

ACRSD Board  
Meeting Minutes  
May 8 2020

The following persons were present:

Nathan Rumschlag  
Shannon Smitley (by PHONE)  
Steve Bailey, Board Member  
Don Bergdall, Board Member  
Jim Franz, Board Member  
Richard Lambert, Member  
Barry Scherer, Superintendent  
Mark Burry, Attorney  
Brooke Hindenlang, Paralegal to Mark Burry  
Ben Adams, Commonwealth Engineer

John Carroll was absent

APPROVAL OF MINUTES

- Board reviews minutes.

MOTION TO APPROVE MINUTES MADE BY STEVE BAILEY, SECONDED JIM FRANZ. APPROVED 6-0.

APPROVAL OF CLAIMS

- Barry reviews the list of claims presented.
  - Total claims are \$9,209.54 (See attached)
  - Steve asked about First Bank of Berne charge
    - Barry advised that this was the cost for purchasing checks.
    - We do receive a \$12.60 discount on checks.

MOTION TO APPROVE CLAIMS MADE BY NATE RUMSCHLAG AND SECONDED BY DON BERGDALL. APPROVED 6-0.

DISTRICT SUPERINTENDENT REPORT

- Barry updates the Board as follows:
  - He has talked to Brent Luginbill regarding Eckhart Building (Pleasant Mills School) and he will be putting the pipe in.
  - Barry asks the Board about maybe producing a newsletter once or twice per year.
    - Nate doesn't think it needs to be produced twice per year.

- Barry would like to get the property owners to re-think things before they hook-up their sump pump to the sewage system. He can tell this is going on.
- Jim thinks that it needs to be posted on the website.
- Barry would put the newsletter on the website.
  - He has just been noticing things while working out at Bobo that he thinks a newsletter would be beneficial.
- Don suggests putting something on the postcard.
  - There is limited space per Barry and Brooke
- Steve asks if we have email address.
  - Limited, but intend to get more on current and future projects.
- Dick votes that a newsletter be sent out.
- Steve suggests that something could be sent from the Health Department.
- Barry said that maybe something can be sent out before we send out the notice to connect.
- Nate refers to it as essentially a courtesy notice.
- Ben has some examples of what can be sent out.
- Barry will work on something.
- Health Department had a requirement of a home that had to be hooked-up on 900.
- City of Decatur wants to use the pumps that Barry has on hand. He is running short.
  - Steve asks if this is coming out of inventory.
  - Barry responds that they are. The city pays for them but it comes out of his inventory
  - Steve supports Barry's request to rebuild the inventory.
  - Nate believes it isn't bad to have one or two percent inventory and supports the request.
  - Don also supports it.
  - Barry wants to buy 3 or 4, but Barry wonders if he should be supplying these to the city.
    - Don said there shouldn't be many needed.
  - Jim believes the District will need more and more.
  - The Board agrees on 3 – no motion needed.
- Barry and Don met with the City of Decatur on the treatment agreement and taking on the new project. This went well. The city approved the ACRSD to hook-up the 4 areas: Preble/Peterson, Barrington Woods, 900 and Clem's Lake. They will be involved with lining under 1 section of railroad track replacing the old pipe with new pipe
  - Don advises that the section that deteriorated is ductal pipe and Greg Fleming also addressed this.

- Ben and Mark will be in touch on Berne, still need treatment agreement with them for Linn Grove.
- Ben, has had communication in the past with them. The new mayor Greg Sprunger is aware of what they are doing.
- Ben suggested to Mark and Nate that the ACRSD needs to draft an agreement to present to the city. He doesn't think it makes sense to talk generally. We are in the game, just need something in black and white.
- Ben talked to Jeff Rowe and he brought up the interlocals to having things ready to go. It is important to have; obviously we can take the Decatur agreement and convert to Berne.
- Berne is already a contract treatment provider to Town of Monroe, so they might want to repurpose that agreement too. Mark needs to talk to Dave Baumgartner and the mayor.
  - Mark What is the rate for Monroe?
  - Ben will get this to Mark.
  - Nate thinks the model may not be appropriate because Monroe has to participate in the cost.
  - Ben elaborates, has a caveat that anything that Berne does with the treatment facility Monroe has a pro rata share
  - Mark – has it been contributed when Berne upgraded,
  - Shannon replies that a certain percentage is contributed, not sure but it might be 11% of sewage plant. He is not sure of the exact figure; they meet on it every year.
- Barry reviews his calculations and compares the last 9 month average of homes and it indicates about 147 gal per day per house (the 147 average includes the leak)
  - Both Ben and Barry discuss that the average was 200 gal/day per house and Linn Grove has 84 homes.
- Barry presents the SRF disbursement. Only one presented for VTF.

