

**Minutes of Public Hearing
Town of Kirklin, Indiana
Water Project OCRA Grant
May 14, 2018 @ 7:00 p.m.**

Attendance: See sign in sheet

Walt Minnick opened the meeting at 7:02 p.m. and turned the floor over to Amy Miller, Grants Administrator with Cornerstone Grants Management.

Amy explained that she is the grant administrator who is assisting the town in submitting an application to OCRA (Office of Community and Rural Affairs) for a water system improvements project. She explained that late last year the town received a planning grant for the water system and based on that planning grant wishes to move forward with a project and wants to apply to OCRA for a \$600,000 grant. The total cost of the project is \$2,590,000 and the local contribution would be \$1,990,000, which would be coming from SRF (State Revolving Fund). The application proposal is due on May 25, 2018 and the final application is due by July 20, 2018. The July 20, 2018 date is when the "FEEPS" would be due which stands for Finances, Engineering, Environmental Review, Permits and Site Control. Our Engineering is already complete because we did the required PER. She explained that for the Environmental Review, she has received all comment letters back already except for DNR State Historic Preservation Office. She stated that she has contacted them and is expecting a response sometime next week. Once she receives their comment, if they don't have any objections, she will then publish a finding which is called a Finding of No Significant Impact, which has to be published for 30 days for Public Comment and State Comment. After the 30 days expires, SRF will then approve the PER that Darren Wells, from GRW Engineering, has submitted to their office. The approval letter must be in the application by July 20, 2018. She went on to explain that the Town of Kirklin is right on target with attempting to submit the OCRA application in Round 1 should the Town continue to wish to proceed. For the Permits requirement, we just need to identify what permits are needed. For Site Control, everything is already at the plant that will be done. She believes we will have all of our FEEPS finished by July. She then opened the floor up for questions.

Melinda Jobe asked if we will need support letters and Amy responded that yes, we do. She explained that support letters would be things such as residents complaining about the quality of water, rates being high, and that we could even put something on Facebook asking people to comment on our water quality. Amy has in the past made a screen shot of Facebook comments and submitted them with the application. She does have a log of the past couple of years of complaints but would like to have current ones, too.

Amy believes that we have a need and that we will get funded but that it is just a matter of when since it is so competitive and that it may take us two submittals. It will be dependent on what the competition is in other communities. If we do get the grant in the first round, it will be announced in August 2018. If we do not receive it, the final application would be due in November with awards being announced in January 2019.

Jay Moore asked how much the community would match if we receive the OCRA grant and SRF loan. Amy explained that the match is the SRF loan in the amount of \$1,990,000. Darren Wells of GRW explained that he imagines it as SRF would buy down the rates to about \$45.00 for 4000 gallons. He said the PER \$600,000 "forgivable loan" would make it a \$1.3 million project that would be the SRF loan amount that Town would be borrowing. Amy stated that the last draw for the water planning grant should see the funds coming in this week, which will then enable Amy to close out the grant which needs to be done before we submit the OCRA application in July.

Walt Minnick then signed papers closing out the planning grant.

With Steve Brock (rate consultant) absent from the meeting, Darren Wells then took the floor.

Darren updated the Council on how things have progressed since April. He stated that a draft agreement for engineering services was sent to Mary King last week and that he needs the Council and Attorney to review it. He stated that it is lengthy but that it has standard contract language and that to maintain the schedule should the town

proceed it would need to be approved at the June 11, 2018 Council meeting. If we get funded and GRW has not started with design, it would hurt our chances of the project readiness side of things. They would like to start design in June and then proceed accordingly. If the project is delayed, we could hold off on the project and wait until we received funding in possibly Round 2. He explained that GRW is willing to defer and carry their fees and not invoice the town until the project is funded with the understanding that if they have started design and the project is terminated for cause or convenience then they would expect payment.

PER Signatory Authorization Form – Walt is the main signatory (for the PER they submitted)

After a brief discussion by the Council, Melinda Jobe made a motion for Walt Minnick to sign the SRF Loan Program Signatory Authorization Resolution #2018-5-1. The motion was supported by Jennifer Rustin and carried with a unanimous vote.

The Public Hearing was adjourned at 7:22 p.m.

Minutes recorded by Tara Walker.

Walt Minnick _____

Attest: _____

The regular meeting of the Kirklin Town Council was held on Monday, May 14, 2018 at 7:00 p.m. at Kirklin Town Hall.

