

**MEETING MINUTES**

**POSEYVILLE TOWN COUNCIL**

**Date of Meeting: Tuesday June 14, 2022**

**CALL TO ORDER:** The meeting was called to order by Michael Baehl President at 5:30 PM.

**PRESENT:** Bruce C. Baker, Mike Baehl, Justin Rutledge and Clerk/Treasurer Christy Foster

**Virtual Meeting held due to the Pandemic Virus, as well as in person**

**Virtual Attendee's:** William Bender council Attorney, Enoch Carlson, and Tom Littleton

**In person Attendee's:** list attached to minutes.

**APPROVAL OF PRIOR TOWN COUNCIL MEETING MINUTES**

**Motion was made to approve the minutes by Bruce Baker 2<sup>nd</sup> by Mike Baehl**

**Roll Call Vote taken, Baker Yes, Justin Rutledge Abstained and Mike Baehl Yes**

**CLAIMS WERE PRESENTED** at Town Hall at 12 pm on June 14, 2022

**Motion was made to approve the claims by Justin Rutledge and 2<sup>nd</sup> by Bruce Baker**

**Roll Call Vote taken, Bruce Baker Yes, Justin Rutledge yes, and Mike Baehl Yes**

**Public Comment**

No public to speak. Took one grass complaints this month, which officer Carter address prior to the meeting.

**OCARA Hearing for Wastewater Grant:** Andy Zeller from EREP presided over the hearing. An explanation was given and budget for this grant was discussed. The grant will provide 700,000.00 if grant is granted. He explained the towns responsibility. He explained timeline, bidding, and construction proposed schedule. He started out with there will be no rate increases due to this grant application. This is a grant strictly for wastewater plant. Andy told everyone that the town was also along with this grant from OCRA was seeking assistance through SRF which is a Bond and grant opportunity. Andy then opened up for public comment. Asking if anyone had back sewage or over flow at their residence.

**Community Center:**

Farmers market is moving along per Christy Foster. Market starts May 31 and ends on August 2<sup>nd</sup>. Theresa Bratcher was present. Theresa is the president and Market Master for the Poseyville Farmers Market. Food truck will be there next week Bruce Li. Mike commented on the food trucks. Events for kids last week was rock painting. Next week cabin building. For the kids. The zoo is coming in July. Mike, please say thank you to the members for the Farmers Market, they are working their tails off.

**Cemetery:** mowing crew are working their tails off. Rain and heat have been an issue but they are keeping up. They are doing a great job

**Misc. Business:** June 28<sup>th</sup> special meeting to read the Ordinances for amendment on receipt tax change.

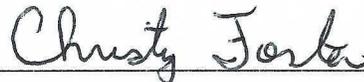
**NEXT MEETING:**

The next meeting of the Poseyville Town Council for 2022 will be held **Tuesday July 12, 2022** at 5:30 PM, This will be a in person and virtual meeting.

**THERE BEING NO FURTHER BUSINESS**, the meeting was adjourned. With a motion made by Bruce Baker and 2nd by Justin Rutledge the meeting was closed.

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

Respectfully submitted,



Christy Foster, Clerk/Treasurer

**ATTEST:**



Michael Baehl, Council President

Carol Lupfer asked if the Work that was to be done at the waste plant would match affect the property taxes. Mike explained this was not a property tax funded project. Bruce then continued with these are businesses referencing the wastewater plant, water and gas. These businesses are not tax based it is paying for themselves. Andy reassured her that this was not going to affect the Property taxes. Carol asked if this would affect our rates currently. Mike said our hopes are they will not. We hope.

Jon Craig with midwestern Engineers explained the project, explaining he is not an engineer but works with them. The amounts discussed are estimates at this time with the current environment it is an estimate at this time. The improvements needed at the plant are due to normal aging of equipment and the need for more efficient equipment to assist with cutting costs for operation of the plant. Jon states that this project has been in the works for 3 years. Due to engineering and the process of getting the grant. This project will free up employees to assist in other issues. Since the town has been working on this project other issues have now come up. Some of which will affect the environment making this project more important. Hats off to Jeremy for juggling all these projects. This is not an easy job. The electrical components are failing and I am sure Mike can speak for this it is a needed fix. The efficiency will cut cost. Rate payor funded not a tax rate issue.

Roger Heathcott resident of Poseyville: Speaking on the conditions of the plant and equipment is in a harsh environment. Components break down or just wear out. If We are not prepared it could cause some serious problems in our environment. This could cause some health and safety issues if not addressed now. Roger is for this grant and keeping these potential issues from happening.

