

**TOWN OF
DARMSTADT, INDIANA**

SETTLED 1822

INCORPORATED 1973

**Minutes of
September 14th 2021**

These minutes are not intended to be a verbatim transcript.

TOWN COUNCIL

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

CLERK-TREASURER

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

Jason Spindler, Town Attorney called the town meeting to order at 7:30pm. In attendance were Clerk-Treasurer Mallory Lowe, Council members Aaron Kendall, Ken Godeke and Ray Engler. Also present was Attorney Jason Spindler, Interim Superintendent Aaron Enlow and Maintenance Tech Mick Moreland. Paul Freeman was Absent.

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

CLERK-TREASURER'S REPORT:

In the clerk's office Mallory Lowe stated: I met with the Dept of Local Government Finance on August 20th for our 2022 budget workshop. Spoke with Robert Norris, he said all our numbers looked very good and were a go. I've set the property tax levies for next year on our General Fund, CCD and our new Bond Debt Fund. Our public hearing is tonight.

I met with Glen Stover, our insurance agent several times about the sewer pumps that were damaged during the August 21 storm. We had 5 pumps damaged totaling over \$7,000 worth of damage. Glen and I are working on listing all the pumps individually on our policy, to make it more efficient for claims next time. We settled the claim and Glen brought me a check on August 30th for \$7,345 for our damaged sewer pumps.

We received the *first* half of the Covid Federal Funds from the ARPA Federal Covid Grant I submitted a couple weeks ago. We received \$160,912.50 and the total we will be getting from this Federal Grant is \$321,825.

Council still needs to review the available uses and write up our submission plan. Everyone has been emailed the list, links and approved uses weeks ago. We will need that written plan soon.

I had a meeting with Larry Tippin on September 1st. Larry is a CPA and worked for the State Board of Accounts as a field auditor for 24 years. He offers services to towns for internal controls, Capital Assets and other requirements. He sent us a contract to review and approve tonight. I've forwarded all the information to council via email for review a couple weeks ago. Many towns throughout the state use Larry and he comes highly recommended. The agreement is on the agenda tonight. We need to bring in an expert to complete the Internal Controls that council is not doing.

In the Utility Department: Our mag meter bill for the south mag meter was down and Evansville estimated it at 335,800 gallons. I've sent out 22 overdue letters this month and last for accounts 90 days overdue. We have 4 accounts that owe over \$1,000 now that I'll be filing liens on soon if not paid.

Spectrum who provides internet for the Clerk's office and the Maintenance office let us know the rates may be raising. As council knows, internet is used for many devices including our computers, phones and laptops. I'll contact them to see if they can agree to keep rates the same. Council agreed.

In General Town Items: Our 2 day annual AIM conference with State Board of Accounts and Dept of Local Government Finance was Aug 26th & 27th. They went over quite a bit of information and details for local legislation, especially on the ARPA revenue. I'm the only one from Darmstadt who attended.

The Annual Clerk Treasurer's Conference and Indiana State Board of Accounts Conference will be in Evansville this year on Nov 7-10th. The Frog Follies went well. The Annual Shindig Car Show is coming to Darmstadt on October 14-17th at the 4H Center. I also wanted to let everyone know the Post Office posted a notice that they are short staffed and will only be open from 8am to 10:30am temporarily.

Old Business

1. Darmstadt position on Solid Waste Board

There is only one Solid Waste Board meeting left this year in November. Spindler asked for a motion. Godeke made a motion to appoint Kendall to Solid Waste Board, seconded by Kendall. Motion passed by a 3-0 voice vote.

New Business

1. Housing Commercial Zoning review

Spindler nor other council members knew what this was concerning that Paul requested, it was tabled.

2. Review/Vote on agreement with Larry Tippin CPA for special projects

Kendall made a motion, seconded by Godeke to accept Larry Tippin CPA agreement. Motion passed by a 3-0 voice vote.

3. Review/Vote on agreement with New Focus HR with Kristen Deustch

Kendall made a motion, seconded by Godeke to accept New Focus HR agreement. Motion passed by 3-0 voice vote.

4. Public Hearing for 2022 Budget

Spindler noted that tonight was the public hearing for Darmstadt's 2022 budget and asked the residents if they had any comments or questions. Residents had no questions. Public Hearing was concluded.

Superintendent Report

Aaron Enlow advised that he and Mick have continued to work on town sewer pump inspections, there were 83 pumps down and they have repaired 79 of them so far. Aaron stated they are also continuing sump pump inspections, portable meter deductions and mowing the town roads. Aaron stated that they will continue inspections, repairs and have that organized on their schedule.

Fire Dept Report

Brandon Zimmer was not present but sent a report.

Deputy Sheriff Report

Noah Robinson advised we had 4 crashes this month in Darmstadt and 2 of them were on Hillsdale. Robinson stated that there was an antique vehicle stolen from the Frog Follies event. There was one arrest in town for domestic battery.

Board member comments

Ray read aloud a prepared statement and provided clerk with copy to include in minutes:

"A little history: Darmstadt was settled in 1822 and was officially incorporated in 1973 Since incorporation there has been a maintenance department in various forms and capacities.

