

**ACRSD Board**  
**Meeting Minutes**  
**DECEMBER 10, 2021**

**The following persons were present:**

Shannon Smitley, President  
Nate Rumschlag, Secretary  
Jim Franz, Board Member  
Steve Bailey, Board Member  
Don Bergall, Board Member  
Dick Lambert, Board Member  
Barry Scherer, Superintendent  
Mark Burry, Attorney

**The following persons were absent:**

John Carroll, Board Member

**APPROVAL OF MINUTES**

MOTION TO APPROVE MINUTES MADE BY STEVE BAILEY AND SECONDED BY NATE RUMSCHLAG. Approved 6-0.

**APPROVAL OF CLAIMS**

MOTION TO APPROVE BANK RECONCILIATION MADE BY JIM FRANZ AND SECOND BY STEVE BAILEY. Approved 6-0.

MOTION TO APPROVE SRF CLAIMS IN THE SUM of \$329,986.00 MADE BY AND SECONDED BY. Approved 6-0.

MOTION TO APPROVE CLAIMS IN THE SUM of \$231,027.53 MADE BY JIM FRANZ AND SECONDED BY STEVE BAILEY. Approved 6-0.

MOTION TO APPROVE PAYROLL CLAIMS IN THE SUM OF \$7,128.09 MADE BY JIM FRANZ AND SECONDED BY STEVE BAILEY. Approved 6-0.

**PUBLIC COMMENTS**

Dianna Vetter - Winchester Road, 200 W:

Wants to know when the project is coming to their area

Barry Scherer and Ben Adams: Advise that this area was nixed from project 4 but may be scheduled for next year (2023).

## **DISTRICT SUPERINTENDENT REPORT**

- Barry Scherer updates the Board with current project information:  
Contract 3A- Linn Grove NTC sent out. (106 residents)
- Jane Kaverman, Billing and accounting clerk is introduced to the Board.
- Barry Scherer discusses the bids for the Spangler property (mainline easement agreement calls for the district to provide connection). Barry Scherer provides the bids he has received and wants to know if he has to ask for approval from Board.
  - Shannon Smitley and Nate Rumschlag comment.
  - Nate Rumschlag addresses the quote process – 3 bids should be obtained, document the quote process, and based on the information provided, he suggests that the bid go to Darling Brothers.
  - Shannon Smitley believes that an email to update the board should be sufficient.
- Lawnchair/Informational meeting for Sunnybrook and Oakwoods is set for 1/6/22 @ 6:30 p.m. – Ben Adams and Barry Scherer will attend. Barry Scherer asks if any Board Members want to come?
  - Jim Franz will plan on attending.
- Barry Scherer advises that the tractor purchase matter will be brought up at next meeting.
  - Ben Adams thinks we are premature to start spending but he thinks we will be able to make a some requests for items.
- Fleming's will be pressure testing next Wednesday, start-ups were done on Peterson and grinder stations in Preble, I&M will be coming and Ferguson as well (just 224 for startups).
  - They think they will make the 21<sup>st</sup> deadline.
  - 15 taps left at Barrington Woods and 30 at Clem's lake.

## **ENGINEER'S REPORT**

Ben Adams updates the Board on Project 3 and 4.

### **Project 3:**

- Ben Adams updated the Berne Mayor and the utility staff regarding Project 3-A.

- Barry asks Shannon if Berne is reading the meter or what, Shannon said it hasn't been discussed, but he will check. Barry offers to read.
- Shannon thinks that the sewer guys should take a picture and send it to Barry.
- Ben thinks Shannon should talk to Gwen.
- Jim Franz asks about the pressure testing – is it all good?
  - Ben Adams, it took another couple weeks, but all is done and approved.
- Regarding Preble (Contract 3-B), per Ben Adams, we had given Fleming a hard deadline of the 21<sup>st</sup> they said they should be done next week just need to finish start-ups and pressure tests, should be released by the end of the year.
  - Ben Adams advises that he believes there should be some money left to work with.
  - Barry Scherer address's issues with Karen and Bruce Voshell. They want things fixed in regards to the tiles. He notes that there are things that need fixed and they are adding items to the punch list daily.
    - Ben Adams, reiterates that there is a year warranty period.

