

ACRS Board
Meeting Minutes
October 13, 2022

The following persons were present:

Nate Rumschlag, Secretary
Dick Lambert, Board Member
Steve Bailey, Board Member
Jim Franz, Board Member
John Carroll, Board Member
Josh Zimmerman, Board Member
Mark Burry, Attorney
Brooke Hindenlang, Secretary – Paralegal to Mark Burry
Jane Kaverman, billing and accounting Clerk
Nathan Scherer, Assistant Superintendent

The following persons were absent:

Shannon Smiltey, President
Larry Oberley, Superintendent

APPROVAL OF MINUTES

MOTION TO APPROVE SEPTEMBER MINUTES WITH CORRECTION TO ADD STEVE BAILEY AS BEING IN ATTENDANCE MADE BY JOHN CARROLL AND SECOND BY STEVE BAILEY. Approved 6-0.

PROJECT CUSTOMER QUESTIONS

Jerry Bultemeyer – 900 N. Winchester road

Several questions asked regarding Project 5:

- What does Project 5 mean?
 - Ben explains the area that Project 5 consists of.
- What is the criteria to be exempt?
 - Nathan Scherer and Jessica explains that if his system discharges off the property then it is considered in failure.
- Asks about the cost
 - Mark Burry responds: To connect home to grinder station is your expense along with the decommission of your septic tank.
- How far apart are the grinder stations?
 - Ben Adams responds: Each home has a grinder station.
 - Mark elaborates and also mentions the new law that is in effect
- Who pays for the grinder if you are deemed exempt but need it in the future?

- Mark Burry answers that it will be the homeowners expense along with the connection fee.
- Nate Rumschlag also explains that if you install at the time of the project, the grinder is maintained by the district, in the future, the home owner is responsible.
- What size of line?
 - 1.5 inches; (house to grinder is 4")
- When is project 5 starting
 - Ben Adams responds: Hopefully first of next year.

Howard Jones corner of 900 and Winchester

- He said there is a dip on his property, there is a natural flow from basement toilet to septic, then there is another tank etc, his concern is if something is pumped, will it come back into the basement?
 - Ben Adams explains that there is a check valve installed and the homeowner should install a check valve.
- He also ask, if you don't have the means to do this, who do you hire to get to do this?
 - Contractors are listed
 - All info is online

Jerry Bultemeyer:

- How many potential hook-ups are in project 5
 - Close to 200, 65 homes in Jerry's area.

Dale Biebrich - Pleasant Dale

- Wants to know how we are coming on easements.
 - Not well. No one is responding.

Tony Teeple - 814 W 1000 N

- Air relief structure to go in his front yard, he would like to see it pushed down.
 - Darrell Drake explains that he doesn't believe it will be a problem, they just need to extend the line 30-50 so it is not in his front yard.

Charlie Furhmann - 3 houses in Magley

- Wants to know where the line will be
 - Ben addresses and also explains that some are gravity.

Tony Teeple

- He isn't tying in now, can he have a tap in?
 - It can be wet tapped in the future per Ben Adams.

APPROVAL OF CLAIMS

MOTION TO APPROVE PAYROLL CLAIMS OF \$11,954.99 AND GENERAL CLAIMS OF \$54,604.78 MADE BY JOHN CARROLL AND SECONDED BY STEVE BAILEY.
Approved 6-0.

Steve Bailey presents to the Board that Becky Cochran has done a great job getting the statements consistent. She did include revenue of the ARPA money but wants the Board to recognize that this is non-reoccurring.

He further explains that we are healthy but not overly healthy.

MOTION TO APPROVE 9 BANK RECONCILIATIONS UNDER DIFFERENT FORMAT FROM THE ORIGINALS PLUS AUGUST AND SEPTEMBER MADE BY NATE RUMSCHLAG AND SECONDED BY JIM FRANZ. Approved 6-0.

Proposed budget for 2023 handed out

Steve Bailey asks that the Board approve the budget so we can turn it in to the USDA.

MOTION TO APPROVE BUDGET AS PRESENTED MADE BY JIM FRANZ AND SECONDED BY JOHN CARROLL. Approved 6-0.

SUPERINTENDENT REPORT

Nathan Scherer updates the Board:

Clems Lake (Project 3 C)

142 Customers – 98% are connected

1 No Permit

1 is crushing septic tank, not hooking up

1 with permit, waiting to connect

Preble/Peterson (Project 3 B)

80% of the homes are connected

5 still have not purchased permits

20 with permits waiting to connect

2 nothing to hook-up

1 has applied for the Low Flow Exemption

Linn Grove (Project 3 A)

93% Connected

1 no permit purchased

1 crushing septic

3 with permits, waiting to connect.

