

# MINUTES New Paris Conservancy District Board Meeting

## MEETING MINUTES

TUESDAY OCT 22, 2019 6:30 PM-9:00 PM

NPCD NEW ADMINISTRATION BUILDING

<b>Chair</b>	Gary Dausman		
<b>Attendees</b>	AJ LANE DENNIS Gary Brumbaugh Michael Dunlap Todd Kidder	Brad Smith Diane Smith Karl Cender Rodney Waldron	Dave Donn Neff Neff Ken Jones, Jr. TOBIE BECKWITH
<b>Absent</b>	Jamie Fisher Tony Neff	Rick Wallace	Ron Rylands

- **Open the meeting at 6:30 p.m.**

Gary Dausman

- **Welcome citizens in attendance**

Gary Dausman

- Brad Smith, and Bev Yoder.

- **Chairman Dausman thanked all involved in bringing the Administration building into creation. (List attached).**

Gary Dausman

- **JPR**

Ken Jones, Jr.

- Pay amount less retainage; 10% of what roof costs.
- Inspection was on roof last Friday; resulted in issues between the manufacturer and contractor.
- JPR recommendation is that all retainage stays until next spring. October 11, 2019; is the date of completion. The floor is complete.
- Pay application. Of the \$453,000.00 only retain the \$26k; and pay the \$66k. Chairman stated that the roof is \$32k; Chairman Dausman stated that he believes the contractor failed the materials warranty. DT stated the roof would be complete by Oct 4th. Email sent by Dennis stating we needed to sign the warranty; it was sent on to our Attorney; that document stated the roof was warranted on August 26th; can't be we would be losing three months. No one else had signed the document.
- AJ stated that the warranty was to have been a lifetime warranty; not 20 years. They had the roof rebid the roof separate; from \$75k to the \$37k.
- Does \$22k cover the punch list items?
- Where is the final formal punch list. Ken is to be working on. On the floor the question is; we agreed to allow them to correct the issue of the imperfections; we agreed to give them a chance with their vendor. Is that a good enough deal? There are no eaves trough; there is no snow guard on the roof; the downspouts; nothing has been done. They have the materials that have just been delivered. Radiant heat. The question the Board has, we were getting water heat instead of electric. Handicap being put on the two doors; the two change order's for handicapped door openers; at a cost of \$12k? Drop box; only saw a saw cut. There is a handle on it; the trim not acceptable; the paint issues are it is what it is? They are not going to do anything to correct it. The block facade; there are a couple cracks; Ron from DT said they would be cut out and new stone put in it. It was apoxied in. We will know during the winter season; Gate in the garage; never got credit for. Should have received credit in the change orders. Project management of DT was terrible. In the pre construction meeting; all were there; in that meeting outlets and data outlets; there is x amount in the bid; and faceplates of the outlets and data; and the placements of those. Ron had sent an email stating that he needed the outlet cover color's asap. Samantha from Office Interiors stated that almond would go with everything. The walls are not sealed in the conference room. Question is the pay application and what do we want to retain. Or they can walk away; Ken showed a line that stated failure to owner may terminate with cause; and justify termination; number one failure to supply sufficient skilled workers or adhere to project schedule. Reinstating the pause of the floor and the roof was to have been resolved by October 4th. We agreed to was that we would pause the \$250.00 a day until October 16th.

- Motion to reinstate the \$250.00 October 16th; refusing pay application at this time; till next month. Dave offered his involvement to institute the Board’s motion.

**CARRIED** **Moved by Gary Dausman, Seconded by AJ LANE**

- Approve JPR to communication with Dave in regards to DT’s construction process.

**CARRIED** **Moved by Gary Dausman, Seconded by Rodney Waldron**

- Selge; They know they are the only bidder. Can accept a single source bid. We also have the authority to rebid the project. There is a \$40k bid that the engineer had quoted and the bid that came in. His written legal opinion; Nine plan holder’s picked up with only one bid received. Can reject the bid; and rebid the project. Nine entities were interested enough to pick up the plan; you would think they would be more. Ken; nine bidders procured; not all were contractors; some of them are plan rooms; the public bidding project; or private engineers; show up with \$50 to \$75 per plan. Or they can download them for free. Engineer’s estimated \$207k and then they did it again in September; and they never shared with you.
- Dave said you have two options; you can reject one bid and re advertise the job; or we can accept the bid that came in at \$40k over. Additional costs for that with the engineer. Delaying this project; just cleaned out the sewer line at a cost of \$3,400.00. Selfie’s Bid is \$207 1st \$257829.00.. Under Indiana law; if you only have one bidder; we can sit down with the bidder and negotiate.
- Dave’s recommendation is to try to negotiate costs on the project; and not to reject the bid; Chairman Dausman suggested to the Board to have JPR reach out to the engineer to see if they will negotiate on our behalf; it wouldn’t change the end date of the project doing that.

