

**Town of  
Darmstadt, Indiana**

SETTLED 1822

INCORPORATED 1973

Minutes of  
July 12th 2022

These minutes are not intended to be a verbatim transcript.

**TOWN COUNCIL**

Paul Freeman, President  
Ray Engler, Council Member  
Ken Godeke, Council Member  
Jay Sollman, Council Member

**CLERK-TREASURER**

Mallory Lowe, CMO  
P.O. Box 20  
Darmstadt, In 47618

Board president, Paul Freeman, called the town meeting to order at 7:30pm. In attendance were President Paul Freeman, Clerk-Treasurer Mallory Lowe, council members Ken Godeke, Ray Engler and Jay Sollman. Also present was Attorney Jason Spindler and Interim Superintendent Aaron Enlow.

Godeke made a motion, seconded by Sollman to accept the minutes from last month. Motion passed 4-0 voice vote. Godeke made a motion, seconded by Engler to accept last month's financial report. Motion passed 4-0 voice vote. Godeke made a motion, seconded by Engler to accept the accounts payable claims. Motion passed 4-0 voice vote.

**CLERK-TREASURER'S REPORT**

**In the Town Clerk's office, Mallory Lowe stated:** Darmstadt's pre-budget report on the State's Gateway program has been completed and submitted to the Department of Local Government Finance on time by the deadline. Lowe advised her annual meeting with Robert Norris at the Department of Local Government Finance will be August 16<sup>th</sup> where they will review the budget together and set the town's property tax levies for 2023. Lowe stated she received in and recorded the June settlement from the county auditor's office which was \$60,430.27 in tax revenue for the town, and the Sewer Dept received \$12,464.24 in sewer lien payments. Lowe noted that we also received \$79,336.25 to cover our June payment to Mark at BOK Financial for our Old State land. Lowe stated she paid the town's \$76,000 bond payment to Mark Hudson on June 27<sup>th</sup>. Lowe advised that she sent the settlement breakdown to council to try and inform them where our town revenues come from, by means of the tobacco commission, alcohol commission, fuel, excise, vehicle registrations, wheel tax, surtax and so on. Lowe explained there are dozens of tax revenue payments that come in to her office from several different sources every month, quarterly and annually and that some are based on town Assessed value while others are based on town population which decreased at our last census from 1,407 to 1,373.

Lowe stated the town email provider company had errors and all their customers (including us) were not able to send emails for 2 days. Lowe advised that after a decade, that provider company is not reliable anymore. Lowe advised it was the email that came with our account when Lowe created the town website years ago. Lowe advised that she had let Paul know last week about the problems and Paul suggested we contact Ray for help since he's an IT Professional. Lowe advised that Ray was able to save everything last week and transfer all our town email data (shop and clerk) to a new provider (Microsoft) which is much more reliable. Lowe and Engler worked on it for a few hours late Friday night and again Saturday morning. Engler managed to save all of the town information, years of emails, contacts, data, etc. and set it all up on a brand-new platform on our town computers and town phones. Plus, the town was able to keep the same email addresses which are registered with the state on several accounts including our financial tax revenue accounts for notices. Lowe noted that Ray Engler spent all his time working on our systems at both offices, for free. So, the town is now back up and running.

Lowe stated that the drum unit went out in our big brother town printer. It was \$78 for the part; Lowe took the printer apart and replaced it herself last week. Lowe stated that she got that \$900 printer for the town for free, about 5 years ago by saving up rewards and coupons at Office Depot. Lowe advised it's strong enough to print our 100s of thick cardstock sewer bills each month, plus our everyday printing. We have a smaller backup brother printer in case of emergencies.

Lowe advised that the Indiana Workforce Development Unemployment Case against Jeff Goerges has had more recent changes. Lowe stated that the State notified us that Jeff filed another appeal again, but this time Jeff was trying to **stop** his unemployment for some reason. The Indiana State Board of Appeals denied Jeff's request.

Lowe advised that she paid our Chase credit card in full as usual on June 30<sup>th</sup>, but several days went by and Chase still had not received the check in the mail. Lowe contacted Chase and the Indiana State Board of Accounts to let them know what was going on. Lowe state reminded everyone that any late fees, finance charges and sales taxes that the town incurs from anyone are personally charged to her and her family, during the state audits, just like last time with Jeff's new sewer station electric accounts and late fees when he held invoices before turning them in. Lowe explained that is why she insists and reminds everyone to follow the rules and regulations of their positions. Lowe spoke with the State Board of Accounts about it and got Chase to extend the grace period and reverse any late fees. Lowe advised we have not had this problem before.

**In the Utility Department:** Lowe advised that she brought in \$64,346.30 for the sewer department last month and so far, this year Mallory Lowe has brought in \$330,796.30 for the town sewer department.

Lowe stated she sent out the June sewer billing the last week of the month and the post office was open this time.

Last month Lowe noted she also sent out 20 overdue letters to residents on their sewer accounts and will be preparing more late fees, non-compliant inspection fees and liens soon which will bring in more revenue.

