

**TOWN OF  
DARMSTADT, INDIANA**

SETTLED 1822

INCORPORATED 1973

**Minutes of  
November 12th 2019**

These minutes are not intended to be a verbatim transcript.  
Audio of this meeting is on file in the Town Clerk's Office.

**TOWN COUNCIL**

Paul Freeman, President  
Phil McElroy, Council Member  
Ken Godeke, Council Member  
Aaron Kendall, 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 Aaron Kendall, Ken Godeke and Phil McElroy. Also present was Superintendent Jeff Goerges and attorney Jason Spindler.

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

**Clerk-Treasurer's Report**

**In the clerk's office:** We completed our budget adoption at last month's meeting and I submitted the signed form into the State's Gateway program within the 3 day deadline. All went well. Our 4 year audit is complete. Phil, Paul, Jeff, Aaron and I attended our exit meeting with auditor, Linda Garrett and her supervisor Christie Wessel. This was the 4th audit I've been through in my 12 years now as clerk. All was good except there is a regulation where they will now charge town clerk's personally out of their own pockets, for any late fees or sales tax on any bills that anyone working for the town incurs. So we will need to double check that all purchases are tax exempt and bills will need to be paid by the due date and not necessarily based on when the next council meeting is. I want to thank the council for their support and attending the exit conference.

**In the Utility Department:** We have resolved our meter dispute with Evansville Sewer for now, the guys and I have had quite a battle with them over the last month 3 months. Luckily after Aaron submitted all his tracked numbers and readings to Evansville and Jeff made a personal visit to them, EWSU recognized their mistake in the meter readings and have corrected it along with crediting back the huge late fees they had charged us. I received notice that John Sanders home on Jordan Lane has been sold, he had a credit on his account, so I have sent a check back to him for his credit balance of \$133.13 and closed out his account. Also received a call that 1220 W Wortman Road is now empty and up for sale. This is a well account, so I have paused charges until home is occupied again. Jeff & Aaron will need to keep an eye on it once in awhile to let me know when to reactivate. We also had a few water leaks/watering and/or hoses left on this month which I adjusted to their average usage and recorded on our adjustment spreadsheet like usual. These summer averaging requests should be dying down soon and then we will just have the occasional leak adjustment over the winter season. One of the leak adjustments was Patricia Welborn on Fleener road who's had ongoing issues with a waterfall feature on her property that has caused several very large leaks into the lake. On Nov. 8th I received a call from Dallas Foster of Foster landscapes confirming that they removed the old waterfall fountain feature, installed, filled and tested the new setup, during this time they used about 25,000 to fill and test that I adjusted to her average usage.

**In General Town Items:** I received a call from Bread and Butter yesterday after hours. They still haven't changed the locks on the doors to the bank building and locked their only key inside, so my son and I picked up our only other copy at the shop and gave Brian & Jennifer Schuetter the only other copy we had. I made sure they knew that was the only two keys and that they needed to get the locks changed and have enough keys made. They acknowledged and said they would.

**Old Business**

1. Apartments/Bond issuance update

Spindler noted that council and attorneys will continue to work and discuss on this.

**New Business**

1. Ordinance for paying Bills

Council passed a new updated ordinance to ensure the clerk-treasurer could pay bills before the due dates when needed and not necessarily have to wait until the next council meeting to avoid any late fees.

McElroy made a motion, seconded by Kendall to accept the bill pay ordinance. Ordinance passed by a 4-0 voice vote.

### **Superintendent Report**

Jeff noted that the snow removal went pretty well. Jeff advised that the service calls have lightened up a bit and they received the mini excavator on Monday. Jeff also mentioned that the acres of land off Boonville-New Harmony road has sold.

### **Fire Chief Report**

Fire Dept not present

### **Deputy Sheriff Report**

Deputy not present

### **Board member comments**

McElroy noted that Lowe reminded council that we need to get the performance appraisals completed before end of year so we can pay any bonuses out of this year's payroll budget.

McElroy also advised that we need to get our Asset Management plan submitted to INDOT by December 1<sup>st</sup> if we plan to participate in any matching grants again next year.

McElroy advised we received an email from an engineering firm that an intersection change will be going into affect at Hwy 41 at Hillsdale. Jeff mentioned he spoke to the engineer and explained that for safety reasons, the highway department will be installing a J-intersection pattern at that intersection where traffic on Hillsdale will not be able to go straight across 41 anymore.

Kendall asked council about the sewer liens, when they are applied and if we receive interest on them. Council referred to Lowe, who explained they are recorded when delinquent usually 6 months and then certified once a year each January with the County Auditor's Office. Vanderburgh County then adds them to the property tax bills for that year. We charge the delinquent accounts all the late fees plus recording costs in addition to the sewer charges and all flat fees they owe. On top of that, Vanderburgh County then applies their own fees to the amount the property owner must pay. The county then collects the sewer lien payments with the property taxes and includes those payments from the property owners, in our Darmstadt property tax revenues that we receive twice a year in June and December.

### **Attorney comments**

Attorney had no further comments

### **Resident comments**

Mark Stocker thanked the maintenance guys for doing a great job on the roads.

Eric Gries asked if the apartments were a done deal. Spindler replied that we are near the end and there will be a press release once everything is complete.

Resident Phil Sorenson asked council if the weed ordinance applied to the backyard. Spindler replied generally no, it doesn't apply to the backyard. Sorenson stated that his neighbors backyard is very high, there is junk and possibly rodents in that area. Kendall stated perhaps we could pursue looking into adding the backyard to our weed ordinance. Sorenson complained that his neighbor also has several vehicles sitting around their property. Spindler advised that there is no violation to have vehicles sitting on their own private property.

The meeting adjourned at 8:28pm

Attest:

Mallory Lowe

Clerk-Treasurer