On the call of the roll, the following Council Members were present: Jerry Faucett, Melinda Jobe, Walt Minnick, Valerie Pearson, and Jennifer Rustin.

Also present were: Kent Schuch, Darren Wells, Amy Miller, Billy Walker, Matthew Myers, Jay Moore, Patricia Quick, Brent Metzinger, and Tara Walker.

The meeting was opened at 7:00 p.m. with the Pledge of Allegiance and prayer led by Walt Minnick.

MINUTES – The Town Council Meeting Minutes from the regular meeting held on April 9, 2018 were approved as written.

PUBLIC HEARING – A public hearing was held regarding funding for the proposed water project. Amy Miller (Cornerstone Grants Management) and Darren Wells (GRW Engineering) updated the council on the process of applying for an OCRA Grant. Melinda Jobe made a motion for Walt Minnick to sign the SRF Loan Program Signatory Authorization Resolution #2018-5-1. The motion was supported by Jennifer Rustin and carried with a unanimous vote.

WASTEWATER PROJECT – Kent Schuch, the project manager at Triad Engineering, gave an update of the IDEM meeting that took place on May 10, 2018 in Indianapolis. At the meeting, IDEM directed that by Friday, May 11, one person would need to be assigned to be the project point man and also that an action plan to bring the plant back into compliance and finishing the project on time was to be created. Kent will be supporting their inspector and Jim Soper will be working with Billy as needed. Billy spoke up and stated that the plant is on the rebound. Kent stated that the contractor (Crosby) told him that the Aero-Mod system should be operational soon

except for the blowers that they intended to use as they aren't big enough. Once it's up, he stated that temporary treatment won't be an issue and they can take the compressor away. Kent stated that he has asked Crosby for an updated schedule for completion but that he has not received it yet. Billy Walker stated that Crosby had an electrician at the plant today and found that they don't have a starter for the blower and wasn't informed when they will be getting one. Billy stated that the control panels are in transit and the guy from L.A. Electric was supposed to be finding out when they would arrive but he has not gotten that information to Billy yet as of the end of today. Melinda Jobe asked about the status of the UV lights. Billy responded that he received an email from Nick (Crosby) that stated that a technician from HP Thompson is supposed to come to the plant on Wednesday between jobs so that Crosby could avoid costs but that is provided he does not have trouble at his first job. He is coming to orient Billy on the new UV system since they had start up without him being there. They are also supposed to be finding out why the UV flow control system is not communicating with the totalizer flow meter and that when the flow increases the UV intensity is staying the same instead of increasing which has been the cause of the some of the e-coli numbers. Amy Miller stated that the grant originally expired July 31 but with all the delays on Aero-Mod an extension was requested for Nov. 30. She asked Kent if we will be ahead of that now and he replied that Nick feels it could be done by the end of July. He stated that the basic two big things that are left is getting the Aero-Mod online and the tertiary clarifier done. Jay Moore asked about the pits and Kent stated that he realizes that they still need to be done and that he is waiting on someone to get him a price to get the sludge out of the lagoon but that he hasn't heard back yet. Walt Minnick stated that he is disappointed with Crosby in regards to the change order as it was an item that IDEM was upset about and that he is not overly happy with Crosby. He stated that he was out to the plant this morning and only 2 guys were working at a little after 9:00 a.m. Jay Moore stated since there is someone from Triad contractually on site, that it makes sense that Kent be the final decision maker. He stated that the contract says that when a section is taken out of service for construction purposes, they (Crosby) have an obligation to operate that part of the system off-line until it is accepted back by the owner and that Crosby does not seem overly-anxious to take on that obligation even though contractually they already have. Jay stated that the tough part is that we already had an Agreed Order that set forth stipulated penalties so we don't have a lot of wiggle room if IDEM asserts penalties against us. We can point fingers and tell others that they need to help pay for it but that we are not in the strongest position with IDEM though they seemed less upset with the Town after the meeting than before. Walt reminded Kent to get an updated schedule to IDEM when he receives it and Kent stated it is part of the action plan which is to be in by the end of business on Friday. Melinda Jobe had a question about the change orders and Amy read out Change Orders #1 & #2. Kent Schuch brought Change Order #3 with him to this meeting. Amy stated that even after the 3 change orders, after everyone is paid in full, there is still a \$71,000 loan balance, provided there are no more change orders. Kent stated that the ponds should be around \$30,000. Walt Minnick was hesitant to approve Change Order #3 and Melinda Jobe wanted to get Jay Moore's opinion on it. Jay Moore questioned whether was it supposed to be in the scope of their original contract and Kent Schuch said no, it was not, and explained the reasons for the 3 CO's. After hearing that, it was Jay's opinion that it may not be worth going to war with Crosby over \$9,025 if Billy agrees with the changes that they have done. Walt Minnick stated again that he is not happy with Crosby and that there should be more people working out there when they are under fire. Kent stated that they can't do anything with the clarifier until the Aero-Mod is running. After this discussion, Melinda Jobe made a motion to approve Change Order #3 in the amount of \$9,025.00. The motion was supported by Jennifer Rustin and carried with a unanimous vote. Jay Moore stated that he will not be surprised if IDEM doesn't insist more strongly that we begin a remediation program for I/I. Jay stated that the Agreed Order gives us 12 months to comply and that ends July 16, 2018. He stated that within a couple of more weeks we may need to request an extension on that. He stated that we may need to speak to SRF regarding a project on I/I. Amy Miller stated that we cannot get another OCRA grant for waste water for another 7 years. The Council then reviewed invoices. A motion was made by Melinda Jobe to approve payment of \$3,150.00 to Cornerstone Grants Management. The motion was supported by Jennifer Rustin and carried by a unanimous vote. A motion was made by Melinda Jobe to approve payment of \$100,672.00 to Crosby Construction. The motion was supported by Jennifer Rustin and carried by a unanimous vote. A motion was made by Melinda Jobe to approve payment of \$59,400.00 to Triad Engineering. The motion was supported by Jennifer Rustin and carried by a unanimous vote. The Council then discussed two invoices from Fluid Waste Services in the amounts of \$1,973.75 and \$9,733.75. Jay Moore wonders if these two invoices should be charged back to Crosby. Billy stated that it is the product of all three entities and that it was a directive from IDEM. Jay Moore says he understands it had to be done but he is hesitant to approve because we may not owe all of it. Kent Schuch suggested that we mail a copy of the invoice to Crosby to see if they take care of it. He is afraid if we just pay it we may not see any of it back. The issue was tabled with no vote made.

