

**ACRSD Board**  
**Meeting Minutes**  
**December 19, 2023**

**The following persons were present:**

Shannon Smitley, President  
Nate Rumschlag, Secretary  
John Summers, Board Member  
Jim Franz, Board Member  
John Carroll, Board Member  
Josh Zimmerman, Board Member  
Dick Lambert, Board Member  
Mark Burry, Attorney  
Brooke Hindenlang, Secretary – Paralegal to Mark Burry

**The following persons were absent:**

Nathan Scherer, Assistant District Superintendent  
Noah Brite, Field Technician  
Jane Kaverman, billing and accounting Clerk

**Executive Session Held**

MOTION TO CLOSE EXECUTIVE SESSION MADE BY JOHN CARROLL AND  
SECONDED BY NATE RUMSCHLAG. Approved 7-0.

**Special meeting opened**

Salary discussion held. Recommendations made from the committee.

MOTION MADE BY DICK LAMBERT TO APPROVE SALARY OF \$57,762.40 (\$1,500 PLUS 3% RAISE) FOR NATHAN SCHERER (HOURLY RATE = \$27.77 FOR 2024 EFFECTIVE JANUARY 1, 2024, AND SECOND BY JOHN CARROLL. Approved 7-0

MOTION MADE BY JOHN CARROLL TO APPROVE SALARY OF \$50,820.29 (\$1,500 PLUS 3% RAISE) FOR NOAH BRITE (HOURLY RATE = \$24.43) EFFECTIVE JANUARY 1, 2024 AND SECONDED BY JOSH ZIMMERMAN. Approved 7-0.

MOTION MADE BY JIM FRANZE TO APPROVE HOURLY RATE OF \$22.26 (\$500 PLUS 3% RAISE) FOR JANE KAVERMAN EFFECTIVE JANUARY 1, 2024 AND SECONDED BY DICK LAMBERT. Approved 7-0.

MOTION MADE BY NATE RUMSHLAG TO APPROVE SALARY OF \$5,500.00, EFFECTIVE JANUARY 1, 2024 FOR CLERICAL ASSISTANT AND SECONDED BY JOHN CARROLL. Approved 7-0.

**Attorney Comments**

Attorney Mark Burry addresses the Board regarding the Policy Manual as drafted by Shannon Greene.

MOTION MADE BY JIM FRANZE TO ADOPT AND SIGN THE POLICY MANUAL AND SECONDED BY JOHN SUMMERS. Approved 7-0.

**Other Matters**

Expressions of thanks made to Dick Lambert for his service on the Board as this is his last official meeting. Discussion held regarding his interest in continuing as a member of the committees that he is currently on. He expresses an interest in continuing with this role.

MOTION TO ADJOURN MADE BY JOHN SUMMERS AND SECONDED BY NATE RUMSCHLAG. Approved 7-0

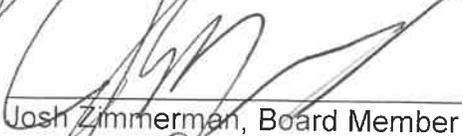
Minutes approved by:

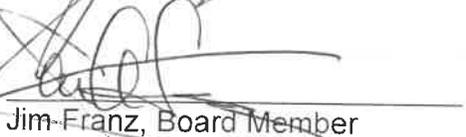
  
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Nate Rumschlag, Secretary

John Summers, Board Member

  
John Carroll, Board Member

  
Josh Zimmerman, Board Member

  
Jim Franz, Board Member

**ACRSD Board**  
**Meeting Minutes**  
**December 14, 2023**

**The following persons were present:**

Shannon Smitley, President  
Nate Rumschlag, Secretary  
John Carroll, Board Member  
Jim Franz, Board Member  
Dick Lambert, Board Member  
Nathan Scherer, Assistant District Superintendent  
Noah Brite, Field Technician  
Jane Kaverman, billing and accounting Clerk  
Mark Burry, Attorney  
Brooke Hindenlang, Secretary – Paralegal to Mark Burry

**The following persons were absent:**

Josh Zimmerman and John Summers

**APPROVAL OF MINUTES**

MOTION TO APPROVE MINUTES MADE BY Nate RUMSCHLAG AND SECONDED BY JOHN CARROLL. Approved 5-0.

**PROJECT CUSTOMER QUESTIONS**

None

**APPROVAL OF CLAIMS**

MOTION TO APPROVE CLAIM VOUCHERS OF \$52,227.99, PAYROLL VOUCHERS OF \$7,526.13 MADE BY JIM FRANZ AND SECONDED BY NATE RUMSCHLAG. Approved 5-0.

The 5 Bank reconciliations presented were as follows:

FBOB - \$321,512.79 (operating)  
FBOB – \$251,581.92 (gold)  
FBOB - 0 (special account – ARPA)  
BONY – \$210,307.69  
BONY 5 – \$3,121,560.79

MOTION TO APPROVE BANK RECONCILIATION MADE BY JOHN SUMMERS AND SECONDED BY NATE RUMSCHLAG. Approved 5-0.

SRF Claims presented by Brooke Hindenlang  
Project 3 \$75,080  
Project 4 \$7,871 (WAF)  
Project 5 \$372,729

MOTION TO APPROVE SRF CLAIMS FOR PROJECTS 3&4&5 MADE BY JIM FRANZ AND SECONDED BY JOHN CARROLL. Approved 5-0.

Discussion held regarding rejections by SRF of claims submitted last month.

Ben Adams addresses the Board that as a part of the Project 3 pay app there is a \$30,361.03 change order. The original approved amount was \$2,801,017.57. The final amount is \$2,031,378.60. We had contingency money to account for this.