Charles Carter resident of Poseyville: attending other meetings he is aware that the town is currently working with the town of Cynthiana with their waste. Also, the town is working on getting the waste from the Black River rest stop. We do not want this system to fail. If Poseyville want to maintain its sovereignty with their utilities this is one of the costs that are going to come up. After all it has been 20 years since we have update.

Mike Baehl town council President: Hopefully we can save money with this project. Our crew dose a terrific job of making repairs. The guys get up in the middle of the night if a float goes bad and repairs them. This so no one goes without service or issues that occur due to float not operating properly. Most people do not know what a frequency drive is this control electric used to operate. Right now, we have a box fan on a control panel it to keep it from overheating. We need to address this in the worst way. If we can address theses issues it will save money in the end.

Jeremy Farrar Certified Operator of the waste plant: Components are aging. The Blower is over 17 years old and out lived their life expectancy. The control panel that controls those blowers have deteriorated to the point as Mike commented, that we are running into OSHA violations potentially to meet our needs. What potentially is going to happen if we do not get those components replaced. The system will start to fail. Which means that we will be putting substances into the ditch which runs to the Wabash. This affects the water table. Then causing a fining issue. That is what we are looking at. The other component that you mentioned was our lift stations. We have 5 lift stations. Our main lift stations have all the lift station feed into it. With the technology today we are way out dated. Currently it is pieced together. That being said it is working but it is very inefficient and outdated. To the point if we had something catastrophic happened and we lost the brain of this equipment right now. If we lost it in storm situation it would be catastrophic to the town. We would have to go back to an old flow system. Town can not afford that at this time. That station is the station that will be used for the Black River rest project. So, update will be needed with this new project.

Charles Carter resident: Everyone is concerned about the rate increase, but my understanding is this Black River project is going to off set some of our costs due to the service or potential new hook-on customers.

**Motion was made by Mike Baehl to except KLM bid for the inspection of the water tower 2nd by Bruce Baker**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

**Tap on Fees:** Jeremy discussed the need to increase the new hook up fees. We use to call them Tap on fees. Service to hook on fee should be increase because of material. No labor fee included. The town already pays the employees, this is just a raise due to materials. Materials have gone up exponentially this year. Just like groceries and gas. We just talked about a rate study. I will be asking you to do a new rate study soon due to the cost of materials. Renew the language in the Ordinance due to cost inflation. This needs to be updated. We can talk more. We just need to change language to cover costs. To make a clear understanding.

We will have to amend the Ordinance to make a clear understanding. Maybe need to use a market price, no set fee due to costs.

Jeremy recommended for all utilities.

Tabling tap on fees till we get with Bill Bender with updated language for Ordinances.

**Fire Dept:** Austin Ahrens discussed Fire Truck Specs. Final Specs were made available to the board 67-page document. Austin said that it is ready for the bidding process. Sealed bids July 19<sup>th</sup> will be received up till 4:00pm. Sealed bids need to come to Town Hall Office. Attorney will be present and bids will be opened. Explanation of process was explained to Austin. Advertisement will be put out in Posey County News and other proper advertisements. Bill Bender Council attorney called in and advised we had to publish twice 7 days apart for 7 days. Should put in publications for those that specialize in fire trucks

**Street Dept:** Jeremy asked that we do not put grass in the street. They have a new camera that they took in a drain. The clog that was reported showed nothing but grass clippings. Please help us y not blowing grass in the street so we have no water in the streets.

**Parks Dept:** Christy Foster reported on latest Grant opportunity for the concrete flooring at the Town Park. The Town has been blessed a grant to finish the shelter concrete flooring. Christy has received the money for the flooring at a reception held by the Women's Fund Grant from the Community Foundation. This money \$2,475.00 will allow the town to put concrete in the new shelter. Mike commented that there is an Eagle Scout who has contacted him potentially interested in helping finish up shelter. We try to help Scouts. New harmony may come up to get service hours Tim Wiley will get back with Mike All volunteer's welcome.

Bruce thanked Christy for her grant work. Christy has gotten shelter built, floor concrete, and safety equipment for the Street department. Christy also noted that she is working on a new grant with officer Carter to get some needed equipment.

End of comments

Andy Zellers: All grant information is available at the Town Hall or you can contact me at [azellers@evvregion.com](mailto:azellers@evvregion.com)

Andy called for any other comments.

Mike Baehl just wanted to say that since we did not get the last grant in the fall it has cost the town an increase in project cost of \$500,000.00. Andy said this was due to material cost. Mike stated he knew that, but had we gotten it the first round we would not have the additional cost of \$500,000.00. Andy: so, this makes this very important that it goes through this round. Mike: Yes!

