

# Town of Darmstadt, Indiana

SETTLED 1822

INCORPORATED 1973

## Minutes of Jan 9th 2024

These minutes are not intended to be a verbatim transcript.

### TOWN COUNCIL

Cecil Poag, Council President  
Ray Engler, Council Member  
Eric J. Gries, Council Member  
Crystal Kahre, Council Member

### CLERK-TREASURER

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

Cecil Poag called the town meeting to order at 7:30pm. In attendance were Clerk-Treasurer Mallory Lowe, council members Ray Engler, Eric Gries, Crystal Kahre, Sewer Superintendent Aaron Enlow, Street Superintendent Mick Moreland and Town Attorney Joshua Claybourn.

Attorney Joshua Claybourn swore in Clerk-Treasurer Mallory Lowe and gave her Oath of Office for the 2024-2027 term. Clerk-Treasurer Mallory Lowe swore in council members Ray Engler, Eric Gries, Cecil Poag and Crystal Kahre and gave them their Oath of Office for their 2024-2027 term in office.

Gries made a motion, seconded by Engler to elect Cecil Poag as President of Town Council for the 2024 year. Motion passed by a 4-0 voice vote.

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

### CLERK-TREASURER'S REPORT:

Lowe stated that, first of all, she wanted to welcome all our new council members. She stated she was very pleased that many of them have already completed some training last month, in Evansville, with the other elected officials in Vanderburgh County and surrounding towns and cities. Lowe advised that her along with some of the council members will also continue training and education next week at the State's Newly Elected Officials Boot Camp in Indianapolis along with all the other cities and towns. Council members will be attending several classes throughout those days with many state officials and agencies to teach them the best ways to run a successful town and community. Lowe stated she's looking forward to a great, positive four years ahead of us for Darmstadt.

Lowe added that she would like to thank Ray for fixing our town computer which had a virus. He had to take it overnight Friday and work on it to clean it out and repair it. All works good now and runs well.

On Dec 19<sup>th</sup> Lowe advised that we received an email from Kenneth at the Vanderburgh County Election Office. Kenneth is the deputy at the County Election Division who everyone must submit their election forms to, when running for office. Lowe advised that each year all council members and the clerk are required to fill out a CFA-4 form and submit it to the County Election Office each January. Lowe stated that previous council members didn't fill out any of their annual candidate forms or annual records with the election office. But since this is our first elected council in over 20 years who actually submitted all their candidacy forms to the county to run for office, we need everyone to keep up with their annual election paperwork. Lowe stated she worked hard with Carla Hayden at the Election Office this year and with the Voters Registration, to get Darmstadt's voting records organized, accurate and up to date to be prepared for the November election since we thought more candidates were filing. After the filing deadlines, the county election board notified us that only 5 people submitted their paperwork to run for office and there were no contested seats, therefore, the people who ran for office, won their positions. The county sent out the official Certificates of Election in December to each of the 5 candidates along with the Oaths of office. The Oaths were signed tonight and Lowe will submit those to the, Circuit Court Clerk, as required for filing with the county before the Jan 31<sup>st</sup> deadline.

Lowe stated she had been working on the AFR annual financial reports for the town and sewer department, she submitted the 100R report to the State Gateway program which provides the state with the list of all elected officials and employees of our town each year. She will continue to work on the annual report, which is due next month and will work on the W2 tax forms for everyone who was on our town payroll last year. Lowe will complete those and mail them out before the end of the month. Lowe has been working with Kristen Duetsch at our HR company, New Focus, to update our employee handbook. She reviews and updates our handbook annually along with our salary ordinances, to keep us in line with current employment laws and requirements from the state board of accounts.

Lowe noted that she paid our town's December bond lease payment to BOK Financial of \$77,000 on December 27<sup>th</sup> shortly after receiving the revenue from the county tax collection.

**In the Sewer Department:** Lowe noted she will be certifying the sewer liens with Laura Lutz at the Vanderburgh County Auditor's office, like she does every January. The County's deadline is January 19<sup>th</sup> this year. Lowe just received several liens back today that she had recorded at the County Recorder's office that are ready to be certified with the Auditor's Office. The County Auditor will then add the sewer liens to this year's property taxes for those residents.

Lastly, Lowe wanted to remind council that January payroll checks are always mailed out, since the president's salary is different from the others, and we have wait until after the President is voted on each January, at the meeting.

### **Fire Dept Report**

Brandon Zimmer reported there were 13 fire runs in town, 7 Ems, 2 paramedics. Response time was 4 minutes 30 seconds. They hired 6 firefighters at the Baseline station and will be replacing one of their engines.

### **Sheriff Report**

Sgt. Erik Nilssen stated there were 5 business checks in Darmstadt, traffic stops, one crash report. They will be installing the Flock cameras very soon.

### **Residents Comments**

Carol Schlumpf stated that she attended the event committee at the 4H center and they are planning to have a yard sale there this spring. She stated the date is still to be announced and asked council if there were any particular weekends better.

Kate Potter announced that Coffee with a Deputy will be hosted by Dwell Coffee in Darmstadt on February 15<sup>th</sup> from 7am-9am and she stated she would love to see more attendance at this event.

### **Maintenance Dept Report**

Cecil Poag stated that the maintenance department has had 46 locates and 18 service calls since the last meeting. They are also starting our annual Pump Station inspections as well as continuing the septic tank inspections. With the good possibility of snow coming both trucks are ready to go. Aaron and Mick have fixed the walls and applied a fresh coat of paint in the maintenance office. Poag stated that the flag pole has been installed and look great. Poag added that Aaron and Mick had to replace a stop sign and pole at orchard and Saint Joseph Avenue that someone had run over. They are still working on the GIS system.

