

# Town of Darmstadt, Indiana

SETTLED 1822

INCORPORATED 1973

## Minutes of February 20th 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

Council President, Cecil Poag called the town meeting to order at 6:30pm. In attendance were Clerk-Treasurer Mallory Lowe, council members Ray Engler, Eric Gries, Crystal Kahre, and Town Attorney fill-in Kevin Halter.

Kahre made a motion, seconded by Engler to accept the minutes from last month. Motion passed 4-0 voice vote.  
Engler 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:**

Mallory Lowe stated she's been working with Kristen Duetsch at our HR company, New Focus, to update our employee handbook. New Focus HR company reviews and updates our handbook every year along with our salary ordinances, to keep us compliant and ethical with current employment laws and requirements. Lowe stated, Cecil Poag submitted two handwritten job descriptions to New Focus HR that they are working on to rewrite for compliance, completeness and per employment laws. Lowe advised that she paid a record number of town bills since our last council meeting since we had 6 weeks between meetings this time. Lowe stated she has been working with NFP to get the health, dental and vision insurance policies setup and running. They are now in place and active.

Lowe advised that Reedy Financial is still working on the previous RDA's Annual Reports for the last 4 years on Gateway that were discovered by the State Board of Accounts as missing and incomplete during their most recent audit. The State Board of Accounts notified the town that nothing had been entered since the creation of the agency and recommended the town hire Reedy Financial to do the 4 years of financial records for the previous RDA. Our council president also followed Municipal Legal advice to replace the members of the RDA and he followed direction and complied.

Reedy Financial is contacting the account manager at RDA's bank, BOK Financial in Indy to gather all their records and bank statements for the last four years. Lowe advised that Reedy should have all the records gathered and complete the Annual Report to the State before the deadline in a couple weeks. Lowe stated, that Mitch Wilson, the State Board of Accounts Compliance Director advised, the RDA is a completely separate agency from the town. The RDC is part of the town as well as its financial records, but the RDA is not part of town, and has a separate bank and bank accounts. The Town Clerk and Council members are to follow internal controls and the code of ethics, which is their work for the town. They cannot be both the Lessee and the Lessor of the same property, nor fiscal officers for both, town Clerk and Council members must follow internal controls, and their duties, as elected officials, are to the town, not outside agencies.

Lowe advised that we received a couple forms from Mark Hudson at BOK Financial Bank in Indianapolis that he stated the new RDA members will need to sign for their accounts, it's time to have everything completed properly and in compliance, we have new members, new agreements, and Reedy can continue the financial requirements for RDA.

Lowe noted that she updated our town website with the latest street cut permit form and the latest driveway culvert permit that Mick sent over, so that has also been completed and updated.

Lowe stated that she continues to work on the Town's annual report, all the financial sections are complete along with all the revenues, disbursements for last year. Lowe also completed the ARPA financials and inventory, what is remaining to be completed are the annual depreciation calculations of our roads, equipment, vehicles and buildings, along with the bond debt records, payments and amortization schedules. Lowe stated the rest of the sections will be completed soon and submitted to the State before the deadline of Feb 29<sup>th</sup>.

**In the Sewer Department:** Lowe stated that she certified the sewer liens with Laura Lutz at the Vanderburgh County Auditor's office, before the county's certification deadline. Lowe advised that we received our monthly sewer bill from Evansville sewer for our January outflow. January's bill was for 2,452,300 gallons which was normal and we were billed \$27,946.18 but noted that over \$10k of that bill was just the mandate fee Evansville charges Darmstadt.

### **Fire Dept Report**

Brandon Zimmer reported there were 11 runs in Darmstadt, 5 medical runs, 2 false alarm calls, 1 powerline, the response time was just under 3 minutes.

### **Sheriff Report**

Deputy Nilssen reported that they continue to work on the Flock camera system and should have that up and running soon.

### **Residents Comments**

Brinley Willner, 2016 Fleener Road, announced that he was discouraged to learn that the new board president appointed new members to the Redevelopment Authority following the municipal legal advice.

Nancy Hudson, 12330 St Joseph Ave, stated she has problems with Commercial Landscaping behind her property dumping landscape materials and manure into the old railroad ravine which is causing a problem with bad odors and mosquitos.

Casey Hillenbrand, 13540 Darmstadt Road, read a statement aloud (updated per Indiana Public Access Counselor advice)

Bonnie Small, 2528 Sensmeier Road, read a statement aloud (updated per Indiana Public Access Counselor advice)

Harold Grossman, 1701 Fleener Road, stated that the RDA took an oath to follow the rules and didn't, they also did not post proper meeting notices and breaking the Open Door Law and were also written up by the Indiana State Board of Accounts.

### **Maintenance Dept Report**

Cecil Poag stated that the maintenance department had a whopping 77 locates and 27 service calls since our last meeting. During the warmer weather Aaron and Mick completed patching pot holes in several locations around town. They also have finished the manhole on Martin Road; it is now disconnected and covered. Poag stated that the GIS GeoSpatial is still plotting points for the GIS system, progress is slow.

Poag advised that we had some winter weather so Aaron and Mick removed snow and laid down a little salt. Since it rained before it changed over to snow, they were not able to use the brine. Poag stated that Aaron and Mick applied rip rap along Boonville-New Harmony close to Martin Rd, where the water has been eroding the bank.

Aaron and Mick are continuing sewer inspections with the septic tanks and are on schedule. They will also begin the Pumpstation inspections soon.

### **Old Business**

1. Sign Conflict of Interest and Attorney contract from last month

Signed by council president

2. Sign Updated Payroll Ordinance from HR to Include Insurance

Signed by council president

### **New Business**

1. RDA Appointments – Oath – Sign BOK Forms

Cecil Poag stated per municipal legal advisement, he has appointed 3 new members to the RDA, new members are Harold Grossman, Michael Moers and Jim Dix. Attorney gave the oath of office to RDA members. The members signed their oaths.

2. Appointment to Solid Waste Board

Cecil Poag stated that Darmstadt would like to appoint a member to fill our seat on the Solid waste board. Crystal Kahre volunteered to fill the seat. Gries made a motion, seconded by Engler to appoint Crystal Kahre to the solid waste board.

3. Reedy Financial Agreement

Gries made a motion, seconded by Kahre to accept Reedy Financial to complete and enter all the RDA financial reports and uploads required by the State Board of Accounts on Gateway, along with town assets, depreciations and debt reporting.

4. Codification of Town Ordinances- American Publishing

Gries made a motion, seconded by Kahre to accept American Publishing to perform the codification of Darmstadt's ordinances and resolutions and update on an annual basis. Motion passed by 4-0 voice vote.

5. IT Project

Gries made a motion, seconded by Kahre to accept the IT project up to \$10k. Motion passed by 3-0 voice vote. Engler abstained.

6. Adding German Twp to our Fire Territory

Cecil Poag stated that German Township would like to join our Fire Territory. Poag noted that the town council will be required to attend 3 meetings along with German township, Scott township, Armstrong township and the Town of Darmstadt. Harold Grossman explained how the fire territory works and what changes would be made adding German Township. Brandon Zimmer also stated how the mutual aid works and the flexibility it will add to the fire and ambulance services.

### **Attorney comments**

No further comments

**Board Member comments**

Crystal Kahre stated that she is very thankful to our fire department from her wreck.

Eric Gries stated that he will be looking into the issues per resident request at Commercial Landscape.

Meeting adjourned at 7:23pm

Attest:

Mallory Lowe

Clerk-Treasurer