

# Town of Darmstadt, Indiana

SETTLED 1822

INCORPORATED 1973

Minutes of  
Oct 11th 2022

These minutes are not intended to be a verbatim transcript.

## TOWN COUNCIL

Paul Freeman, President  
Ken Godeke, Council Member  
Ray Engler, Council Member  
Jay Sollman, Council Member

## CLERK-TREASURER

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

Board president, Paul Freeman, called the town meeting to order at 7:32pm. In attendance were President Paul Freeman, Clerk-Treasurer Mallory Lowe, council members Ken Godeke, Ray Engler and Jay Sollman. Also present was Attorney Jason Spindler and Maintenance Dept liaison Cecil Poag.

Sollman made a motion, seconded by Engler to accept the minutes from last month, to move Godeke's statement to the Clerk-Treasurer's Report and Sollman requested that where he spoke about elections in Sept, to be edited to a statement authored by attorney Jason Spindler at tonight's meeting. Motion passed 4-0 voice vote.

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

## CLERK-TREASURER'S REPORT:

**In Clerk's office:** Mallory Lowe stated our Budget Adoption is tonight for 2023. Lowe uploaded everything in the State's Gateway system. Lowe advised that we have a deadline of 5 days after adoption tonight to submit our town's budget to state on the State's Gateway system. This sets our property taxes for next year.

Lowe stated that Torian has finally found insurance that has agreed to cover the Public Officials. After Bliss-McKnight cancelled us, we were turned down by many companies. However, the company, Trident, has agreed to cover the Council's liability with the current members still in place.

Lowe stated that Torian instructed that the rest of the town insurance will be through Selective. Lowe advised that all the insurance information was sent to council and attorney on Sept 23<sup>rd</sup> forwarded from Torian Insurance.

Lowe stated she completed council's payroll yesterday and will begin working on Maintenance payroll tomorrow. Lowe advised that we are paying the Federal payroll taxes at every payroll now instead of monthly and Darmstadt has about 3-4 payrolls every month. Lowe noted that she calculates and pays the Federal taxes several times a month plus the state payroll taxes once a month, along with the quarterly 941 reports and the workforce development reports that are also due quarterly. We have a couple more state payroll reports that are also due annually along with sales tax report. Lowe stated we have a payroll fund that the state requires now, so she makes the necessary transfers at Old National Bank between general, MVH and sewer accounts to complete payroll accurately. Lowe stated years ago, when she first agreed to this position, it was simpler, more efficient, we were able to pay payroll directly out of the proper fund, but not anymore, it has grown more complicated as state requires new procedures. We have 7 employees paid from 3 different accounts and divided from accounts according to what time of the year it is.

**In the Utility Department:** Mallory Lowe stated she has been working on collections and sent out several overdue letters for sewer accounts. Lowe will begin compiling the list for sewer liens again. She received more requests from a few residents if the council has considered allowing an online autopay program yet. Lowe noted that council discussed it few times over the years but it never passed since there was a small fee for the town to offer that convenience to our residents. Lowe stated she is also still calculating and applying portable meter deductions each month to the sewer bills and the council's sump pump inspection fine for non-compliance.

**In General Town Items:** Lowe advised the Annual Keystone Municipal Software Meeting is coming up, Nov. 10 in Bloomington, IN. The Annual Weekend Shindig Car Show will be this weekend at the 4H center in Darmstadt.

## Old Business

### **1. ARPA Covid Grants Funds Allocation- Special session with Debbie Bennett-Stearsman**

Freeman stated that he will get with Debbie and Jason about availability to meet.

## **2. Roof damage to Town Shop Building Update**

Cecil Poag noted that the roof damage is almost complete. There was some work done that needs to be reworked and then it should be complete.

## **3. Rip Rap on Martin Road**

Cecil Poag stated that nothing can be done with the riprap until our backhoe is up and running. Cecil spoke with Boyd Cat and had them have a service tech out to look at the backhoe. Poag stated that Boyd said we need a new transmission in the backhoe and a cooler. Cecil advised that they may be able to take care of the riprap with the transmission is the way it is now.

## **4. Town Insurance Cancellation Update**

Freeman asked what the proposed change to our insurance costs are now. Lowe advised she forward the email from our Insurance Agent at Torian to all the council members on September 23<sup>rd</sup> which Torian attached all the new quotes from the only company that agreed to cover us. The costs are going from \$21,663 per year to an estimated \$31,069 per year. Freeman stated, so that is about another \$10,000 per year. Lowe replied yes Torian is making sure we are covered.

## **New Business**

### **1. 2023 Public Budget Hearing**

Lowe noted that tonight is our budget adoption hearing. Freeman stated we needed a vote. Godeke made a motion, seconded by Engler to move forward with our 2023 budget. Motion passed by 4-0 voice vote.

