

ACRSD Board
Meeting Minutes
July 14, 2022

The following persons were present:

Nate Rumschlag, Secretary
John Carroll, Board Member
Josh Zimmerman, Board Member
Steve Bailey, Board Member
Dick Lambert, Board Member
Larry Oberley, Superintendent
Jane Kaverman, Accounting/Billing Clerk
Mark Burry, Attorney
Brooke Hindenlang, Paralegal to Mark Burry

The following persons were absent:

Shannon Smitley, Chairman
Jim Franz, Board Member

APPROVAL OF MINUTES

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

APPROVAL OF CLAIMS

MOTION TO APPROVE CLAIMS, INCLUDING PAYROLL, IN THE SUM OF \$74,450.45 MADE BY NATE RUMSCHLAG AND SECONDED BY JOHN CARROLL. Approved 5-0.

MOTION TO APPROVE BANK RECONCILIATION FOR 3 OF 4 ACCOUNTS (NOT BANK OF NEW YORK) MADE BY JOHN CARROLL AND NATE RUMSCHLAG. Approved 5-0.

- Steve Bailey updates the Board on the financial status of the District. He was able to reconcile all accounts including the operating, special account (ARPA money) and gold money. He was not able to finish the Bank of New York.
- He also met with Becky Cochran about financial statements and it is her preference to go back to 1/1/22 to run her reports.

MOTION TO APPROVE PROJECT 3 SPECIFIC CLAIMS FOR SUBMISSION TO SRF IN THE SUM OF \$77272.00 MADE BY JOHN CARROLL AND SECONDED BY NATE RUMSCHLAG. Approved 5-0.

#115: Commonwealth \$5,891.00

#116: VTF \$71,381.00

Ben Adams also brought up a change order for approval:

- VTF was overpaid, 26,000.00, this was returned to the District. Restoration still needs done and the contractors are on the hook till mid November.

MOTION TO APPROVE CHANGE ORDER #2 MADE BY NATE RUMSCHLAG AND SECONDED BY JOSH ZIMMERMAN. Approved 5-0.

Steve Bailey asks about road issue.

- Per Ben Adams, VTF paid 5 grand to the county to fix the road. County has intentions to pave roads. Questions could be directed to the County Highway Department.

MOTION TO APPROVE PROJECT 4 CONSTRUCTION COSTS OF \$367,224.93 FOR FLEMINGS MADE BY NATE RUMSCHLAG AND SECONDED BY JOSH ZIMMERMAN. Approved 5-0.

MOTION TO APPROVE PROJECT 4 CLAIMS FOR SUBMISSION TO SRF \$17,858.00 BY STEVE BAILEY AND JOHN CARROLL. Approved 5-0.

#12 Commonwealth \$17,498.00

#13 Adams County Recorder \$180.00

DISTRICT SUPERINTENDENT REPORT

Larry Oberley updates the Board as follows:

- Project 3 update:
 - Contract B - 139 grinders total
 - 61 are not connected
 - 41 waiting on contractor,
 - 7 have permits but no contractor
 - 1 crushing
 - 12 no info or permit
 - Contract A – 108 grinders total
 - 17 not connected
 - 4 Waiting on Contractor
 - 3 low flow exemptions
 - 2 not connecting, crushing septic
 - 1 for sale
 - 3 no information
 - 4 permits, no contractor information

What should be done?

- Board believes liens need to be filed and assess a \$2,000.00 connection fee.
- Donny Bergdall from Backroads brings up the reminder letter that was sent. It caused a lot of grief for them and other contractors that are already contracted to perform the work but are not able to get these jobs done within the 90 day allotted time frame.
- Larry Oberley will call those that haven't made contact with the District.
- Jane Kaverman advises that the contractor list is outdated. She will call and see who wants to be on the list. It will be updated.
- Marty Martin of Backroads advises that the Amish think this is a joke and are still pumping to the river.

Regarding the Low Flow Exemptions that have been submitted to the District, per Mark any exemptions that are filed come to the district and are not for the Health Department. Mark Burry further discusses the federal lawsuit. 3 Low Flow exemption forms have come in so far per Jane Kaverman.

Larry Oberley wants to know who will inspect the properties.

– Mark Burry responds that the District needs to come up with a plan. We have a right to inspect annually to make sure they haven't hooked up their on-site septic system. All of that is health department territory.

ENGINEER'S REPORT

Ben Adams updates the Board as follows:

- Project 4: Both contractor's on project are at work though Contract A just started.
 - Contract B Oakwoods – ground is bad, slow progress; new geo tech retained for second opinion.
- Project 5: Original contract for Project 4 involved 5 separate areas, we are only doing 2 (Project 4). Ben Adams was trying to make sure we were in the mix for funding for the other 3, found out we weren't in the ppl for next SRF approval; they said they made an error; they gave Ben Adams an updated copy with the district as #7. The list will be finalized 7/28, should receive letter or correspondence from SRF. Might know more next Tuesday, we will be in line to be funded one more time. Goal is to close before the end of the year so we don't have to do an audit again.
 - Nate Rumschlag wants invited and need updated estimates.
 - Larry Oberley wants to know if we could get to #2 or #3 in the line for approval.
 - John asks about drawings of #5.