FIREWORKS – Brent Metzinger was present to request Council permission for their annual Metzinger Fireworks Display to take place on Saturday, June 30, 2018. A motion was made by Walt Minnick to approve the request. It was supported by Valerie Pearson and carried by a unanimous vote.

BROWNS WONDER-SUGAR CREEK PLANNING PROJECT – No representative of this project was present but it was discussed briefly to see if any council member was interested in being a part of the committee. Valerie Pearson volunteered.

POTATO SUPPLY – Jerry Faucett stated that Mike Yedlowski could not be present at the meeting but that he is the one who rented the north end of the Potato Supply building and that Mark Timmons from Area Planning got on him regarding the ramp up to his door. It is a dock-height door that semis used to pull in there. Mike has a ramp that is not affixed to anything and that it is off the road. He uses it to drive his cars in there to work on them but that he has no sign and does not work on other peoples' cars, just his own. The ramp can be moved if needed. Jerry stated that he spoke with Mark and Liz both and they stated that they didn't have a problem with it but that they had had a complaint about it. Jerry stated that Mark said that if the Town Council said we didn't have a problem with it that they would just leave it alone. Melinda Jobe made a motion to accept the ramp with the understanding that if there is an issue, he can move the ramp. The motion was supported by Jennifer Rustin and carried with the following vote: Melinda Jobe – yes, Jennifer Rustin – yes, Walt Minnick – yes, Jerry Faucett – yes, Valerie Pearson – abstained.

PARK BOARD – Patti Quick was given the amended lease agreement to have the board sign. She stated that they have a new flag to put up but the pole needs to be put in concrete because it leans. She said she will ask Jerry Shore to assist her. She also stated that the area where the old septic tank is at the playground is marked off and they plan to deal with it later. Billy Walker stated that it wasn't properly sealed off when filled and over time it settled and caused the sinkhole. She stated that she has two new members on the park board. They are Elaine Snell and Bill Lantrip. A motion was made by Jennifer Rustin to appoint them to the park board. The motion was supported by Melinda Jobe and carried by a unanimous vote.

MIKE WALLACE/114 S. Main St. – Billy has spoken to a couple of people regarding prices for a storm drain but he hasn't heard back from them yet. Billy has met with Jay Moore and Dan Sheets and they all agreed that the alley cannot be graded because the Jobses must have access to their barn. Since Area Planning had given them permission when it was put in, the alley cannot be graded like Mike Wallace wants.