Resolution no. 2022-06-14-1 was read

**A motion was made by Bruce Baker to approve Resolution 2022-6-14-7 2<sup>nd</sup> by Justin Rutledge**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

Resolution No. 2022-6-14-02 was read

**A motion was made by Justin Rutledge to approve Resolution 2022-6-14-8 2<sup>nd</sup> by Bruce Baker**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

**SRF Water Grant:** Mike Baehl explained that what the SRF Grant was. SRF stands for State Revolving Fund. This is money that is out there for water and sewer project. Mainly it is for our Drinking Water Plant. Mike asked Jon Craig from Midwestern Engineer to comment on this.

Jon: this is potentially a way to fund a portion of these projects. If OCRA does not have money for the sewer project this is another avenue. But this will help offset the balance that will be due. Jon was very optimistic that the town will receive a \$500,00.00 grant IDEM for the water project. We have applied for State Revolving Fund money earlier this spring for grant and loan. We should have an offer coming in shortly. Resolutions are needed to give permissions to midwestern to submit a PER for each project and give authorization for application. Jon feels that we are sit well for receiving some kind of offer for the water project at this time. Resolutions are not binding at this time it is just giving permission to see if monies are available. There have been some concerns about interest rates and he understands we also were looking at USDA. We know you are evaluating which is the best. your options are open market, SRF, and USDA. Not to over state but we feel that Poseyville will get grant money from SRF for water project. SRF has got a large pot of money to pull from at this time. In the next 4 years they are going to look at shovel ready projects, which you are one. They will be looking at several different areas one is your mediate household income and your current rate structure. We feel you will surely get an offer. The next ideas are all about financing.

Mike Baehl if anyone sees Mr. Tomes and Wendy McNamara write letters tell them in person. Why do we have to pay for a nitrate issue we did not create. That you do not feel that you should have to pay 3.1 million dollars for safe drinking water. Wendy has been very helpful to us letting us know what grants are available. Please just reach out to.

we have to have an individual's names. Christy also expanded on that. She stated that we could not have a number or a fictitious name in the records for identification for individuals attending via zoom.

**Motion was made by Bruce Baker to continue Zoom for another year as of July 7<sup>th</sup> 2<sup>nd</sup> by Justin Rutledge**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

**Police Department:** Weed and Grass is being addressed. There are concerns for properties that are over grown. We have limited funds for grass mowing. Donations were made last year to allow us to mow properties. We do not have those funds this year. There are primarily two properties with major concerns. Which is a banded property. No residence on the properties. We also cannot use chemicals without property owners' permission. We have 2 properties that continue to be a problem but our hands are tied. Been working with the board on this.

We have had complaints of door-to-door solicitation. We are on an interstate so we do get this from time to time. There is a town Ordinance requiring registration. They are required to have a green card on them that shows they have registered at the town hall. Ask for that card if they come knocking at your door. Do not invite them in.

School is out be aware of the children playing in and around the streets.

**Utility Dept:** Receipt Tax Ordinance 2022-06-14-01 for Water was read by Diana Powell and an explanation of why this reduction was required by the state. Rates will decrease very slightly.

Receipt Tax Ordinance 2022-06-14-1 for gas was read by Diana Powell and an explanation of why this reduction was required by the state. Rates will decrease very slightly.

There will be a Hearing for both rate changes on June 28<sup>th</sup>. These Ordinance amendments must be implemented by July 1 2022. You will see the slight reduction on your August bill.

Jeremy Farrar: State law change for natural gas. The Gas has to have a new alert system if regulator fails. We have to have a new piece of instrumentation we have to buy and install according to the Indiana regulatory commission. Cost is 3,570.00 for instrumentation and installation a 30.00 fee per month after installation.

**Motion made by Bruce to except the purchase of the New Gas regulatory instrumentation at 3,570.00 2<sup>nd</sup> by Justin Rutledge**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

**Water Tower Project:** Water tower was Inspected in March by EPA we need to get it inspection every 5 years we have not had that done. We did not get written up for not having a water tower inspection but we need to move forward with this project. Inspection inside and outside as we know we need. Jeremy provided documentation to the board of which he has recommended. His recommendation for KLM was due to cost and inspection paperwork quotes. Jeremy also explained there are few companies any more that provide this service.

Jeremy finances are not in his realm. PER states best option is ion treatment for this project. Even though it is expensive it is the best and most reasonable approach to solving the problem.

Christy Foster Clerk Treasurer: Had a conversation with Derek from Midwestern Engineer project manager concerning finance. I was expressing my concerns about interest rates. Everyone in this room probably knows interest rates are getting ready to bloom. As of today, we are in line for a 2.0 interest rate with SRF which is beautiful. We are hopeful we can take advantage of this through SRF. If SRF or OCRA do not come through I checked into USDA. I had a conversation with them I did not want to get caught without a back up plan. Currently their rates are 2.0 as well but as September it will be going up to 2.5. Rates will continue to climb in January. At this time, they could not tell me what that rate will be but there will be a defiant increase. We have been working on this long hour lots of meetings. We are not ignoring this. Working so hard for all of you. This also affects us we live here also. SRF is our first approach hoping that we get 2.0 interest. If not, we are still working with others if this does not come through.