1 nothing to connect at this time

3 applied for the Low Flow Exemption

Nathan Scherer has a problem with one person in Preble/Peterson area; the District has paid 1,141.00 treatment for this one person. He spoke with the home owner; toilet has been broke for 2 years, what needs to be done?

- Mark wants an appointment with Nate; Sewer Use Ordinance may need amended to allow a surcharge to be imposed.

The problem in Linn Grove has been fixed.

John Carroll asks if we have any limits as to what can be pumped? No.

Nathan Scherer also discusses a syphoning issue – he and Ben Adams are looking into it.

Nathan Scherer is working on getting an inventory. He is discussing this with Ben Adams.

Project 4

Sunnybrook:

- 3 homeowners have already bought permits, gravity is pretty much done 20 or so, still working on the mainline; lift station was set today.
- Long way to go per Ben Adams.
 - Jim Franz asks why did they start later.
 - Per Ben Adams there were materials delivery issues, they are out of Ohio.
 - Ben Adams still believes they are coming along though.

Oakwoods:

- Quite a few permits sold there at a meeting last week; there are some issues they are trying to figure out; grinder stations are done; Biggest thing is waiting on panels. No connections on Project 4 until next year.
- Ben Adams indicates that road issue still exists.
 - Might run over on budget.
 - Nate Rumschlag asks about dust control on gravel.

MOTION TO APPROVE PROJECT 3 SRF CLAIMS OF 53,064.00 MADE BY NATE RUMSCHLAG AND SECONDED BY JIM FRANZ. Approved 3-0.

Ben Adams presents and agrees with Fleming's request to release retainage of Preble Peterson.

MOTION TO APPROVE RELEASE OF RETAINAGE FOR PROJECT 3 B MADE BY STEVE BAILEY AND SECONDED BY NATE RUMSCHLAG. Approved 6-0.

There is 10 grand left in escrow per Ben Adams.

Project 4 SRF Claims presented.

- Ben Adams explains that one of the claims is for railroad permits. Both the railroad and the lessor asked for money. It was not known originally that there was a lease in place and the lessor wants money too of \$7,000.00.

MOTION TO APPROVE PROJECT 4 SRF CLAIMS OF 113,241.00 MADE BY NATE RUMSCHLAG AND SECONDED BY JOHN CARROLL. Approved 6-0.

MOTION TO APPROVE PROJECT 4 CONSTRUCTION EXPENSES OF 763,888.31 PLUS RETAINAGE TO FLEMINGS FOR 29,277.52 MADE BY NATE RUMSCHLAG AND SECONDED BY STEVE BAILEY. Approved 6-0.

Mark Burry asks about the Special request for Asset Management plan of \$10,000.00 for Project 2. Ben Adams explains that this was already paid for but the approval was not made previously.

MOTION TO APPROVE PROJECT 2 SPECIAL REQUES FOR ASSET MANAGEMENT PLAN OF \$10,000.00 MADE BY STEVE BAILEY AND SECONDED BY JOHN CARROLL. Approved 6-0.

Insurance Summary previously e-mailed to the Board.

- Jim Franz thinks we need to wait until the end of the year and maybe review everything at that time.

ENGINEER'S REPORT

Ben Adams provides the Board with the Engineer's Report:

Project 3:

- Pretty well done; asked Fleming to do piece around Clem's Lake, in a warranty period. Other 2 are closed out.
- He believes that there will be some that do not connect.

Project 4:

- All easements are secured, waiting on parts and pieces, control panels; lift station is not complete doesn't expect this to wrap up until after holiday. Contract A is moving along better than before, left station set today.

Project 5:

- Monthly status report presented:
 - A lot happened in the last month. Funding moving forward.
 - Axemption notices sent out.
 - Need to schedule public meetings.
 - All 3 contracts have bid; really good bids, bid results letter passed out; Magley – Underground; NW Winchester – Miller Contracting; Clems Lake South Area - Flemings. Able to shave off about 500k.

- Teams call with Baker/tilly/B&T in good shape moving forward; need less money than we thought originally, might get a decent grant.
- Hoping to close 12/14/22.

Jim Franz congratulates Ben Adams on doing a great job. He also asks about a Project 6.

