

ACRSD Board
November 20, 2020

The following persons were present:

Shannon Smitley, Chairman
Nate Rumschlag, Secretary
John Carroll, Board Member
Jim Franz, Board Member
Steve Bailey, Board Member
Dick Lambert, Board Member
Barry Scherer, Superintendent
Mark Burry, Attorney
Brooke Hindenlang, Paralegal to Mark Burry

The following persons were absent:

Don Bergdall, Board Member

CONTINUATION OF PUBLIC HEARING

Mark Burry discusses the rate study presented by BakerTilly; Jeff Rowe appears via zoom for the discussion. Looks like the original ordinance was introduced at a rate of \$48.50 and now it can be introduced with a new rate of \$20.00. Jeff Rowe discusses debt service interest costs and other cost component – decided on 20.00.

- Amendatory Rate Ordinance 2020-3 introduced several meetings ago and the public hearing was initiated on 11/6/20 and continued to today.
- Since the original publication and hearing, additional changes have been made to the EDU's.
 - Ben Adams comments that the EDU rate schedule used to be tied to employment counts and now tied to IDEM's counts on the flow. Ben discusses how the state calculates the flow equations.
 - This new schedule helps with commercial operations which the district has approximately 10-15 commercial businesses.
 - Jim Franz asks Ben Adams if he is pretty familiar with the EDU's/Rates and Ben indicates he put it together.
 - Jim Franz has a few more questions regarding the calculations and Ben Adams advises that there is a survey that can be sent out. Ben Adams further comments that this means that the business has to be honest.

- Barry Scherer discusses Prestress as an example, with the new grinder station and technology, we can monitor how much flow is. Barry Scherer has talked to Prestress and they are very proactive. Barry Scherer has also talked to Fleming about it.

MOTION TO REOPEN PUBLIC HEARING CONTINUED TO TODAY MADE BY NATE RUMSCHLAG AND SECONDED BY JOHN CARROLL. Approved 6-0.

Continuation of public hearing on Amendatory Rate Ordinance of 2020-3. Monthly rate stays the same, interim rate is set at 20.00 and EDU's are modified.

- The Board opens the hearing to the public to ask questions about rate ordinance.
 - No questions
- Nate Rumschlag asks if the information under other "other commercial" shouldn't it be per 1000 sq. feet?
- Mark Burry writes that in for clarification purpose only. We will show it adopted with notation.

MOTION TO CLOSE THE PUBLIC HEARING AND REOPEN REGULAR MEETING MADE BY NATE RUMSCHLAG AND 2ND BY JOHN CARROLL.

Jeff Rowe gives a brief overview of the rate study.

- Mark Burry asks about bond reserve fund, after 5 years does that drop off?
 - Jeff Rowe responds that it does.
- Barry Scherer states 5 years from the SRF bond.
 - Jeff Rowe says that it is 5 years from this December.
- Nate Rumschlag asks if there is a flat dollar amount to meet vs just that much for 5 years.
 - Jeff Rowes responds that SRF will require district to set aside that money each month (Bank of NY). Essentially 60 monthly payments to Bank of NY.
- Mark Burry asks about Page 6 on the proforma, under additional costs, post project 169,500 (project 3) and additional cost (project 2) – what is that for?
 - Jeff Rowe answers – repairs costs, materials, supplies, wholesale sewer treatment expenses with Berne.
 - Ben Adams– it does include power to lift stations and flow meters.
 - Mark Burry reads additional figures - contingency for inflation (17,300 per year).
 - Jeff Rowe also brings up additional labor for part-time (114,400.00), building in good amounts for contingencies (labor etc).

- Barry Scherer comments that we should be able to hold the \$93 rate for a while.
- Jeff Rowe agrees based on the conservative amounts.
- Barry Scherer asks if these figures are compatible with our budget.
 - Steve Bailey is looking at this information
 - The 60k from the county wasn't added in per Jeff Rowe and if that comes in that adds to the cushion.
 - Ben advises that the replacement costs is embedded in this.

MOTION TO APPROVE RATE STUDY BY JIM FRANZE AND SECONDED BY STEVE BAILEY. Approved 6-0.

- Steve Bailey believes it compares really well (budget and study).

ADOPTION OF AMENDED RATE ORDINANCE 2020-3.

MOTION TO ADOPT AMENDED RATE ORDINANCE 2020-3 WITH THE ADJUSTMENTS AS DISCUSSED MADE BY JIM FRANZE AND SECONDED BY JOHN CARROLL. Approved 6-0.

DISTRICT SUPERINTENDENT REPORT

- Barry Scherer reports that just under 30 taps have been inspected.
- Barry Scherer and Nate Rumschlag interviewed with 811 Wed morning – .95 per call – only charge they have (even if it isn't for the District).
 - Nate Rumschlag touches on this as well. Might need to address penalty provisions if someone digs up our line if they failed to call in. This will need added to an ordinance. More discussion on this subject.
 - Jim Franz asks about Ben Adam's experience with 811.
 - Ben said that Allen County gets 300-400 per month, but only have to look at a 1/3 of the call-ins, but each is charged.
- Jim Franz asked about the number of taps inspected.
 - Barry said on 101, the total is about 30 (maybe 27).