Bruce Baker: We are seeking all the grant money we can get. Its like buying a car. You try to get the best rate you can. We do not want rates to go either.

Mike: We don't want them to go up either. We live here too. We drink the water also. Thank John with Midwestern Engineering. They make themselves available.

PER Acceptance Resolution for Drinking Water was read.

**Motion was made by Justin Rutledge to accept Resolution 2022-06-14-3 as read 2<sup>nd</sup> by Bruce Baker**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

Authorized Representative Resolution for Drinking Water was read

**Motion was made by Bruce baker to accept Resolution 2022-06-14-4 as read 2<sup>nd</sup> by Justin Rutledge**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

PER Acceptance Resolution for Waste Water was read

**Motion was made by Justin Rutledge to accept Resolution 2022-06-14-6 as read 2<sup>nd</sup> by Bruce Baker**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

Authorized Representative Resolution for Waste Water was read

**Motion was made by Justin Rutledge to accept Resolution 2022-06-14-5 as read 2<sup>nd</sup> by Bruce Baker**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

**USDA: Mike asked Christy to speak.** Rural Development this is another Grant/loan option. Again, this is a back if SRF fails for us. USDA is very similar to SRF. USDA is a 40-year loan plan is a longer plan. That being said. We can pay this off in less than 40 years. If we want, we can pay off early by increasing our payments if funds allow us to do so. We currently have bond payments for both water and sewer. USDA will allow us to roll the current bonds into the new ones. Using the lower interest rate for both debts. Currently

both bonds are serving a much higher rate. What that means to us as citizens is that we are going to save on the old bonds. Our monthly payments will decrease and make it more affordable for the new and old debt. SRF will also do the same and allow us to rap that debt around old and new. The reason it is on the agenda is to have the discussion. To let the board know we have another way to go if SRF fails. USDA is a lengthy application. It calls for more on the PER from our engineers. Unfortunately, this is also more for our engineers to get together in a short time line. This has to be in by the first of September. This has to be done as I mentioned do to the interest rate changes in September. I did talk to Derek and he will try to get it done but he cannot guarantee me that he can have this done in our September time line. He knows where we are. He has done the PER, he has worked with us and talked with us on this project. Jon and Derek have been great working with us. This is being brought up as a back up plan.

Mike: Lengthy application and something to fall back on. Going to stick up for Midwestern. Not the only company they are working with. They are overwhelmed and may entertain new help. This USDA application is something to put in our back pocket.

Jon: You should know something in the next few days. At least some guidance to move forward. By the next meeting you should know something. USDA has a piece they require which is the environmental study. Your grant administrators were approached and this is a piece they do not do. Jon explained how USDA works at the end of their fiscal year. SRF tiers are discussed.

Bruce: This is a short time period thing. Something we need keep moving on so we do not regret not moving forward.

**Area Planning:** Mindy Bourne was present representing the Area Plan on a rezoning proposal for Peter Patel. Portions of said property is zoned R-3 Mr. Patel wishes to change this to a B-2 which is a Commercial general. Per Mindy this has been Residential for the back parking lot at 76 highway 68(Gas station). Mr. Patel wishes to have all said property under Commercial General. No one knew this was residential zoning until now. The property is grandfathered in right now. Mr. Patel is wanting to expand this property stating this is reason for rezoning. So, with changes he must change zoning to B-2 to be in compliance. The planning commission met June 9<sup>th</sup> and approved this zoning changes. Area plan makes a recommendation to make changes. Per Mindy it is now presented for approval from our council.

Mike Area plan agreed the changes needed would be good for the town.

Mindy said that Mr. Patel is moving to get this as a single lot. In the future it will not involve as much work to make changes. Bruce stated that the lots were established many years ago.

**Motion was made by Bruce baker to accept Resolution 2022-06-14-6 as read 2<sup>nd</sup> by Justin Rutledge**

**Roll Call Vote taken, Bruce Baker Yes Justin Rutledge yes and Mike Baehl Yes**

**Zoom:** Christy gave an explanation why we potential would need to continue the zoom meeting option for the town. Christy recommended to continue zoom for another year. Christy explained state board of accounts has regulations that have to be followed for zoom meetings sign in sheets, roll call votes, and anyone that is attending via zoom must be identified for the records. Bruce also backed that up with. If you come via zoom,