DISTRICT ATTORNEY REPORT

Mark Burry introduces Ordinance 2022-7 regarding authorization for payment of certain claims in advance of Board allowance

MOTION TO INTRODUCE ORDINANCE 2022-7 TO INTRODUCE THE AUTHORIZATION FOR PAYMENT OF CERTAIN CLAIMS IN ADVANCE OF BOARD ALLOWANCE MADE BY NATE RUMSCHLAG AND JOHN CARROLL. Approved 5-0.

MOTION TO TABLE THE ADOPTION OF ORDINANCE 2022-7 MADE BY NATE RUMSCHLAG AND SECONDED BY JOHN CARROLL. Approved 5-0.

Mark Burry discusses easements for Pleasant Dale. Mark will change letter a little bit

Barry Scherer has officially retired as District Superintendent. The Board needs to make a decision regarding Larry Oberley being appointed as District Superintendent.

MOTION TO APPOINT LARRY OBERLEY AS DISTRICT SUPERINTENDENT MADE BY STEVE BAILEY AND SECONDED BY NATE RUMSCHLAG. Approved 5-0.

Brooke Hindenlang brings up the gateway debt management report and the corrections that need to be made. The District also needs to determine who the person should be submitting this report as well as the annual reports. Shannon Smitley is currently the person submitting the Annual Reports and Barry Scherer is currently authorized to submit the Debt Management Report.

- Brooke Hindenlang will speak to Penny Price from Baker Tilly to determine the correct person for submission of all reports.

Jane Kaverman addresses the Board in regards to the job posting for Assistant Superintendent. Currently they have received 34 resumes

In addition, Jane Kaverman reports that they have received 2 petition's to connect to the Sewer District.

Jane Kaverman also brings up the notice of acceptance of value that was recently received along with the 3 low flow exemption requests.

- Mark Burry will need to issue a letter to the customer.

Customer, White Rose Event Center continues to not pay their bill as they are seeking a modification of their rate code based on their season of operation.

Customer, Steve Kreigh wants to get 3 bills instead of one bill since the post office is housed in one unit and they should pay for their own bill and the other two units are apartments. It is agreed that the District can issue a bill for the apartments separate from the post office.

Per Jane Kaverman, the PERF matter is not fixed yet. She has been directed to different individuals with different answers.

Jane Kaverman requests that Mark Burry look at ordinance example regarding house inspections when customers move.

Per Mark Burry, regarding White Rose, the District's options are to either say yes, they can have a different rate code or consider changing the rate ordinance.

- Mark Burry will bring rate ordinance amendment to next meeting.

Regarding the 3 low flow claim forms filed, Larry needs to look and see what they have to do to comply.

- The District will need to create inspection form/requirements to comply.

MOTION TO TAKE LOW FLOW EXEMPTION FORM UNDER ADVISEMENT AND TO SEND LARRY OUT TO INSPECT BY NATE AND SECOND BY STEVE

OTHER MATTERS PRESENTED

Mike Schroeder wishes to discuss the connection of his property at 7927 N 200 E, Decatur, IN.

- Mark Burry and Ben Adams will meet with Mr. Schroeder to discuss this further.

Donny Bergdall from Backroads asks about the time frame to connect on Project 4, will it be less than 90 days for Oakwoods or something other than 90 days?

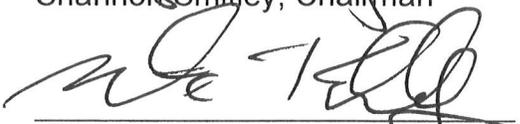
- Per Ben Adams, there has been no decision yet.

PUBLIC COMMENTS

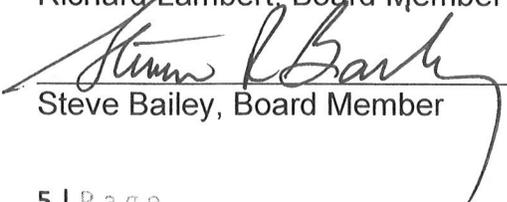
MOTION TO ADJOURN BY _____ AND SECONDED BY _____ . APPROVED 5-0.

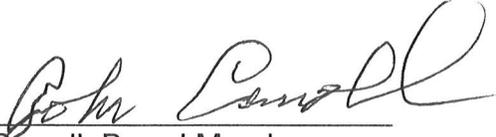
Minutes approved by:


Shannon Smitley, Chairman


Nate Rumschlag, Secretary


Richard Lambert, Board Member

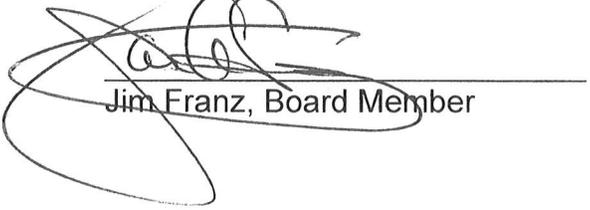

Steve Bailey, Board Member



John Carroll, Board Member



Josh Zimmerman, Board Member



Jim Franz, Board Member