UTILITIES – Billy Walker informed the council of the incident at the water plant with a Brenntag driver. The driver was making a delivery and hit an electrical line. Billy would like the bill sent to Brenntag by Jay Moore for them to pay the bill we receive from Jones Electric for work done. He also stated he was flushing hydrants this week and a Reach Alert was sent for the one today. The council reviewed the invoices from Baumgartner Paving. A motion was made by Walt Minnick to pay the invoices in the amounts of \$99,627.00 and \$3,625.00. The motion was supported by Valerie Pearson and it was carried by a unanimous vote. Billy stated that Mike Henry volunteered his time and equipment to use some of the millings in the park parking lot to enlarge the parking area.

POLICE DEPARTMENT – Matt Myers reported that we are now out of the LEASO program and are not eligible anymore because we do not have a full-time marshal. They are trying to find interest in the vehicles and we must get rid of all of them. There have been no takers for the firearms yet. He says he will have 30 days to return the items such as the transmission and other little things. He stated he is working on grass issues and that there are the normal ones and a couple of new ones. He has initiated action with APC on the Clay St. property. He has also contacted APC regarding the Brad Bailey property.

WATER LEAK ADJUSTMENTS - A motion was made by Jennifer Rustin to deny a water leak adjustment for Kevin & Sherry Lunsford in the amount of \$88.38 because they had already received one in the past 12 months. The motion was supported by Melinda Jobe and carried with a unanimous vote. A motion was made by Melinda Jobe to approve a water leak adjustment for Marion Cox in the amount of \$34.88. The motion was supported by Walt Minnick and carried with a unanimous vote.

CLERK-TREASURER – Tara Walker presented the council with the March and April reconciled bank statements. After review, Walt Minnick signed them. Tara Walker also presented the council with the Billing

Adjustment Register. After council review, Walt Minnick signed it. Tara Walker presented the council with the Register of Claims APV #8749-8837 which were then signed by all council members.

HEALTH INSURANCE – Walt Minnick stated that the council needs to review the information and to make their decision by the June meeting.

TOWN CLEAN-UP DAY – There were three companies solicited via email for bids on dumpsters to provide for the town clean-up day on June 16, 2018. Clinton County Disposal and Winski Brothers did not respond however Wampler’s did submit a bid. A motion was made by Melinda Jobe to approve the proposal made by Wampler’s to supply the dumpsters for town clean-up day in the amount of \$125.00 per box and tonnage at \$47.00 per ton. Other charges would be for tires but they ask that no pain solvents, hazardous chemicals or tires be taken there. The motion was supported by Jennifer Rustin and carried by a unanimous vote.

SIDEWALK – Melinda Jobe stated that the sidewalk 2 doors down from The Bridge has another ledge in it after the winter and is a trip hazard. After discussion, Billy Walker was asked to check it out to see if he can smooth it over.

DREW – Walt Minnick stated that Jay brought up the need to lighten Billy’s load a bit and would like to see Drew work more hours. Billy stated that he does work when needed but doesn’t seem interested in full-time at the moment. He says Drew has been a big help the past couple of weeks while Billy has had to spend more time at the sewer plant. He stated that he normally works from 8:30am – 12:30pm but that with mowing season, as long as he doesn’t have to babysit as his girlfriend works 2nd shift, he has been working more hours.

CHURCH OF GOD PEWS – Jim and Dan Mann purchased the church and would like the pews to be temporarily placed in various locations downtown to see if they would be a good permanent placement. Valerie Pearson made a motion to approve the temporary placement of the pews downtown. Jennifer Rustin supported the motion and it was carried by a unanimous vote.

MISCELLANEOUS – Jerry Faucett voiced concern regarding furniture being around town but he thinks they are waiting for the clean-up dumpsters. Walt Minnick wants again to make sure that residents must show a current water bill to be able to use the dumpsters. Valerie Pearson stated that the chairs and table at the pizza place could cause problems with where they are located because the brick is lower than the sidewalk. Valerie stated that a woman almost hurt her ankle. After discussion, Walt Minnick stated that he will speak to the owner about moving them.

Meeting was adjourned at 9:05 p.m.

The Minutes were recorded by Tara Walker.

Walt Minnick _____

Attest: _____

A special called meeting of the Kirklin Town Council was held on Tuesday, May 22, 2018 at Kirklin Town Hall at 7:30 p.m.

Town Council Members present were: Walt Minnick, Jennifer Rustin, Jerry Faucett, & Melinda Jobe. Valerie Pearson was absent.

