

ACRSD Board
Meeting Minutes
February 8, 2022 (February 10, 2022)

The following persons were present:

Shannon Smitley, Chairman
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:

Josh Zimmerman, Board Member
Nate Rumschlag, Secretary

APPROVAL OF MINUTES

MOTION TO APPROVE MINUTES MADE BY JOHN CARROLL AND SECONDED BY RICHARD LAMBERT. Approved 5-0.

CUSTOMER QUESTIONS

- Steve Kreigh – Owner of 3990 W US Hwy 224, Decatur.:
 - He received paperwork regarding connection notice. He has 2 apartments and post office in one building. He is questioning the fee.
 - Barry Scherer – explains that his building is considered 2 apartments and 1 government for the edu classification.
 - Ben Adams explains that other businesses in the District are being charged for multi-use.
 - Mark Burry explains that per our current rate ordinance, a governmental unit is calculated at 1 edu.
 - Jim Franz asks if changes have to be updated in the ordinance.
 - Mark Burry explains that there will be an opportunity to recalculate for non/other residential units.
 - If the Board agrees to modify the edu's, Barry Scherer said that the District will credit him for any overpayments.
- John Sommers: Council Member
 - He advises the Board that he thinks it would be helpful for the sewer district to show the Council what the District has done for the County and what areas will be included in future projects and how this will benefit the County since the District is asking for 20% of the ARPA funds.

- Barry Scherer is planning on getting information from Mark Wynn at the Building Department regarding money that has been spent on new construction or additions in the areas that already have service.
- Per John Summers, he ran some figures and determined that if 1.5 was borrowed over 30 years at a rate of 2% versus ARPA money, there would be 500 million in savings to the county.
- Steve Bailey thinks the County needs to hear about the process and why the district was formed.
- Ben Adams will try to make it to the meeting, but he will provide maps if he can't come.
- Jim Lanham from Pleasant Dale reported to the Board that the church was told it would cost \$275,000.00 for their particular project and they have raised \$217,000.00 so far.
- Robert Schwartz – Hwy 27, Decatur:
 - He asks the Board when the project will start, what happens if the power goes out to the grinder boxes, and how much it will cost to connect.
 - Ben Adams and Barry Scherer respond that the project will not start until at least May of 2022; Power going out to the grinder boxes should not be a problem and the cost will be \$93.30 per month plus the cost to hook-up the grinder (contractor), pump septic, and clean it out to collapse. The cost will depend on how far away it is. It could be \$1,000 to \$4,000.
- Joann Comment – HWY 27, Decatur:
 - Many questions from potential customer:
 - Q. Do we need to get a permit to tie in?
 - A. Yes, \$75.00.
 - Q. Asks about the location of the grinder.
 - A. Grinder is connected to the house close to where the current septic is.
 - Q. How big is the Pipe?
 - A. 4 inches.
 - Q. How long do you have to connect?
 - A. 90 days
 - Q. Who decommissions the current system?
 - A. The contractor.
 - Q. What about a separate bathroom in the garage?
 - A. Need to make sure that the district is told about the separate bathroom in case a line needs run. Need to put it in an angle so that it can get to it.
 - Q. Do you bore into the ground?
 - A. Yes, Barry Scherer explains about the easements.
 - Q. How far down do you go?
 - A. 5 feet; grinder will be 10 foot down.
 - Q. What about grandfather clause?
 - A. That is a health department matter.
 - Q. She comments that the City of Decatur residents receive water, trash and sewer for their service.
 - A. The \$93.30 bill is broken down as follows: \$30.00 for treatment cost, \$30.00 for what we borrowed, \$30.00 for maintenance and employees.

- The pump is the district's responsibility, not the customers.
- Jim Franz explains that Oakwoods currently pays \$92.00 for there City service.
- Q. Is there an elderly discount?
- A. No.
- She shows Barry a map and he tries to explain how the connection will work.

APPROVAL OF CLAIMS

Monthly claims presented by Barry Scherer.

Barry Scherer presents payroll claim, but notes that no pay was recorded for Brooke Hindenlang due to system problems.

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

MOTION TO APPROVE CLAIMS IN THE SUM OF \$42,619.60 MADE BY JIM FRANZ AND SECONDED BY STEVE BAILEY. Approved 5-0.

MOTION TO APPROVE SRF VOUCHERS IN THE SUM OF \$190,345.00 MADE BY JIM FRANZ AND SECONDED BY JOHN CARROLL. Approved 5-0.

There is no bank reconciliation this month due to system problems. It will be presented next month.

DISTRICT SUPERINTENDENT REPORT

Barry Scherer presents the District Superintendent Report:

- Cincinnati Insurance isn't quite ready, might need to have Carla come.
- Larry and Barry are going to Ben's office to pick-up some office furniture.
- New program which will show when things turn on and off, able to tell things about grinder stations.

ENGINEER'S REPORT

Ben Adams presents the Engineer's Report:

- Project 3 is done.
 - All 375 plus/minus have now been ordered to connect.
 - Signed certificates of completion.
 - Punch lists have been created.
 - They are in the close out phase of project 3.

- VTF was a prefinal bill, there was a change order with that bill. There were extra charges for under the river and long connections.
- Ben Adams asks for approval of change order 1 for contract A - \$76,358.
- Jim Franz asks if this is over and above what we budgeted.
- Yes, per Ben Adams.
- Contractors need to be paid to hook up a few properties as part of their easement agreements.

MOTION TO APPROVE THE CHANGE ORDER FOR \$76,357.00 BY JIM FRANZ AND RICHARD LAMBERT. Approved 5-0.