Lowe noted that the work load for her office has increased again by spending several hours now applying and calculating portable meter credits and inspection credits to the sewer accounts.

Lowe explained we have several residents keeping the meters out for weeks at a time instead of the noted 3-day limit, which is spreading over 2 different billing cycles causing problems. Lowe noted that no procedures were put in place before council made these changes to our billing. Lowe is speaking with the State Board of Accounts on this issue, the record keeping requirements for audits and regulations to try and fix these issues created and keep the town following state rules and regulations.

**In General Town Items:** Lowe advised that our insurance broker Glen Stover called her last Saturday Morning from Torian to let her know that our town's insurance company, Bliss-McKnight has notified them that they will be dropping Darmstadt at the end of this coverage period from the claims and threats of future claims.

Bliss-McKnight has been our Municipal Insurance company for many years along with covering many other Indiana cities and towns, they are one of the largest municipal insurance companies, they are sponsors of most our SBOA and AIM events and very involved with Indiana municipalities.

Lowe advised that our agent Glen Stover will be working with Lowe on gathering town facts and information to hopefully receive quotes from other municipal insurance companies. Lowe noted that the State Board of Accounts is aware of the situation. Lowe advised that we only have until October 1<sup>st</sup> until our policy is up and we are cancelled. This is the insurance for everything in town, including workman's comp, buildings, all vehicles, equipment, elected and appointed official's liability insurance, our entire sewer system and roads, etc.

### **Old Business**

#### **1. Performance Eval/Merit Bonus Overdue for 2021 & 2022 DUE by May 12, 2022**

Tabled but keep on agenda per Jason Spindler

#### **2. Resident's Sewer Committee Update – Cecil Poag**

Spindler noted that council wanted to discuss this in an executive session

#### **3. Sewer Work Manhole project ARPA Funds - Debbie Bennett-Stearsman**

Debbie Bennett-Stearsman advised that projects less than \$50k required 3 quotes to be submitted in writing to meet the ARPA requirements and turned into the clerk for the federal grant paperwork.

Cecil Poag advised that the manhole project is less than \$50k. Debbie Bennett-Stearsman asked if this project was coming from ARPA. Godeke replied yes. Jason Spindler stated to make a motion to complete the manhole disconnection project up to \$30k. Engler made a motion, seconded by Godeke. Motion passed by 4-0 voice vote.

#### **4. Tractor Replacement using ARPA Funds – Debbie Bennett-Stearsman**

Spindler noted that council wanted to discuss this in an executive session

#### **5. Rip Rap on Martin Road Edge**

Spindler read aloud a letter to send to the homeowner on Martin Road that has large rip rap against the public road. Spindler asked to approve, Engler made a motion, seconded by Sollman to send the letter to the resident. Motion passed by 4-0 voice vote.

## **6. TV Parts Now road damage Lawsuit and road repairs**

Spindler noted that the TV parts now has a deadline of Nov 11<sup>th</sup> and a court date of April 10<sup>th</sup>, 2023. Engler advised that we have 2 quotes to repair the roads.

Sollman asked Spindler how likely we are to receive payment from TV parts now for these damaged road repairs.

Freeman suggested we install a guard rail to deter trucks from causing further damage to the roads.

Engler made a motion to have Metzger repair the Inglefield area, seconded by Godeke. Motion passed by a 4-0 voice vote. Freeman asked Aaron Enlow if he could arrange to have a guard rail installation added to the quote.

## **New Business**

### **Maintenance Dept Report**

Aaron Enlow advised that they had 54 locates and 21 service calls since the last meeting. Enlow noted that the culvert project at Trinity Cemetery is complete. Aaron advised that the backhoe needs repairs and there is an estimate from Boyd Cat to service and review what it would cost to repair the transmission. Sollman made a motion, seconded by Freeman to send the backhoe to Boyd Cat for preventative maintenance service up to \$3k. Motion passed by 4-0 voice vote. Boyd Cat will service that backhoe, inspect what is wrong with the transmission and give us a quote for transmission repairs or replacement that council can review.

### **Fire Dept Report**

Brandon Zimmer advised that there were 7 runs in the town limits, 5 Ems runs, 1 power down and response time was just over 7 minutes.

### **Sheriff Report**

Noah Robinson advised there were 5 business checks, 44 extra patrols and 2 accidents in town last month. There was a fraud report, identity stolen, no suspect, fraudulent cell phone. Robinson advised that a tree fell on a camper at the 4H center, there were no injuries.

### **Board member comments**

Ray Engler asked if we wanted to do everything, we can to be compliant as possible with our town and council's emails for security, litigation and backup services. Freeman agreed that would be a good idea. Engler will research costs and get with Mallory Lowe to get it set up.

### **Attorney comments**

No further comments

### **Resident comments**

Comments not taken at this time

The meeting adjourned 8:29pm

Attest:

Mallory Lowe

Clerk-Treasurer