While not an exhaustive list here are some of the things they do:

1. Road repair
2. Grass Cutting, Tree Trimming, and Snow removal
3. Culvert repair and ditch maintenance
4. Locating of sewer lines (Our system was installed WITHOUT locating wires making it extremely difficult to know exactly where lines are)
5. Repairs, installation, general maintenance of pump stations
6. 24/7 On call to respond to sewer emergencies and road blockages due to debris
7. Building maintenance / cleaning (for Town hall)
8. Point of contact for other utilities operating within the town
9. Point of contact for residents with concerns related to the roads, sewer, ditches, trees, etc.

They often act as the liaison between town council and the residents helping to make common sense decisions to keep everyone happy.

While records are thin before 1991 here are the last three superintendents:

Mike Roark 1991-2006 15 years

Garry Sierra 2005-2014 9 years

Jeff Goerges 2014-2021 7 years

If we total those numbers 15+9+7 and divide by three we get 10.3 SO that means the average tenure since 1991 is 10.3 years. I often hear every "5 years or every 8 years this becomes a problem" and maintenance needs to be replaced. Just know the real number is 10.3 or almost three times the length of a normal council members term. It is likely that by the time this letter is being read that we have officially voted to hire a proper HR Firm to help manage the employees. This is about 47 years overdue.

My hope is that when these professionals make a recommendation to town council that we follow their recommendations. Town council has voted to request proposals to outsource the maintenance department. Publicly they state that outsourcing is not a sure thing and that it is simply meant as a way to gather options and know what is available.

However, their actions to date do not agree with this narrative and it would appear that the exact opposite is happening.

Sometimes we need to ask the hard questions:

1. Why was the old superintendent never disciplined or fired?

2. Why was town council not outraged at theft of the town's property? Is it not their job to stop this exact thing?

Could it be that if someone is comfortable stealing from our town on multiple levels, that it might make them look the other way when employees do it?

3. Why were Mick and Aaron disciplined?

4. Why has council not publicly thanked them for coming forward?

5. For around three months they have officially not had a boss. We expect them to pick up that slack, correct years of decay in our systems, and help us with the RFP project of outsourcing? Why have their job descriptions and pay rates not been updated to match the responsibilities?

6. Knowing what you know to current and if you put yourselves in the maintenance guys shoes, would you work for Darmstadt?

While I welcome the opportunity to work on and release an RFP I do so only to gather the options and true costs.

There is a reason 95% of towns in Indiana do NOT outsource their services.

I feel that two people that truly care about the town will provide a better service quality for the residents than a business entity looking to make a profit.

What do you think happens next? It is 9-14-21 and history is not yet written.

1. Will we thank and promote our existing people or will we continue the process of working them out?

2. Do we rush to justify and implement a contractor paying no attention to the costs or human collateral damage before we can step down in December?

Actions always speak louder than words. Let's all closely watch this process and make sure that Darmstadt's best interests are being served. And remember, it is never too late to do the right thing.

Ray Engler District 2

Council Member

812-453-6390

ray@darmstadt-indiana.org"

Attorney comments

No further comments

Resident comments

Carol Schlumpf stated that she really appreciated the weekly reports online from Aaron Enlow & Mick in the maintenance department and would like to see that continue.

Mark Stocker advised that he had a problem with the sewer line and the guys responded right away and made repairs which were greatly appreciated by Mark and his wife.

Eric Gries noted that he had spoke with Jeff in the past about the boring under road near his house and if we could do some infrared repair on the road. Jeff never got back with him. When he spoke with Aaron and Mick he received a response right away and really appreciated it.

Mr. Jeffries of 905 Hoing Road asked Aaron Kendall if he ever followed up about the culvert pipe under Hoing Road. Kendall replied no he hasn't.

Cecil Poag noted that Harold Grossman is still interested and was told Paul would call him but he has not received a phone call. Aaron Kendall noted that he would get with Paul to contact him.

Cecil Poag asked if any RFPs have been prepared to send out to contractors yet. Kendall stated no they have not. Cecil asked if it would be published in the paper and if the bids would be opened in a public meeting? Kendall became agitated and told Cecil he did not need him telling council how to do their jobs.

Kendall stated we know how to do our job and if you ask a stupid question, you'll get a stupid answer.

Cecil stated there are some people interested in running for the board positions and asked the council members, what the responsibilities are, of a town council member. There was silence among the council members. Then Kendall stated, to make sure the streets are in good condition and that the sewer is running. Cecil replied, isn't that the maintenance department's job? Kendall became very argumentative with the residents.

Jim Dix stated that Kendall needs to announce he's leaving in December. Kendall replied he is happy to announce he is leaving the board in December. Jim Dix asked why is he waiting until December why not just leave now? Kendall stated he wanted to stay through the outsourcing vote.

Carol Schlumpf asked how the empty seat will be made public. Spindler noted that usually just the announcement at the meeting. Carol asked if Mallory could post it. Spindler stated yes; we can post it on the town page.

Crystal Kahre stated that she officially announces her interest in the District 4 council seat. She volunteered to take Aaron Kendall's seat on the council and she resides in that district. Crystal noted that she has worked with Mallory on many things over the years and with Mick and Aaron, she's lived here most her life and would be happy to take the seat on the council starting January 2022.

The meeting adjourned 8:28pm

Attest:
Mallory Lowe
Clerk-Treasurer