## **Maintenance Dept Report**

Cecil Poag advised that they have completed service inspections. Poag stated there is a board member and a resident that have been very rude with employee Aaron Enlow as they still have not complied to the council's ordinance. Freeman stated that this has been discussed in previous meetings. There was discussion amongst council over the requirements of sump pump inspections that were set forth by the council.

Freeman made a motion due to the litigation that has been going on, should we allow Ken (Godeke) not to allow our guys go ahead and inspect his sewer and allow the plumber that he asked for in April that we said was ok to be accepted as an inspection for his sewer system. No vote taken; discussion continued.

Freeman revised his motion to state, Freeman so moved that if a town resident does not wish to have our people go ahead and inspect their sewer that they may provide a licensed plumber to provide an inspection. Discussion continued. Jason Spindler asked if there was a motion on the floor. Freeman replied there is a motion on the floor. Sollman seconded. No vote was taken as discussion continued.

Engler stated there could be an independent plumber chosen by the town to perform an inspection since the property had currently not complied to town inspection. Discussion continued.

Freeman revised the motion again to develop a form for inspection for 3<sup>rd</sup> party plumbers to perform the sump pump inspection and the town will pay the invoice. Jason Spindler added to develop a list of pre-approved plumbers. Freeman added that it could be any licensed plumber in the state. Discussion continued.

Freeman continued that we have a motion on the floor to develop an approval sheet utilizing a 3<sup>rd</sup> party plumber for residents for the purpose of sump pump inspections. Jason Spindler added with a defined scope of work.

Sollman seconded. Freeman reiterated that motion has been made and seconded to develop this form that Jason's going to do with a scope provided by Cecil as a guide. Motion passed with 4-0 voice vote.

Freeman advised that a fine has been levied by the maintenance department for inspections that are incompliant. Discussion continued. Engler stated that it wasn't one of our inspections. It hasn't been inspected so if we were treating it like anyone else the fine would ride until it's been inspected and then the fine would stop. Engler advised that he would be willing to waive the fine once the inspection has been completed. Jason Spindler stated having it inspected again. Freeman stated that the town will have Bill's come out, reinspect, sign that form that has been provided by Jason with the scope by Cecil. Discussion continued.

Freeman replied to Ken Godeke, that since you already did it and already paid for it, that showed the gesture of good will on your part that you were going ahead and complying, we're doing this to get a compliance so that we have everybody in the same direction and we now have a process for those who do not want our people in there and with that proving what you did in April, we'll go ahead, the fine will go away and the town pay the bill for this inspection with Bill's plumbing. Discussion continued. Ray stated he was good with that, Jay stated he was good with that.

Cecil Poag stated they attended the PASER Road rating system and learned quite a lot. They understand quite a bit more about road rating now. Cecil noted that they also need to do something with the salt building, the salt is in large chunks from the salt building leaking and we may be unable to spread salt on the roads this winter in this current condition. Freeman stated that Cecil Poag may need to get with Scot Wischer of the Vanderburgh County garage to see if they can help. Cecil Poag asked if the council has heard from OSHA since they were here last week inspecting the garage and all our equipment. Council responded they have not heard anything from OSHA.

Cecil Poag stated they have not contacted any facility that can repair our tractor since it is harvest season and most of the companies were at least 12 weeks out for any available repairs.

Cecil stated that he would like the council to make a list of the resident's priorities in their districts.

Cecil Poag advised that he would like to see Hoing Road and Boonville-New Harmony Road be turned into a 3way stop. There was quite a bit of discussion among council and residents about that intersection.

Cecil mentioned that next year is our town's 50<sup>th</sup> Anniversary. Crystal Kahre added that she and Trinity are working on the Annual Darmstadt Day to include that celebration.

### **Fire Dept Report**

Brandon Zimmer stated 113 runs in township and 6 were in town limits including 4 Ems calls and 1 natural gas leak with average response time of 4.5 minutes.

### **Sheriff Report**

Noah Robinson advised that there were IT problems with running the report. Noah stated he will investigate any crash reports for the Hoing and Boonville-New Harmony intersection and get them to the town officials.

### **Attorney comments**

No further comments

### **Board Member comments**

Ray Engler asked Cecil if the repaving is scheduled for Inglefield Road. Cecil mentioned that it is still moving forward as far as he knows.

Ray Engler asked Sollman and Freeman where they were on getting contracting estimates to mow the town roads that they stated they would work on. Freeman stated they had some info for about \$10-15k a year to mow the town from some guy, he could not remember name. There was discussion over the frequency of mowing throughout the season.

Jay Sollman noted that he did not have quotes yet for contracting mowing. Sollman stated he has been working on his election info.

Jay Sollman announced that he would like to give the floor to a resident to speak.

Resident Casey Hillenbrand announced her candidacy for school board, introduced herself and spoke about her political campaign.

### **Resident comments**

No residents' comments are allowed at this time.

The meeting adjourned 8:52pm

Attest:

Mallory Lowe

Clerk-Treasurer