**Project 4- monthly status report:**

- Ben Adams advises that Project 4 will consist of Sunnybrook and Oakwoods for 2022. The rest of the project areas will be considered in 2023 via Project 5 if we get funding. For Project 4, 6.5 million is the projected amount so that the rates won't increase.
- Commonwealth is planning to finalize the designs by the end of the month. There will be about 6 easements to obtain.
- The District received SRF approval for the entire project.
- TOPO is all done in every area.
- Commonwealth bills for Project 4 are mostly for surveying and they have been submitted to the District.
- Exemption notices to be sent, soil borings in the next couple weeks, permitting for railroads, targeting a March 2022 closing.
- Might be able to be shovel ready to do the 2023 project by the end of 2022.
- Jim Franz asks about the Pleasant Dale Church request to connect.

- Ben Adams wanted to run it through similar to Fleming's Extension, design is with IDEM. Ben Adams has been engaged by Pleasant Dale and it is proceeding.
- Might hook-up after the first of the year.
- Nate Rumschlag asks where are we at with Treatment Agreements for Project 4 with the City of Decatur.
  - Barry Scherer and Ben Adams met with Board of Works, they agreed, we need to write them up.
  - Nate Rumschlag thinks we should include all areas in the agreement.
  - Mark Burry advises that we need to do an addendum after the first of the year.
  - Ben Adams comments that all ground work is done.
- Barry Scherer – State Board of Accounts is here, will be coming down after meeting.

#### **DISTRICT ATTORNEY REPORT**

Mark Burry introduces the Resolution for Meeting dates in 2022-6.

- Discussion held about the time of the meeting; maybe 3:00 p.m.

MOTION TO APPROVE RESOLUTION 2021-6 FOR 2<sup>ND</sup> THURSDAY OF THE MONTH AT 3:00 P.M. MADE BY DON BERGDALL AND SECONDED BY JIM FRANZ.

Approved 6-0.

Notice to Publish for Project 4 will be going in the paper (Mark Burry reads off the notice).

PER needs to be at the library for the public to view.

Interlocal Agreement previously presented to commissioners for new employee to be able to be on county insurance with the district paying for the employee share, District still needs to approve.

MOTION TO APPROVE INTERLOCAL AGREEMENT MADE BY DON BERGDALL AND SECOND BY JIM FRANZ. APPROVED 6-0.

For the record, written employment agreements for the Superintendents – Larry and Barry still need signed, terms were approved previously but never signed.

#### **OTHER MATTERS PRESENTED**

Steve Bailey asks about the lawsuit

- Mark Burry explains that mediation was last Friday. He explained to plaintiff's counsel that the Health Department is a necessary party to the claim. The State Of Indiana is a party and attended by phone. Mark Burry advises that another mediation has been set and he hopes that the next mediation will be in person on 1/3/22. Jim Franz will be available via zoom and Dick Lambert will be attending. Nate Scherer from the Health Department attended and he was big help. Nate Scherer, Jessica and Mark Burry previously went out to 4 residences to see what can be done and that was helpful at mediation.
- Jim Franz asked if any discussion was made about inspections.
- Mark Burry explains that the inspections are part of what we are bringing up.
- Mark Burry discusses more about the suit; specifically, the issue is, the District doesn't have authority to approve what they are asking for, it is the State.
- Nate Rumschlag comments on issues as well related to the health department and whether their property will pass.
- The Frustration is that other Indiana counties don't have this problem with the Amish communities

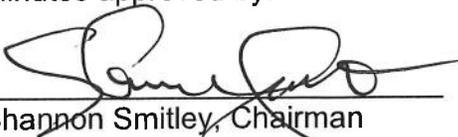
Item missed for approval earlier regarding SRF Claims for Project 2.

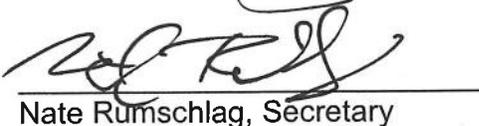
MOTION TO APPROVE SRF CLAIM #56 IN THE AMOUNT OF \$1,500.00 MADE BY JIM FRANZ AND SECONDED BY NATE RUMSCHLAG. Approved 6-0.

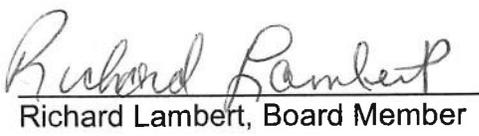
**PUBLIC COMMENTS**

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

Minutes approved by:

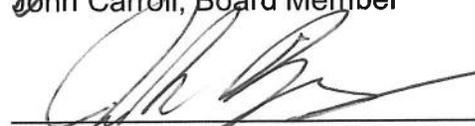
  
 Shannon Smitley, Chairman

  
 Nate Rumschlag, Secretary

  
 Richard Lambert, Board Member

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Steve Bailey, Board Member

  
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John Carroll, Board Member

  
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Josh Zimmerman, Board Member

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Jim Franz, Board Member