

ACRSD Board
Meeting Minutes
June 11, 2021

The following persons were present:

John Carroll, Board Member
Don Bergdall, Board Member
Jim Franz, Board Member
Steve Bailey, Board Member
Dick Lambert, Board Member

Larry Oberely, Assistant Superintendent

Mark Burry, Attorney
Brooke Hindenlang, Paralegal to Mark Burry

The following persons were absent:

Shannon Smitley, Chairman
Nate Rumschlag, Secretary

Barry Scherer, Superintendent

APPROVAL OF MINUTES

MOTION TO APPROVE MINUTES MADE BY JOHN CARROLL AND SECONDED BY STEVE BAILEY. Approved 5-0.

PROJECT 3 QUESTIONS

Tim Laboube: 417 E 900 N

- Inquires as to the status of the project on 900 N.
- LARRY OBERLEY: Properties on 900 North will be released real soon, there is only one house left.

Chris Sudduth: South 2nd Street, Linn Grove

- He heard there is a connection fee of 250.00.
- MARK BURRY: Not a separate connection fee – only a \$75 inspection fee.

APPROVAL OF CLAIMS

MOTION TO APPROVE CLAIMS IN THE SUM OF \$49,237.46 MADE BY JIM FRANZ AND SECONDED BY JOHN CARROLL. Approved 5-0.

- Steve Bailey: Questions the litigation bills for Barnes & Thornburg and Miller Burry & Brown, how much of the invoice presented was for those bills.
 - Mark Burry: They are separated out.
- Steve Bailey: What is the update on the litigation?

- Mark Burry: Represents to the Board that the attorneys are wanting a meeting with Attorney General about getting involved along with IDEM and State Department of Health. They also thought about filing a Motion to Dismiss for suing the wrong party; it should be the State, not ACRSD since our notice cites the state law.
- General discussion held regarding the lawsuit by Board members.

MOTION TO APPROVE PAYROLL CLAIMS MADE BY STEVE BAILEY AND SECONDED BY JIM FRANZ. Approved 5-0.

MOTION TO APPROVE BANK RECONCILLATION MADE BY STEVE BAILEY AND SECONDED BY DON BERGDALL. Approved 5-0.

- Steve Bailey advised the Board that he spoke to Barry Scherer and he will be doing a mid-year review of the budget/financial aspect. This will be part of the agenda for next month.

MOTION TO APPROVE SRF PAY REQUESTS MADE BY JIM FRANZ AND SECOND BY JOHN CARROLL. Approved 5-0.

- Ben Adams mentions the issue with borer under the Wabash for Project 3, Contract A. Due to the issues, there will be a little bit of extra expense there but it is done.
- Don Bergdall asks if the amount is known.
 - Ben Adams replies that it is less than he expected.

DISTRICT SUPERINTENDENT REPORT

LARRY OBERLEY presents the Superintendent Report

Regarding the future Project located at the trailer court on 27, the person developing the trailer court doesn't want to hook in.

- Ben Adams reports that he thinks there is still a conversation to be had, Commonwealth did a little digging, and they found that the trailer court has been nicked the last several years for non-compliance; penalties from IDEM; Bend Adams thinks they will be better served by the District, but future conversations are needed.
 - Dick Lamber asks how involved is the health department with them.
 - Ben Adams responds that SRF would like a letter from the Health Department to show need.

LARRY OBERLEY reports that he is still working on the run minutes with Project 2.

LARRY OBERLEY reports that in Project 1, there was an issue with alarms going off recently, asked the homeowner if he had his sump pump plumbed in. Homeowner

denied this but would not let Barry Scherer enter the home to review. Both Larry and Barry believe he is committing a violation.

- Mark Burry mentions the sewer use ordinance. A letter will be sent. Mark Burry suggests during the next rain, Larry or Barry should go out to the property to check it and test it. Once they have the information, they can then present it to the board to charge a surcharge.
 - Dick Lambert suggests that we put the process in writing.
 - Maybe a warning letter, inspect again and if there is a violation, it will result in a surcharge. Board discusses this matter further.
 - Mark reviews the use ordinance that is in effect.
 - John Carroll questions the possibility of monitoring the residence.
 - Ben Adams answers John's question about monitoring the residence, this option is not available with the equipment that was used in Project 1.

LARRY OBERLEY reports that there is a problem with the Starlight Reception Hall, not sure what it is but they are working on it.