- Motion to have JPR to negotiate with Selge and make decision in November board’s meeting.

**CARRIED** **Moved by Gary Dausman, Seconded by AJ LANE**

- Tabling JPR’s 2020 contract until December’s Board meeting.

**• Dave Hollenbeck - NPCD Attorney**

All

- Hollenbeck stated the minutes of September 24, 2019 were in compliance.
- Hollenbeck stated that the minutes of the September 24, 2019 Budget adoption meeting were in compliance.
- Hollenbeck Employee Handbook; tabled until November.
- Wes Culver: modification of prior agreements; specifically addressing the ten acres of farm house property that they cannot develop into a sub division. Hollenbeck recommended to the Board to accept this modification.

- Motion is to accept the modification of prior agreement with Wes Culver.

**CARRIED** **Moved by Rodney Waldron, Seconded by AJ LANE**

- Elkhart County Recorder on Liens; Liens being attached to people, program they want me to pay for
- Hollenbeck will get with Smith on the properties that are violation of our sewer use ordinance. He looked over the letters and they met his approval. December 22, 2019; is the due date.
- 2020 Hollenbeck’s bill rate will be reviewed by the Board in December.

- Board minutes September 24, 2019

**CARRIED** **Moved by Rodney Waldron, Seconded by AJ LANE**

- Minutes of Budget Adoption minutes September 24, 2019

**CARRIED** **Moved by Gary Brumbaugh, Seconded by Rodney Waldron**

**• CENDER & CO. KARL CENDER**

Karl Cender

- Funding for the Administration - explain to the Board how this works.
- Does the Board want Cender to do a rate study for the Board? In preparation of the 2021 budget?
- Does the Board want Cender to break down the fund balances in the general ledger?
- Does the Board want Cender to input fixed assets into the general ledger?
- 2020 Budget
- 2020 Cender bill rate Will be reviewed in the December Board meeting.

**• JPR**

Ken Jones, Jr.

- Opening Bids on the Railroad Project on County Road 46 Only one bid received.
- Selge Construction is the only one who bid the job.
- Tentatively award the project to sledge based on JPR recommendations today; understanding that there is a formalization; and NPCD’s Attorney has to approve the contract; and there has to be an answer given prior to the Board; what is to be done differently this time.

**CARRIED** **Moved by Gary Dausman, Seconded by AJ LANE**

**• Astbury Contract Operations - Donn Neff**

All

- Motion was to approve Astbury’s report as submitted.

**CARRIED** **Moved by Gary Brumbaugh, Seconded by Rodney Waldron**

- Motion to approve Abe’s plumbing at a cost of \$1,275.00.

**CARRIED** **Moved by Gary Brumbaugh, Seconded by Rodney Waldron**

- Smart Cabinetry - Astbury will be pulling sludge samples from them this week. He will be looking over Smart’s

- Motion to approve placing privacy fence.

**CARRIED** **Moved by Rodney Waldron, Seconded by AJ LANE**

- DT Doors still working on pricing for garage doors; tabling till November.
- Lift Station Improvements
- RAS pump quotes. Good for six months. RAS pump three is starting to have bearing noise. Don greased it;
- Turtle Top is for 2021. Looking at all three Lutes, better way and Turtle top lift stations
- Quotes for projects for next year. Tabled until next meeting.
- 2 quotes received on painting exterior doors of plants.
- BT quoting for door replacement instead of painting door.
- RAS quotes for generator hook ups and splash gears. Tabled until next meeting.
- Ferguson quote received.
- Sump pump inspections to date: 95 inspections conducted to date. 19 failed inspections and 5 corrected of those 19 failures.
- Smart Cabinetry will have their own special discharge permit. More work for NPCD. Why aren’t we charging them more? Not addressed at the meeting.

**• FINANCIAL CLERK SECRETARY REPORT**

Diane Smith

- Approve report as submitted.

**CARRIED**

**Moved by Rodney Waldron, Seconded by AJ LANE**

- PayGov payment issue; Diane performing audit.
- Verizon: Board meeting in the new building. Savings. Out of Diane’s name.

- Lechlitner’s door quote for handicap door openers. And Changing the door locks.

**CARRIED**

**Moved by Rodney Waldron, Seconded by AJ LANE**

- Motion to accept Board cover insurance; not earthquake.