MOTION TO APPROVE CHANGE ORDER IN PROJECT 3 CONTRACT MADE BY JIM FRANZ AND SECOND BY NATE RUMSCHLAG. Approved 5-0.

### **SUPERINTENDENT REPORT**

Nathan Scherer updates the Board as follows:

#### **Project 3 Update:**

- List of non-compliance issues, tanks not collapsed yet, sent to Health Department

#### **Project 4 Update:**

- Oakwood done
- Buyout property in Oakwoods discussed – temporary situation, quick fix. HOA purchased the grinder.
- Sunnybrook making progress, 2 to hook – up, 1 has a homeowner that isn't cooperating.

#### **Project 5 Update:**

*Magley* – all of 600 W. grinders are in, pressure tested and passed, gravity is being installed in Magley, started 2<sup>nd</sup> bore. All forced main in from Magley all the way back to Preble and is hooked up, still have to do the laterals and grinders on 224.

*Winchester*-grinders and taps are done, pressure testing to start, they did find a leak, repairing today, moving right along. Maybe by the end of the year, ready to start connections. Questions that have been asked, including – are we going to require them to hook up this winter. Nathan Scherer has talked to the contractor's and their response is if it is fit to work, they will work. Told them they could wait to crush tanks during the year to avoid yard damage.

*Clem's lake south* – Flemings will be starting with pot holing tomorrow. Plan was to work until next Wednesday and then off until the 3<sup>rd</sup>. Boring crew might work over the holidays. They did start dropping grinders today. Supposed to be done by May of 2024.

**Future Projects:** Met with Ben on Tuesday – discussed future projects, sat down with Jessica, maps, requests to connect, target areas. 10 new areas to go from Health Department. One project in there close to 70-80 homes south of 224.

Board appreciates the Superintendent's Report that has been created and passed out.

Regarding Treatment results, Nathan Scherer has talked to Ben Adams about smoke testing some areas.

### **ENGINEER'S REPORT**

Ben Adams updates the Board as follows:

**Project 3** – we have pretty much closed the book on construction, but we keep adding on, just found out yesterday that we have been approved through the addendum that the procurement for certain purchase; mower etc. Nathan Scherer is going to buy certain things. In addition to that are the reimbursements that Brooke Hindenlang, that were not paid by SRF. Ben Adams also discussed the design of 600 W. The District has not communicated with the homeowners on 600 W; might need a meeting letter/sent to those property owners.

**Project 4** – spoke to Kevin Hackman regarding the special arrangement with the City of Decatur. At the end of November the final tie-in cut off the old oakwood system was made. Come the first of January, billing will occur like the other areas. The Switch was right at the end of November.

#### **Project 5**

- Contract D is primarily done, just testing, have until late January to complete.
- Uderground will wrap up after the first of the year.
- Flemings will be hard pressed to get their area done.

**New Project Area:** Ben Adams, Nathan Scherer and the Health Department discussed the possibility of 10 project areas but there may be up to 12. He will bring information back to the January meeting with a rough sketch. He is preparing a Project 6 PER to submit before April 1, 2024. He did have a discussion with SRF and Baker/Tilly.

Discussion regarding grant money, trying to determine what is left.

Wrapping up Project 5 as they are looking at the 2024-2025 fiscal year.

### **DISTRICT ATTORNEY REPORT**

Executive Session to be scheduled for next week regarding salaries for 2024 along with a Special Board meeting. The Special Meeting will also address the policy manual as drafted by Shannon Greene. Mark Burry may also make a few minor revisions.

Jessica Rutschilling is meeting with Health Department Attorney, Luke Ainsworth on Monday to discuss the failure to connect people.

Mark Burry asks about the process of obtaining easements. Ben Adams responds that they are going well.

Mark Burry asks about the project funding schedule. Ben Adams responds that it is by March 31, 2024; we would need authorization before January. Ben Adams also reported that to make it easier, he budgeted for 2 inspectors. He only needed Darrel Drake so we could do a contract amendment.

Nathan Scherer reports that he has discussed progress with commissioners.

Mark Burry introduces Resolution 2023-2 for the 2024 meeting dates introduced.

MOTION TO APPROVE RESOLUTION 2023-2 AS PRESENTED WITH AMENDMENT MADE BY NATE RUMSCHLAG AND SECONDED BY DICK LAMBERT. Approved 5-0.

#### **OTHER MATTERS PRESENTED**

Shannon Smitley discusses the Rate Ordinance in regards to churches. He wants to reach out to the City of Decatur and also has a request in to the City of Berne to find out what churches use as a comparison.

Nate Scherer reports that he could go out monthly to see what the run time is. With the current technology, he can see how much they are using.

Shannon Smitley believes that he can have some information to provide at the January meeting.

Board agrees to meeting on Tuesday Morning 8:00 for the Executive session.

#### **PUBLIC COMMENTS**

Hector Salazar – 600 N 400 E

Asks that the sewer line be extended to his mobile home park.

Ben Adams responds that we are looking at this but it wouldn't start until 2025 for construction.

Board expresses thanks to Dick Lambert for everything he has done. He has been a champion for the Board and will be hard to replace. There will be holes to fill in the finance committee and policy committee.

The Board will need to let commissioners know who they recommend to fill his position on the Board.

MOTION TO ADJOURN BY DICK LAMBERT AND SECONDED BY JIM FRANZ.  
Approved 5-0

Minutes approved by:

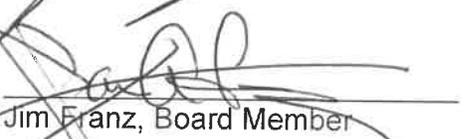
  
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