Also present were: Jay Moore, Sue Anderson, Steve Brock, Matt Myers, and Mary King

WATER RATE STUDY & INTRODUCTION OF ORDINANCE AMENDING THE RATES AND CHARGES FOR THE WATER UTILITY - Steve Brock was present to explain the contents of the Phase One Water User Fee Study that Therber, Brock, & Associates completed for the Town of Kirklin. The study shows what the rates would be for the following: Not completing the project at all. Completing the project with no funding for the project. Completing the project with OCRA funding only, and with OCRA & SRF funding. He explained that, based on the study that was done, a phase one water rate increase would be necessary. He also reported that, before the end of the year, a second phase would have to be implemented and would bring the final water rate for 4,000 gallons to approx. \$45.49. He explained that we will apply for a \$600,000.00 OCRA Grant if the phase one rate increase is adopted. If the water rates are not increased in phase one, we would only qualify to apply for a \$550,000.00 grant. The reason is due to OCRA considering our current rate not high enough for the additional \$50,000.00. Mr. Brock has been consulting with representatives from the SRF and they have indicated that we are a very good candidate for loan funding and an additional grant to buy down our rates to keep them at the affordability rate of \$45.00 per 4,000 gallons of water. He explained that the target date is to close the loan before December 15th and that means that the project would need to be bid by the end of October. We will not have an answer on whether our OCRA grant application is approved until July. Mary King asked if the SRF could possibly fund the additional \$600,000.00 if we are unable to get a grant from OCRA in the first round. Steve Brock felt like there was a good chance that the SRF would give us additional grant money to keep the affordability rate at \$45.00. He said that they are looking for water projects to fund and that they have a lot of wastewater projects needing to be funded, but few water projects. Mary King gave the first reading of the Ordinance Amending the Rates and Charges for the Water Utility. A motion was made by Jennifer Rustin to approve the Ordinance on first reading. The motion was supported by Melinda Jobe and carried with a unanimous vote. The Public Hearing for the Ordinance will be held on Monday, June 11, 2018 at 7:00 p.m.

ORDINANCE AMENDING THE RATES AND CHARGES FOR THE WASTEWATER UTILITY #5-2018-1- The Clerk-Treasurer explained that it had been discovered that an error had been made on Ordinance #6-2017-1, adopted on June 5, 2017 concerning the penalty process for unpaid sewer bills. Jay Moore noted that penalties had always been applied according to what was reflected on the billing cards. After discussion, a motion was made by Melinda Jobe to approve Ordinance #5-2018-1 correcting the scrivener's error. The motion was supported by Jennifer Rustin and carried with a unanimous vote. A motion was made by Jennifer Rustin to consider Ordinance Amendment #5-2018-1 at one meeting with unanimous consent to correct the scrivener's error. The motion was supported by Melinda Jobe and carried with a unanimous vote. A motion was made by Jennifer Rustin to approve Ordinance #5-2018-1 correcting the scrivener's error in ordinance #6-2017-1 on final reading. The motion was supported by Walt Minnick and carried with a unanimous vote.

TOWN MARSHAL POSITION - Jay Moore presented a Job Description and employment ad. The Town Council reviewed both documents and made minor changes to them. A motion was made by Melinda Jobe to accept the legal ad & Statement of Job Description, Responsibilities, and Qualifications and to advertise the ad in the Frankfort Times and to post on the town Facebook page. The motion was supported by Jennifer Rustin and carried with a unanimous vote. Mary King will place the ad in the newspaper and upload to the Facebook page.

SINKHOLE AT THE PARK - Melinda Jobe presented a picture of the sinkhole at the Town Park near the playground equipment. After discussion concerning the safety issues, the Council felt that something needs to be done immediately, either by covering it up with wood or breaking up the concrete and filling the hole in. Jerry feels like it

could be taken care of with very little time and that Billy should be able to do it. Jennifer Rustin offered to contact Brent Metzinger to get a quote and see if he can get it taken care of immediately in case Billy can't do right away.

GOLF CART COMPLAINTS - Sue Anderson was in attendance to complain about the kids riding around town on a golf cart. She said that the golf cart is not registered and doesn't have the proper safety equipment on it. The kids that have been driving it are under the legal age, even if the golf cart were registered. Many in attendance reported having seen a gentleman, who does have his golf cart registered, riding down the middle of the highway on a regular basis. Matt Myers agreed to take care of both issues.

The meeting was adjourned at 8:35 p.m.

Walt Minnick _____

Attest: _____