LARRY OBERLEY advises the Board that there were problems with work completed in Bobo by contractor, Jim Grose. Barry tried contacting Mr. Grose, but no received no response.

LARRY OBERLEY reports that the Zimmerman plans have been given to Barry Scherer in reference to the apartment complex he wishes to build in Project 3-C.

LARRY OBERLEY advises the Board that the District is finally on the 811 system. He received 4 locates yesterday and 2 today.

LARRY OBERLEY – Pleasant Dale church is wondering about hooking-up as part of Project 3. Ben Adams is looking into this.

LARRY OBERLEY – Barry Scherer gets calls everyday regarding expansion and possible future connections.

Dan Biberich notifies the Board that Pleasant Dale has talked to Flemings about getting a bid to connect to the sewer system.

ENGINEER'S REPORT

Ben Adams presents his report.

Things are going well. The 900 North work is nearly complete. They still need to pressure test the forced main; maybe in the next week or 2.

Contract C: Most piping is in the ground, grinders are set, still waiting on lift station parts; probably will be ready to release 900 N and Clem's Lake area fairly soon.

Contract B: There is stuff in ground, some of the gravity work is not done.

Contract A: All gravity work is done, wrapping up last of services; last to be done is the forced main in Berne.

- John Carroll asks if there are enough grinders left to add people in?
 - Ben Adams responds that there are enough left.

Ben Adams discusses that there is money budgeted in for litigation in Project 3.

Ben Adams also reports that he has received positive feed back from SRF for Project 4, He has already received administrative comments back.

Regarding the stimulus money – SRF has 100 Mil more than they normally would. We don't have to do anything special to receive this but it will be very competitive. We should score very favorably. Maximum grant amount is 5 mil. Should fit under loan forgiveness dollars. We will probably be in a position to talk about engineering next month.

Mark Burry: If County Commissioners would pledge some of the ARP money, like 1 mil, then the government would match 1 mil (SWIF money); then if we go through the SRF program, we could have 9 mil project with only a 1 mil loan. He also reports that projects rank higher if cities and counties work together.

Don Bergdall comments that there is a need for the south side of city. He believes that the City and County should be talking together.

Don Bergdall also brings up that run time adjustments are preferred by the City and might be more willing to work together and compare annually or semi-annually.

Ben Adams reports that Grant awards for SWIF will be on 8/6/21. Ben Adams discusses the requirements. He also thinks this time next month, we need to act.

Johh Carroll asks about the cost (based on current pricing issues)

Ben Adams thinks it will be a 12 mil figure instead of 10 mil for a project similar to Project 3.

DISTRICT ATTORNEY REPORT

Mark Burry addresses the Board about the issue made by the Amish regarding how they can't connect if they pay for electricity.

The bill sent to customers does not include a separate charge for electricity. It is simply a rate code.

Mark Burry also reports that 700 South easements for the highway plan have been obtained.

PUBLIC COMMENTS

- Tim Light asks about information re connecting and so forth. He was referred to the website, although some of the information will be changing for Project 3.

- Chris Sudduth asks when will Linn Grove hook-up.
 - Ben Adams – it will be a couple of months.

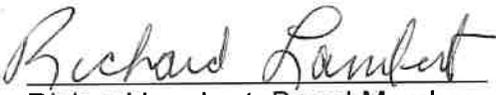
MOTION TO ADJOURN BY JOHN CARROLL AND SECONDED BY STEVE BAILEY.
APPROVED 5-0.

Minutes approved by:

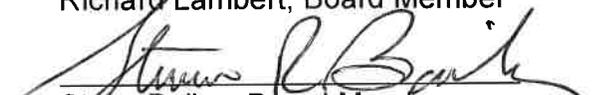
Shannon Smitley, Chairman



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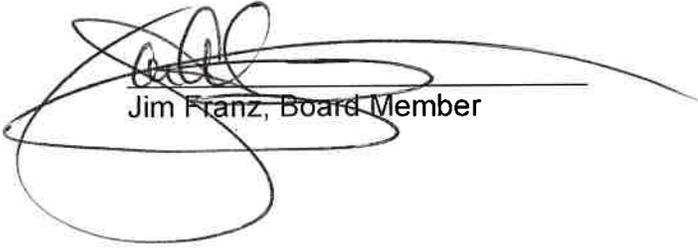
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