MOTION TO PROCEED WITH 811 MADE BY SHANNON SMITLEY AND SECONDED BY JOHN CARROLL. Approved 6-0.

Barry reports that the Assistant Superintendent job has been advertised for but no resumes have been submitted, rec'd calls.

ENGINEER'S REPORT

Ben Adams reports that the 600K construction services agreement has been submitted to Barry Scherer. Ben Adams said that they will be forced to staff 2 if not 3 full time

inspectors. Ben Adams wanted to create a budget to establish flexibility. Briefly talked about it last month. Did everyone see it?

Nate Rumschlag didn't get a copy of the agreement: Mark Burry passes out a full agreement but Brooke will send a copy out via email.

Ben Adams advises that he is starting to receive shop orders, would like to hit the ground running.

Barry Scherer asks about the inspection process by Commonwealth inspectors - How is there checks and balances?

- Per Ben Adams, Mike will be the main guy.
- Nate Rumschlag advises that Barry Scherer needs to see the notes and reports about the inspection.
- Additional discussion held by the Board regarding what information they want to see regarding the inspectors and their work.

MOTION TO APPROVE THE CONTRACT SUBJECT TO THE ADDITION OF REQUIREMENT OF CERTIFIED PAYROLL FOR THIS AGREEMENT MADE BY NATE RUMSCHLAG AND SECONDED BY JOHN CARROLL. Approved 6-0.

Ben Adams advises that the Labor Standards needs signed.

MOTION TO CONTRACT WITH NIRCC ABOUT STANDARD AGREEMENT MADE BY NATE RUMSHLAG AND SECONDED BY JIM FRANZ. Approved 6-0.

DISTRICT ATTORNEY REPORT

Mark Burry sent an email to Jeff Rowe yesterday, talked about accounting services. He asked if we will be required to do any post reporting back to SRF? Jeff Rowe replied that there are no reporting requirements like USDA, ACRSD will have to be set-up an account with Bank of New York.

Mark Burry discusses the City of Decatur Agreement. We need to get better exhibits.

MOTION TO APPROVE AND EXECUTE TREATMENT AREEMENT WITH CITY OF DECATUR MADE BY STEVE BAILEY AND SECONDED BY JIM FRANZ. Approved 6-0.

Discussion of Berne Treatment Agreement, it is similar to Monroe. With Monroe, a connection fee is charged, they also discussed capacity buy-in fee. They agreed to have Baker Tilly do a study of what the capacity buy-in-fee would be, it came back and the original capacity for maximum daily flow was much higher than we need so they came up with 310 gallon per day plus 25% = 148,000.00 capacity buy-in fee. Seemed very fair. The agreed to forego the \$230.00 connection fee so that was good too. Met with Board of Works on Wednesday AM and then it goes to City Council on the 23rd.

A motion needs to be made to authorize Nate and Shannon to sign the pre-closing documents.

MOTION TO AUTHORIZE NATE RUMSCHLAG AND SHANNON SMITLEYT TO SIGN THE PRE-CLOSING DOCUMENTS MADE BY JIM FRANZ AND SECONDED BY JOHN CARROLL. Approved 6-0

MOTION TO AUTHORIZE AND REAFFIRM BARRY SCHERER TO EXECUTE ANY CLOSING DOCUMENTS MADE BY STEVE BAILEY AND SECONDED BY JOHN CARROLL. Approved 6-0.

OTHER MATTERS PRESENTED

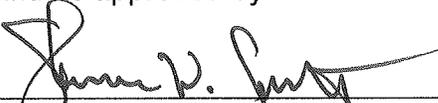
Brooke Hindenlang brings up issues with the calculations of rates based on the EDU's. Ben Adams advises that this will be something we can look at after Thanksgiving.

PUBLIC COMMENTS

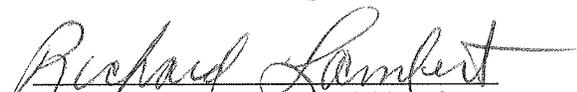
Kevin Sites asks about the costs to connect. Barry Scherer and Ben Adams answer.

MOTION TO ADJOURN BY NATE RUMSCHLAG AND SECONDED BY STEVE BAILEY. APPROVED 6-0.

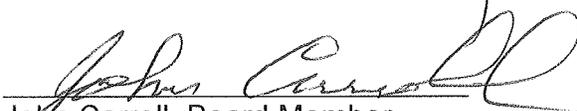
Minutes approved by:


Shannon Smitley, Chairman


Nate Rumschlag, Secretary

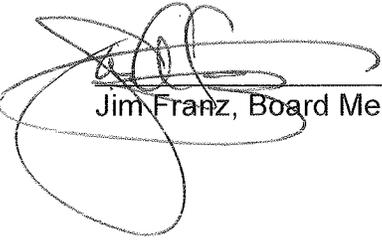

Richard Lambert, Board Member


Steve Bailey, Board Member


John Carroll, Board Member



Don Bergdall, Board Member



Jim Franz, Board Member

[Faint handwritten notes or signatures]