### **Old Business**

#### **New Business**

##### **1. Town Attorney Contract**

Josh Claybourn introduced himself and stated he does quite a bit of municipal law including the Evansville City Council, Posey County and Chandler. Claybourn stated he grew up on the northside, he has worked with Darmstadt several times in the past, once on the other side, but that is all in the past and there is no conflict of interest. He looks forward to working with Darmstadt.

Gries made a motion, seconded by Engler to accept Josh Claybourn as new Darmstadt Town Attorney. Motion passed by a 4-0 voice vote.

##### **2. Town IT Contract**

Cecil Poag stated that the town will be changing their IT service to PointMan Technology since we were not happy with the previous company we had. Josh Claybourn stated that Ray Engler is with PointMan Technology and that this is all perfectly above board and all conflict-of-interest paperwork has been filled out.

Gries made a motion, seconded by Kahre to accept PointMan Technology as the town's IT service provider. Motion passed by 3-0 voice vote with Engler abstaining from vote.

##### **3. Payroll Ordinance Amendment O-2024-1**

Cecil Poag stated they were passing an amendment to last month's payroll ordinance to increase the pay for the two maintenance personnel, Aaron and Mick, plus updating their titles to Sewer Superintendent and Street Superintendent. Poag explained this is the work they perform and it makes sense to update the titles to reflect that, like other towns have, this keeps us more organized and we know who is in charge of what. Clerk-Treasurer's pay will remain the same as adopted in December as her salary plus stipend issued monthly and the council members pay will also remain the same as adopted in December for council members and council president.

Engler made a motion, seconded by Kahre to accept the amendment to the payroll ordinance. The motion passed by a 4-0 voice vote.

#### **4. Health Insurance Program**

Cecil Poag stated that the town has never had actual health insurance only a stipend and that the new council would like to provide this benefit. Poag noted that they have been looking into several insurance companies and gathering quotes, including AIM's medical program. Poag stated they will provide health insurance policies to the three full-time positions which are Clerk-Treasurer and two maintenance positions. Poag stated that the Clerk-Treasurer position already includes a stipend adopted on the December payroll ordinance which shall remain in effect throughout the end of this year and the two maintenance positions will now be offered health insurance policies instead of stipend. Policies will be in place next month. Engler made a motion, seconded by Kahre to provide fully paid health insurance policies to the Clerk-Treasurer position and the Full-time maintenance positions. Motion passed by a 4-0 voice vote

#### **5. Retirement Plan**

Cecil Poag advised that the council would like to get up to date with other municipalities and begin a retirement program for the maintenance and Clerk-Treasurer positions. Poag stated in the past we had an annual retirement stipend that was paid in April to the full-time maintenance positions. Poag advised that the stipend is based on the previous year, so the stipend will still be paid to the two full-time maintenance positions this year 2024 based on their 2023 base pay, but that this will be the last year the retirement stipend will be paid and we will start the actual retirement program. Poag explained that the retirement benefit will be a matching retirement account where the town will match up to 6% into the retirement accounts. Gries made a motion, seconded by Kahre to begin a retirement program for the clerk-treasurer and full-time maintenance positions with the town matching up to 6% for retirement. Motion passed by 4-0 voice vote.

#### **6. Meeting Date & Times for 2024**

Cecil Poag stated that the council would like to move the meeting dates to the 3<sup>rd</sup> Tuesday of the month starting at 6:30pm. Lowe asked the Fire and Sheriff's officials if that new meeting time would work for them and they both agreed it would. Kahre made a motion, seconded by Gries to move meeting times to 3<sup>rd</sup> Tuesday of the month starting at 6:30pm starting February 20<sup>th</sup>, 2024. Motion passed by 4-0 voice vote.

#### **Attorney comments**

Josh Claybourn welcomed the opportunity to serve the Town of Darmstadt and mentioned that he knows we have been discussing an issue from our last sewer rate study completed by Reedy Financial concerning the mandate fees that Evansville Water and he has been charging to the town of Darmstadt, so he knows that is on his radar and will be working on that with council.

Claybourn also mentioned that he has been speaking with Mallory Lowe about having a code of ordinances in place. Claybourn stated he recommended we have a code of ordinances which make it easier to research and find proper date when needed. Lowe agreed she would love to have the ordinances codified by a professional company and organized so that they could be made into a searchable format platform to easily find what is needed.

#### **Board Member comments**

Crystal Kahre stated she is glad to be here to work for the residents and represent them. Kahre noted that she is here to serve anyway she can and looks forward to working with everyone.

Eric Gries stated he watched a bit of Ronald Reagan before tonight's meeting and it was mentioned that the office of the presidency position is owned by the public and the same is true here. Gries noted that this building, these positions are all here for you, representing the people, and that he is hopeful we can do a good job doing that.

Cecil Poag stated he would like the residents to give some thought of what they would like to see for the town going forward, he added in particular what the residents would like to see done with the Old State property. Poag added that he is here to get things done that the residents would like to have done.

Engler asked if the TV parts now lawsuit was settled. Lowe replied it was settled but we have not received a check so far. Claybourn noted he will get with Jason Spindler to follow up on that.

Meeting adjourned at 8:11pm

Attest:

Mallory Lowe  
Clerk-Treasurer