- Steve Bailey said that we need to look at health department. Do we need to work on a master plan?
- Ben Adams: We have time to plan for the future. We should probably slow down.
- Maybe get a 5 year plan from Jessica; maybe go to a health board meeting.
- Put on the agenda for next month to review future projects per Jim Franz.
- Steve Bailey asks how would the health department like for us to proceed;
 - Jessica said her board will look to her. She has a list already and we have knocked a lot out, but she thinks there could be an offshoot from some areas already serviced. She will bring that to the next meeting.

DISTRICT ATTORNEY REPORT

Mark Burry presents the following:

Introduces the Amendatory Rate Ordinance (project 5 areas) 2022-4; an An Ordinance Amending And Restating Ordinance 2022-2 Establishing A Schedule Of Rates And Charges To Be Collected By The Adams County Regional Sewer District From The Owners Of Property Served By The Sewage Works Of The Said District And Other Matters Connected Therewith.

- Holding rates at 93.30 but interim rate will be 50.00 per month. Baker Tilly is requesting this amount because we are borrowing more. This can be amended at the time of adoption.
- Also amended project description adding Magley, NW Winchester Road; Clems Lake South.

MOTION TO APPROVE INTRODUCTION OF AMENDATORY RATE ORDINANCE 2022-4 AND APPROVAL OF FIRST READING AND TABLE THE CONSIDERATIONS AFTER HEARING IS HELD MADE BY JIM FRAMZ AND SECONDED BY STEVE BAILEY. Approved 6-0.

Introduces Bond Ordinance 2022-5 An Ordinance Authorizing The Acquisition, Construction And Installation Of Certain Improvements For The Sewage Works System Of The Adams County Regional Sewer District, The Issuance Of 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. This authorizes bonds to be issued, not greater than \$7,300,000.00; such that you are authorized to issue bonds to complete the project. If we get 4 mil, we only have to borrow 2.2 mil.

MOTION TO APPROVE INTRODUCTION OF BOND ORDINANCE 2022-5 AND TABLED FOR FURTHER CONSIDERATION AT SUBSEQUENT MEETING MADE BY STEVE BAILEY AND SECONDED BY JIM FRANZ. Approved 6-0.

Introduces Resolution 2022-7 to approve/add Larry Oberley and Nathan Scherer to conduct banking transactions on deposits and checks and withdraws.

MOTION TO APPROVE RESOLUTION 2022-7 MADE BY JIM FRANZ AND SECONDED BY JOHN CARROLL. Approved 6-0.

OTHER MATTERS PRESENTED

Nathan Scherer updates the Board that repairs had to be made to the blue truck, new tires are needed; Approximately \$1310.00 -\$1066.00 tire prices. Board determines that Nathan can make the purchase without pre-approval.

Discussed easement claim for RCR Farms for Project 4.

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

Steve Bailey brings up that the pricing on health insurance is favorable now but those prices will be going away next year. He thinks we need to look at going outside the county, probably start shopping around. Brooke Hindenlang to check with Carla at Star Insurance.

Comp time policy is changing as well, if we follow the counties personnel policy and we adopt it, it will change a lot – exempt employees for example; Shannon Green could make a strong case that Larry Oberley is not an exempt employee.

Mark Burry said it is a balancing test. Employment contracts would trump the policy. We need to adopt a separate policy manual for ACRSD.

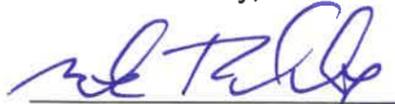
Jessica Rutschilling brings up the inspection forms used by the District. Jessica used to get a copy of the inspection forms showing that they were abandoned. She is no longer getting those. District to provide those to her.

PUBLIC COMMENTS

MOTION TO ADJOURN BY NATE RUMSHCLAG AND SECONDED BY JIM FRANZ. Approved 6-0

Minutes approved by:

Shannon Smitley, Chairman



Nate Rumschlag, Secretary

Richard Lambert, Board Member

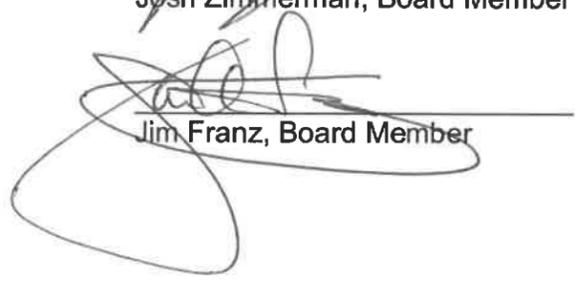
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