROJECT

- Jeff Rowe and Randy Rompola provide the Board with their updates:
 - Jeff advises the board that they are waiting on SBOA to publicly release their audit of the District.
 - This should be released to the public the week of February 24, 2020.
 - SRF will then review.
 - Actual closing should be the 1st week of March or maybe the 2nd week.
 - Everything is in good shape for pre-closing on Monday.
 - Randy Rompola advises that the pre-closing is set for Monday.
 - Waiting on the SBOA audit.
 - Various documents need signed, although Shannon already signed, the date still referred to February and needs changed to March, and he will need to resign.
 - Nate needs to sign both sets of documents (February/March)
 - Shannon will sign the necessary documents next week when he returns from vacation.
 - There may be 1 or 2 things to sign on Monday.

- A motion is needed for Nate and Shannon to sign the documents.

MOTION TO AUTHORIZE SECRETARY/CHAIR TO SIGN MADE BY JIM FRANZ AND 2ND BY JOHN CARROLL.

DISCUSS FUTURE PROJECT PRIORITY AND FINANCING

- Nothing to discuss at this time.

DISCUSS PROPOED REVISION TO SEWER TREATMENT AGREEMENT

- Regarding the revision to the current Sewer Treatment Agreement with the City of Decatur, Barry said that he and Carrie Fuelling will work on this while he is off.
- Mark said that the current agreement covers the Bobo service area so that is ok.
- Mark also advises that the capacity allocation letter was already submitted.
- We need to revisit the agreement as things change.
- Currently areas that need looked at and changed include the new service areas and flexibility to add service areas.
 - To not exceed pump rate
 - Capacity allocations
- A service area connection agreement for each area might be good
 - Area by area analysis
 - Need framework laid out to help with future planning.
- Nate asks about a rate consultant. Wells County has had some success with this, and he would recommend this.
 - Perhaps find out the cost and try to split the cost with the city.
- Ben and Barry have already questioned specific connection point for the project service area, then establish alternant if it expands.

OTHER MATTERS PRESENTED

- Bank Reconciliation presented to the Board.
- Brooke points out to the Board that there is information on the balance sheet as provided by Becky, that show what the income is.
- Brooke also has a printout of the customers and their balances and also advises that 2 liens are being recorded.

MOTION TO APPROVE BANK RECONCILIATION FOR JANUARY BY JIM FRANZ AND 2ND BY STEVE BAILEY. APPROVED 5-0.

- Ben requests approval to issue Notice to Proceed following closing on the contract for the original bid in the amount of \$1,535.019.95 (part of bid).

MOTION TO APPROVE BY JOHN AND 2ND BY STEVE. APPROVED 5-0.

- Ben also presents the NIRCC Contract which is an agreement for labor standards. Amount projected is \$12,500.00 but they only bill on time and material so it will probably be less.
- Mark Burry states that Nate will attest and Shannon will sign.

MOTION TO APPROVE NIRCC CONTRACT BY DON BERGALL, 2ND BY JOHN CARROLL. APPROVED 5-0.

PUBLIC COMMENTS

- Lew Seffernick: Regarding the water infiltration through the old Monmouth school, what is the update on that?
 - Barry – doing pretty good. He has been checking. He is really happy with it.
 - Mark Burry: What was our average treatment bill.
 - Barry presents his figures over the last 2 years.
 - Nate comments that it was over 10K last month.
 - Ben comments that it was a big leak.
 - Jim asks where the location of the leak was at.
 - Ben replies that it was on the Salem Road forced main hook-up (southern manhole on Salem Road)
 - Don replies that he wonders if inverts and collars would work for a permanent seal.
 - Mark Burry wonders if something different should be done on the design.
 - Don comments that maybe something that should have been done but maybe wasn't.
 - Mark Bury asks if there is anything else from Jeff or Randy and they both replied no.

MOTION TO ADJOURN BY JIM FRANZ, 2ND BY JOHN CARROLL. APPROVED 5-0.

Minutes approved by:



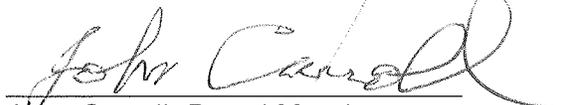
 Shannon Smitley, Chairman

 Nate Rumschlag, Secretary

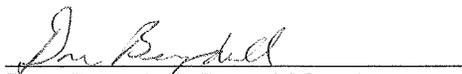
 Richard Lambert, Board Member



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