MOTION TO APPROVE SRF CLAIM #15 MADE BY NATE RUMSCHLAG AND SECONDED BY JOHN CARROLL. APPROVED 6-0.

- Barry presents the payroll voucher as prepared by Becky Cochran.. Year-to-date payroll claims total \$15,761.19.

MOTION TO APPROVE PAYROLL VOUCHER CLAIM MADE BY NATE RUMSCHLAG AND SECONDED BY JIM FRANZ. APPROVED 6-0.

- Board reviews bank reconciliation as prepared by Becky Cochran.

MOTION TO APPROVE BANK RECONCILLIATION FOR APRIL MADE BY STEVE BAILEY AND SECONDED BY JIM FRANZ. APPROVED 6-0.

- The 1<sup>st</sup> Quarter Rural Development Report was handed out to all members (and e-mailed to Shannon). This was submitted last month to RD but had not been reviewed and approved by the Board.

MOTION TO APPROVE THE 2020 1<sup>ST</sup> QUARTER REPORT MADE BY JIM FRANZ AND SECONDED BY NATE RUMSCHLAG.

### DISTRICT ATTORNEY REPORT

- Mark advises the Board that they need to approve the Chairman to repay the rainy day funds advanced on the project development line of credit with interest as approved by the Adams County Council.
  - Mark also explains the promissory note that will need to be signed.
    - Julie-Marie will bring this before the Adams County Council at the meeting on May 12, 2020.
    - Mark will need to talk to Tom Krueckeberg about the interest. Mark is hoping that it will be interest free for one year.
    - Discussion held regarding the number of days that the Board will need to repay in proportion to the funding received.
      - Mark will propose 60 days per request of Nate.
      - Ben said that they can put a statement in that it will be disbursed the day of closing
      - Board decides to leave it at 30 days
      - Ben advises that Baker and Tilly did the closing before.

MOTION TO APPROVE THE TERMS OF THE OF THE PROMISORY NOTE TO REPAY ADAMS COUNTY COUNCIL MADE BY JIM FRANZ AND SECONDED BY NATE RUMSCHLAG. APPROVED 5-0 (STEVE BAILEY ABSTAINS)

- Mark will e-mail the Board a copy of the Resolution to be presented to the County Council.

### ENGINEERS REPORT

- Ben gives his report to the Board:
  - Ben has provided a current copy of the map for 101.
  - The forced mains are almost in.
  - The lift stations have been set.
  - A good length of forced mains have been installed on Salem Road.
  - Ben also provided the Board with a monthly status report.
  - Ben all main line easements are ready and he will turn over to us.
  - Open to questions
    - Barry –Are you still thinking July bid is possible?
      - Ben Advertise in June
    - Nate when will we hear back to SRF

- Ben still waiting -haven't heard anything but feels certain they will get something as well, still on list still highly ranked, still in line to receive stimulus money like Bobo. If we are in position to come to table with project less; assuming we couldn't get all the money to make it all go, we would have to pick and choose, contract c is Clems Lake/Barrington Woods, he laid it out if anything had to be yanked it is easy to do it,
  - Nate asks what the hold time is.
    - Ben replies that it is 180 days, certain metrics need to be met for quarter one closing by end of September. He can't imagine that it won't be ready by the end of the year.

### OTHER MATTERS PRESENTED

- Steve will touch on SBOA audit report from February:
  - Very clean audit for 2018/2019
  - Administrative things that need corrected:
    - Sign the board minutes
    - Clarity needed to be added to Barry's contract, going forward, we need to make sure we make it clear
    - Sign the claim sheet
    - Training on internal controls needs done
    - Control over internal receipts and closing
      - Becky Cochran does the billing, accounting and collects money, understanding that we as a board need to look regularly at the accounts receivable list such that money could be leaking out the back end and that the revenue line should stay pretty constant.
- Barry also reports that one of the three Amish families in this project told Barry that he wasn't going to hook up. He informed Barry that he has an attorney fighting the county and because of his religious beliefs he shouldn't hook up. Barry told him to have his attorney call...
  - Mark Burry states that letters need sent.
  - Barry told him that he can't have an electrified pump, he told them that the district will pay the bill but they will be charged. Jay county REMC will be doing that electric. There are currently 2 Amish houses on 33.
  - Nate what will the electric sur charge be?
  - Barry thinks pump station isn't much, but minimums get you, not sure if maybe a little wire can be run, still be cheaper over 30 years.
  - Mark Burry comments that we need to minimize sur charge because we could be in litigation over this. Notices were previously be sent, but since they are saying no, then the District needs to send letter that there is going to be a problem...

