

**TOWN OF  
DARMSTADT, INDIANA**

SETTLED 1822

INCORPORATED 1973

**Minutes of  
November 10th 2020**

These minutes are not intended to be a verbatim transcript.

**TOWN COUNCIL**

Paul Freeman, President  
Aaron Kendall, Council Member  
Ken Godeke, Council Member  
Ray Engler, Council Member

**CLERK-TREASURER**

Mallory Lowe  
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 and Ray Engler. Also present was Superintendent Jeff Goerges and Attorney Jason Spindler. Council member Aaron Kendall was absent but on phone.

Godeke made a motion, seconded by Engler to accept the minutes from last month. Motion passed 3-0 voice vote. Engler made a motion, seconded by Engler to approve last month's financial report. Motion passed 3-0 voice vote. Engler made a motion, seconded by Godeke to approve the accounts payable claims. Motion passed 3-0 voice vote.

**CLERK-TREASURER'S REPORT:**

We had the gas turned on at the Old State house. Everything turned on fine in both units. While we were there it was raining and the roof was leaking somewhere through the upstairs bedroom, running through the wall and dripping out the closet door frame. The Keystone rep came to my office and installed our new software Nov 5<sup>th</sup>. We had one day of on-site training and they will do rest of training over remote access. This is the new module called Key Fund which is replacing the Key Budget program we've had for last 11 years.

In the Utility Department: Dress Subdivision had a faulty reading from the water company so I am extending their summer averaging of 65,000 gallons another month. (their average bill is \$1,665 this month)

In General Town Items: We will be beginning year end tasks soon. Our 2021 Salary Ordinance will need to be passed at our meeting next month. We need to know if council members are still attending solid waste board meetings and area plan meetings and if those will change for next year.

I have brought the town's bank statement and reconcilements for review and signatures to meet our internal control requirements if someone from council would like to review and sign off on those please.

I attended our Annual Indiana Clerk-Treasurer's Conference last month via Zoom meetings. Wasn't quite the same but had useful information and many new requirements and more changes coming next year from the State Board of Accounts.

**Old Business**

**1. Sewer Pump Inspections/Outflow Update**

Jeff noted that the inspections are still going but going slower now. He will contact homeowners that have not responded.

**3. Bank Building Update**

Ken Godeke advised that we have received an offer to purchase from Kate Potter. Ken noted that he thinks we should not be in the real estate business and we should sell the building. Paul Freeman advised that he thinks we should keep it and lease it for 3 years with an option to buy. Ray Engler advised that we should sell the building, it has taken up way too much of our time already and will cost the town taxpayers a lot of money to maintain and repair in the meantime.

Ken made a motion that we give Aaron Kendall the authority to negotiate the purchase and/or lease of the bank building to potential buyers. Engler seconded the motion. Motion passed by a 3-0 voice vote.

**4. Update on Railroad Street/Repairs**

Engler advised there was no new news as of now.

## **5. Old State Rd House & Property**

Freeman advised that Jason is working on the rezoning. Jason Spindler noted that we need to decide what zoning. Godeke stated that we need to make it all agricultural. Engler, Freeman and Lowe agreed the plans were to put it back to all agricultural zoning so we are not dealing with commercial buyers or developers again. Aaron Kendall (via phone) advised for Jason Spindler to get with Ron London to update him on our rezoning plan.

Ray Engler agreed with Aaron Kendall and Ken Godeke to tear the house down if needed. Godeke made a motion seconded by Engler. Motion passed by 3-0 voice vote.

## **New Business**

### **Superintendent Report**

Jeff Goerges stated that they have 2 new houses going up. They have installed the sewer lines and set the tank on one. Jeff also noted that the blue house near the corner of Fleener and Darmstadt road owner has passed away. The neighbor, the Ungethiems were concerned about the electric to the sewer pump since it was connected to the empty house that have now shut down the electric. Lowe advised to get a pedestal meter set up by Vectren and have it disconnected from the house.

### **Fire Dept Report**

Not present

### **Deputy Sheriff Report**

Not present

### **Board member comments**

Ken Godeke asked if we were still discussing the Hillsdale road issue. Freeman advised that it's still open for discussion and we are waiting to hear from county. Ken also noted that since he is on the solid waste board, they have mentioned that there is a nice tree planting program available for our area if we are interested, there are grants available and the trees are large size hardwoods. Freeman advised that the trees at the shop on our back lot line need replaced. Ken will get us the information on the grant.

Ray Engler stated that the Azteca situation has updates that Jason can tell us.

Aaron Kendall (via phone) noted that he has also spoke with the county attorney to see if they want to join forces on the Azteca situation.

Ray noted that we still need more info on Azteca's plans with this new land application and that we thought the engineers were going to explain what Azteca's intentions were exactly. Jason Spindler replied that his understanding is that Azteca wants to land apply the output.

Aaron Kendall advised that what Azteca is wanting to do should be illegal since it will adversely affect the area, the residents and cause home values to plummet.

Ray Engler advised that should go to the press with this information, get the word out on social media to get people together to fight against Azteca's foul odor output and further requests for land applications.

Freeman advised that perhaps we should just go right to the Lt Governor Susanne Crouch to guide us on this.

Ray noted we need to know what is the call to action. Jason Spindler advised that he will give us the info and email address for a call to action.

Freeman also noted perhaps we should contact the Sierra Club which is very much into air quality.

### **Attorney comments**

Attorney Jason Spindler has been working on the Azteca situation. Jason spoke with EVSC Daryl Angermeier and the county attorney to see if they want to join in on the Azteca foul smell situation. Jason noted that the attorney, Mr. Jones, the county attorney had some concerns with Azteca being close with the governor's office.

**Resident comments**

Gary Schmitt from Martin Road noted that he thought the bank building repairs and upkeep would be very expensive.

Eric Gries asked if we have an appraisal on the bank building yet. Jason Spindler said we will be getting appraisals soon. Eric also asked what we thought salvage value would be. Engler replied that there are companies that do salvage. Eric thanked Jeff for his quick response to his neighbor's sewer concerns. Eric advised on the tree grant to not get trees too big he had a bad experience in the past. Eric asked about the rumble strips and if any could be removed. Eric asked if off duty sheriff deputies could be hired to work exclusively for Darmstadt during certain hours. Eric asked if the council has changed their mind yet about having ATV's on the roads. Godeke replied that the ATV's are getting worse and not following the laws anyway. Freeman agreed that they are illegally driving and speeding on ATV's through the town. Freeman reminded that we have a statement from the Sheriff Dave Wedding advising against any ATV's in town.

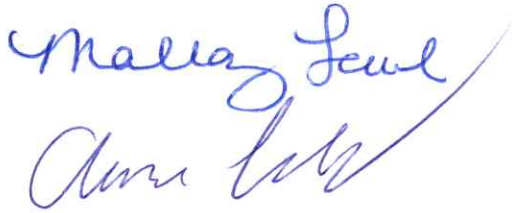
Gary Schmidt asked what exactly the sewer inspections were for. Jeff Goerges replied and explained that we are inspecting for illegal connections to the town sewer system particularly sump pumps.

The meeting adjourned at 8:53pm

Attest:

Mallory Lowe

Clerk-Treasurer

The image shows two handwritten signatures in blue ink. The top signature is clearly legible as 'Mallory Lowe' and is written in a cursive style. Below it is another signature, which is less legible but appears to be 'Ann [unclear]'. Both signatures are written over a large, light-colored scribble or mark.