**CARRIED**

**Moved by Rodney Waldron, Seconded by AJ LANE**

- Johnson’s lawn snow plowing and lawn mowing. Tabled till we get a quote.

**• NPCD Register of Claims**

Diane Smith

- Approve register of claims not paying DT Construction and JPR misc invoices.

**CARRIED**

**Moved by Gary Dausman, Seconded by AJ LANE**

- Motion to approve amendment to the motion on the register of claims with the change of deleting the quote of Johnson’s lawn Maintenance of \$2,271.25.

**NOT YET HEARD**

**Moved by Gary Dausman, Seconded by AJ LANE**

- Motion to approve purchase of book cases at a cost of \$350.00.

**CARRIED**

**Moved by Gary Brumbaugh, Seconded by AJ LANE**

- Landscape tabled. November.

**• Administration Tickler List:**

Gary Dausman

- SBS PORTALS: Scanner price went from \$4,500.00 to \$8,500.00. Board needs to review. NEW INSTALLMENT DATE NOW NOVEMBER 1, 2019. Board has already approved the monthly fee; the question was the scanner; Board has tabled the scanner until the October Board Member.
- Electromedia
- Internet to the plant
- Mapletonics - Kristi Smith and Michael Dunlap came to the meeting to introduce themselves to the Board; and it was clarified the needs of the District.
- Hub for internet to the plant
- New Paris Telephone
- Fiber Optics
- Verizon
- Speaker phone for conference room; will plug into Ethernet cable; no land line needed with verizon.
- JPR - follow through

- 88 Security Solutions
- Office Interiors - Delivery after October 15th.
- Handicapped doors- quote from Lechlitner Doors This was tabled until October board meeting.
- Landscaping
- Refrigerator, Microwave; in Garage waiting to install
- Spare fence gate still in the garage. Dennis DT to get us a cost.
- Prior Board action was to have correspondence with Attorney and CPA run through the office. Smith is to pull the Board's action for their review.
- Tinted windows

• **NEW BUSINESS:**

Gary Dausman

• **EDU letter needs to go out in November**

Gary Dausman

• **Nisley sent a letter on the District's behalf in regards to the Audit costs.**

Gary Dausman

- Motion to keep the same policy on EDU's as last year.

**CARRIED**

**Moved by Gary Dausman, Seconded by AJ LANE**

- Motion to contact Tony to see if he wants to be on the Board. Gary Brumbaugh is to contact Tony.

**CARRIED**

**Moved by Rodney Waldron, Seconded by AJ LANE**

- Motion to close the office next week to move the office to the administration building.

**CARRIED**

**Moved by Gary Dausman, Seconded by Rodney Waldron**

- Directorship for District III term will expire at the annual meeting in February of 2020. This position is currently held by Rod Waldron. A notice will be published on NPCD's website; Brightnet on their TV Banner, Facebook and the Goshen News.

• **UNFINISHED BUSINESS:**

Gary Dausman

- DISTRICT I; By law; NPCD must make reasonable accommodations for someone who is disabled. It was stated previously that Tony would resign; and would like to be on the Board if he can in the future. No letter has been received; and if Tony would like to call into the meetings; we could do that; or if he wanted to FaceTime in; we could provide him with an iPad for him to do that.
- Audit expense charged by the State: Todd Caldwell was to have gotten back with NPCD; update; AJ volunteered to follow through with this.
- Prior Board action was to have correspondence with Attorney and CPA run through the office. Smith is to pull the Board's action for their review.
- Painting entire plant
- New Paris Cemetary
- Land O Goshen
- Solar energy
- Wind energy
- District Files in garage that are destroyed. Someone needs to go through them to see what is in the boxes; then taken to the County for them to destroy. Who is going to take them.
- 2021 Budget item; generator on Turtle Top Lift Station

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- **REFER TO DISTRICT'S CALENDAR - BRING TO BOARD MEETINGS FOR REFERENCE**

Gary Dausman

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- ADJOURNMENT 9: 21 p.m.

**CARRIED**

**Moved by AJ LANE**

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- **INFORMATION ON THE NEXT NPCD BOARD OF DIRECTOR'S MEETING.**

Gary Dausman

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- RESPECTFULLY SUBMITTED BY THE NEW PARIS CONSERVANCY DISTRICT BOARD OF DIRECTORS:  
ATTESTED BY THE FINANCIAL CLERK/SECRETARY

*Remarked by Gary Dausman*

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*Remarked by Gary Brumbaugh*

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*Remarked by AJ LANE*

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*Remarked by Tony Neff*

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*Remarked by Rodney Waldron*

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*Remarked by Diane Smith*

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