- Project 4 – Bids have been received on both contracts.
 - Bid analysis on Sunnybrook area:
 - 5 bidders
 - 2.75 mil was estimate
 - 2.254 was the bid
 - Bid analysis on Oakwood area:
 - 2,634,033.15 was the bid
- Tentative award notice – to be issued to the bidders.

MOTION TO APPROVE A TENTATIVE AWARD NOTICE FOR PROJECTS 4 A AND 4 B AND BOTH BIDS ARE A MATTER OF RECORD MADE BY JOHN CARROLL AND SECONDED BY RICHARD LAMBERT.

- It is noted that because 1 alternate project was not accepted, the bid will need to take 5 out grinders.
- Barry Scherer mentions that he has a list of stuff to discuss with a committee of 2 board members and then the committee will advise the board on what the District should be or can use the money for.
- Mark Burry reports that there has been a discussion of draw loans, since the District wants to spend the grant money first.

DISTRICT ATTORNEY REPORT

Mark Burry presents the District Attorney's Report:

- Bond Ordinance 2022-1 introduced (need to have full board to approve, we don't have the full crew here). Reading of short title. This Bond Ordinance is about how we will borrow 1.5 mil for project 4

MOTION TO INTRODUCE 2022-1 AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN IMPROVEMENTS FOR THE SEWAGE WORKS SYSTEM OF THE ADDITIONAL REVENUE BONDS IN ONE OR MORE SERIES TO PROVIDE THE COST THEREOF, THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH SYSTEM, THE SAFEGUARDING OF THE INTERESTS OF THE OWNERS OF SUCH REVENUE

BONDS AND OTHER MATTERS CONNECTED THEREWITH, INCLUDING THE ISSUANCE OF NOTES IN ANTICIPATION OF SUCH BONDS, AND REPEALING ORDINANCES INCONSISTENT HERewith MADE BY RICHARD LAMBERT AND STEVE BAILEY AND MOTION TO TABLE TO SUBSEQUENT MEETING MADE BY JIM FRANZ AND SECOND BY STEVE BAILEY. Approved 5-0.

Ben said we may still have something to do because of SWIF

- Mark Burry introduces Ordinance 2022-2 – Amendatory Rate Ordinance (restating 2020-3)
- The Interim rate for Project 4 is currently listed at \$48.35.

MOTION TO INTRODUCE RATE ORDINANCE 2022-2 MADE BY STEVE BAILEY AND SECOND BY JOHN CARROLL. Approved 5-0.

MOTION TO TABLE RATE ORDINANCE MADE BY STEVE BAILEY AND BY JOHN CARROLL. Approved 5-0.

District will need to have a public hearing, which will be published 2 times in paper, the hearing will be 3/10. After that it can be adopted. This will be the time to adjust the EDU's.

- Mark Burry is working on the Capital Asset policy, need to finish, make changes, maybe submit at March meeting.
- Discussion held, per Ben Adams the list should already have it. Things like truck, generator, other things over 5K.
- Barry discussed the audit. It went well.
- Building purchase contract drafted.

MOTION TO FOR CHAIRMAN TO EXECUTE THE PURCHASE AGREEMENT MADE BY JIM FRANZ SECOND BY RICHARD LAMBERT. Approved 5-0.

- Regarding the building purchase, Mark Burry still needs to submit to the City, he talked to their general counsel previously, still trying to seek approval from SRF – need to send it to SRF.
 - Appraisal was 78,500.00 city will pay utilities until they get stuff out, they insure the building and we insure the contents.
 - Need to figure out the insurance ownership, they own it until close.
 - Jim Franz brings up insurance for board members (liability for the decisions we make). Only one company would quote us, exclusion for litigation was mentioned. Jim Franz thinks we need to do this.

MOTION TO AUTHORIZE CHAIRMAN OF BOARD TO BIND THE COVERAGE AND GET THE COVERAGE IN PLACE FOR LIABILITY INSURANCE FOR THE BOARD MEMBERS MADE BY STEVE BAILEY AND SECOND BY RICHARD LAMBERT.

OTHER MATTERS PRESENTED

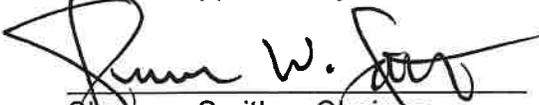
- Barry Scherer said the Preble area has been the most disgruntled group.
- Steve Bailey asks about litigation.

- Mark Burry updates the board as follows:
 - Still trying to come up with a solution that involves the health department.
 - Plan is that the district will have an exemption only dealing with making someone connect or not connect. The current Statute requires connections within 300 feet. The Resolution will be that no flush toilets or showers will be allowed; they must have outside privy or vault, water/waste can't leave and you have to pump it out. If they do that, then the district will not force them to connect.
 - This has been sent to their attorneys.
 - Steve Bailey wonders how the constituents will react.
 - Basically if they want to live this way they can do the same.
 - Also, District has the right to inspect one time per year.
 - Inspections are complaint driven.
 - Steve wants to know if this compromise came out of the mediation; basically yes basically.
 - Form and policy will be created and presented to the board if terms are accepted.
- Barry got an email from Indiana finance authority; paid today.

PUBLIC COMMENTS

MOTION TO ADJOURN BY JOHN CARROLL AND SECONDED BY JIM FRANZ.
APPROVED 5-0.

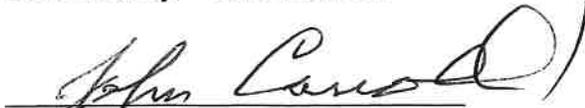
Minutes approved by:


Shannon Smitley, Chairman


Nate Rumschlag, Secretary


Richard Lambert, Board Member


Steve Bailey, Board Member


John Carroll, Board Member



Josh Zimmerman, Board Member



Jim Franz, Board Member