- Nate asked that my minutes reflect???
- Barry further comments that the man did say he wasn't going to hook-up unless the other Amish hook-up.
- Jim asks if we can talk to him since he is saying he is represented by an attorney.
- Per Mark Burry, there is no list as to who is represented so we are not on any notice. Mark will check the list.
- Barry further reports that one Amish has sold his property since the letter was sent.

## PUBLIC COMMENTS

- Board opens the meeting up to the public for comments:
  - Greg Fleming representing Fleming excavating advises that his business needs to expand and add an office and restrooms. He needs to upgrade his system, connect or add mound system, he would like to connect to the sewer due to the long-term benefits. Ben Adams gave him an engineering proposal. As of right now he has a rental, an office and house, looking to see if there is any help that the district can do to help with cost. Since it is an extension, if they run it, he would like have a reimbursement contract.
    - Nate asking if he is looking for interlocal?
    - Greg advises that the extension could add 8 now but more later (location is 1000 N, it would need to get ran North off of 000, it would be at the corner).
    - Mark Burry says that he is proposing to make sure the district is willing to partner with him to extend sewer if there is a benefit to the district in the future. He could pay for the extension, but if not permitted and engineered, then the district couldn't take it over. If done properly it could be a district line with additional revenue for the district. They want help on permitting and engineering....
    - Barry knows of one place that would be very doable.
      - Ben told Barry maybe 15 homes could be added on
    - Greg said this extension would be a benefit to the district too.
    - Jim asks how long is the line?
    - Ben responds: Approximately 4500 feet. He also says this happens frequently in other municipalities, in fact, Greg has been involved with similar projects. For Wayne put together a specific agreement that explained it well with a pro rata share of the construction and any fees wrapped up and reimbursed to him on the back end. A good win.
  - Lew Seffernick asks who would pay for this?
    - Ben responds that the homeowner would pay for it.

- Ben will get Mark a copy of the example.
- Don states the city has agreements like that too, Brent Arnold is an example
- Barry asks that since the tap fee is \$2000.00, can we take that and a construction fee to help reimburse Greg?
  - Ben thinks the City of Fort Wayne waives the connection fees for septic elimination agreements.
- Steve states that we need to figure out how to do for the future.
- Greg would like to hear back in 30 days. Wants to get building plans down to the state
- Steve requests that a proposal be brought to the next meeting
- Jim wants this to be something to carry over to others that make similar requests.

MOTION TO RECOMMEND TO THE NEW DEVELOPMENT COMMITTEE BRING IT TO THE NEXT MEETING MADE BY NATE RUMSCHLAG AND SECONDED BY STEVE BAILEY.

- Don asks if this would be commercial?
  - Both Barry and Mark Burry replied yes.
- Ben Adams states that we would be looking for it to be a legal document that is recorded.
- Mark Burry also replies that this is a good opportunity.
- Lew Seffernick wants to know about the \$2000 connection fee and if new connections will be responsible for it
  - Response by the Board - we will figure it out.
- Lew Seffernick also brought-up old farm houses and other properties that might be issues.

MOTION TO ADJOURN BY NATE RUMSCHLAG 2<sup>ND</sup> BY JIM FRANZ. APPROVED 6-0.

Minutes approved by:

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Shannon Smitley, Chairman

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Nate Rumschlag, Secretary

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Richard Lambert, Board Member

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Steve Bailey, Board Member

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John Carroll, Board Member

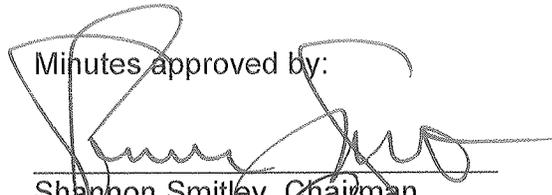
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Don Bergdall, Board Member

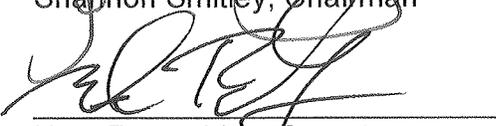
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Jim Franz, Board Member

Minutes approved by:



Shannon Smitley, Chairman



Nate Rumschlag, Secretary



Richard Lambert, Board Member



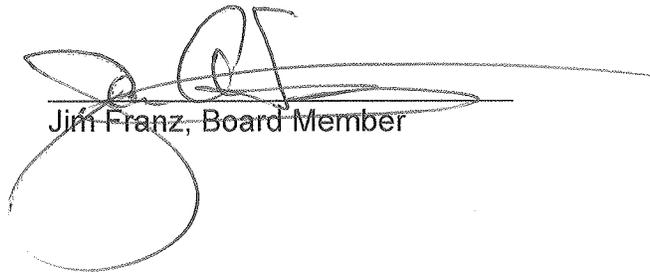
Steve Bailey, Board Member



John Carroll, Board Member



Don Bergdall, Board Member



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