

Dillsboro Town Council

November 18, 2024

The regular meeting of the Dillsboro Town Council was called to order at 6:00 p.m. by President, Doug Baker, who led the Pledge of Allegiance.

Council present: Doug Baker, Becky Fryman, Tim Benning, Charlie Caldwell and Jerri Jackson.
Attorney present: John Watson.

Council Member (CM) Fryman made a motion to approve the minutes from the October 28, 2024 regular meeting. CM Jackson seconded the motion. All were in favor, and the motion carried.

Clerk-Treasurer – Rita Stevens

A sewer adjustment request was requested for Steve Mix for the property at 13155 Bank Street. The adjustment, totaling \$56.07, was requested due to a water leak under the house. CM Benning made a motion to approve the adjustment, seconded by CM Caldwell. The motion was carried unanimously.

An invoice from the Dearborn County Sheriff for the \$2,500 annual fee covering the collection, storage, handling, and disposal of evidence was presented. CM Fryman moved to approve payment of the invoice from the Public Safety Fund, with the motion seconded by CM Jackson. The motion was approved unanimously.

Council members were reminded of the AIM Roundtable scheduled for November 20 at the Brau Haus in Oldenburg.

Fire Department – Jason Sullivan, Fire Chief

The October Incident Type Report was presented to the Council, detailing the following: 4 Fire incidents, 10 Rescue & Emergency Medical Service incidents, and 5 Good Intent Call incidents for a total of 19 incidents.

A storage location has been secured for the fire truck that hauls the ATV, with the arrangement lasting until March 2025.

CM Baker inquired about the status of the First Responders. Sullivan reported that they are doing "decent" and noted that several individuals have expressed interest in joining as First Responders. There were 8 First Responder calls in October.

Police Department – Josh Cady, Police Chief

Both police Tahoe's have been serviced, Cady's Tahoe required attention for an air conditioning issue and Sears's Tahoe had a belt replacement and is awaiting repairs for the windshield washer system.

The J-turn construction on US 50 is expected to be completed by Thanksgiving.

Utility Department – Matt Bauer, Utility Superintendent

Operations are running smoothly, and employees remain busy. Leaf collection will be ending soon, and the final collection day will be posted.

Spring Clean-Up is planned scheduled for March and April.

The salt spreader will be mounted on the truck and the new vac truck is able to be stored indoors.

One final meter remains to be installed for a new service. A total of 6-8 meters were installed this year, which is an increase from prior years.

All park restrooms have been winterized and closed for the season. CM Baker inquired about access to the restroom keys. Bauer confirmed that, to his knowledge, only utility workers have keys.

Employees are actively using their vacation time and deciding whether to carry over remaining days or use them before the end of the year.

Beautification

M. Bauer stated that the Beautification's Kawasaki Mule will be winterized in the coming days and that they should be able to dedicate more time to figuring out the watering pump issue.

Main Street – Kami Hamilton, Executive Director

K. Hamilton reported that the Hometown Christmas is scheduled for December 7th and the flyer was given to the council.

Town Manger – Derek Walker

D. Walker provided some operational highlights, the Grace Quinlan/Katie Robinson Signs is pending permits. Contact with INDOT is ongoing but indicated that the signs should be ready for installation before Thanksgiving.

The sewer televising project is approximately 75% complete. Inspections indicate that the sewer mains are generally in good condition, with an exception. There are 3 to 4 areas with Root infiltration, primarily at lateral tap connections. Three sections of the sanitary main have evident cracking and need repairs. Identified repairs are likely to be limited to non-intrusive work. The inspection work is expected to be completed by the end of the week.

Concerns have been raised by some utility customers regarding trash billing. The current town practice is to bill each residential customer for trash services. The Council confirmed that utility customers are required to pay for trash services. Attorney Watson suggested the town should consider drafting a trash ordinance for clarity and formalization.

The Dearborn County Stellar Pathways Steering Committee is preparing for its presentation to OCRA, scheduled for December 3 at the State House. Walker encouraged anyone interested in attending to show support for the town's presentation. OCRA has noted its intention to decide on finalist awards sometime after the new year.

Old Business

D. Walker reported that the property owner of the suspected infiltration to the Main Street sewer main, hired a contractor to replace a silted-in concrete stormwater pipe on their property. However, it was determined that the pipe was not connected to the sanitary sewer and was not the cause of the sinkholes or stormwater infiltration into the sanitary system. Smoke tests conducted in August 2019 and the town's sanitary lateral records point to a broken connection on a section of lateral that is suspected to be abandoned. This issue is likely not unique to this property, and we suspect that most of the sewer utility's infiltration problems are occurring on the private side of the system.

There has been little interest from the property owner of the old US Bank Property, 12899 Bank Street, in donating the property to the town. Walker has expressed the town's interest and suggested the possibility of options like negotiating a property swap. The town will continue to communicate with the realtor regarding this matter.

Sevita Health Care (formerly National Mentors Healthcare) has cleaned the Town's building, 12827 Lenover Street and restored utilities. Walker has informed St. Elizabeth Healthcare and Margaret Mary Healthcare of the property's availability. Margaret Mary Healthcare has declined interest. Discussions are ongoing regarding allowing Jay Knowles to market the building.

Ordinance 2024-11-1, Opioid Settlement Fund Appropriation was presented, allocating \$2,255.28 in opioid settlement funds to CASA. CM Fryman made a motion to approve the ordinance, which was seconded by CM Jackson. The motion was approved unanimously.

The 2025 Salary and Health Insurance Renewal proposal includes: A 3% salary increase for most employees, except for two employees receiving higher raises based on their licenses' criticality, years of service, value to the town, and market pay comparisons; The clerk-treasurer and utility clerk positions will remain separate; Up to 5 paid days for employees to attend training or continuing education; A 3.42% increase in health insurance costs with Anthem. Employees expressed satisfaction with the current health coverage during a meeting.

Walker has reached out to AIM Medical Trust and other providers for alternative health insurance options comparison quotes. AIM's proposal would not be ready by January 1, but a quote for coverage could be available by February or March, allowing the town to switch providers if desired.

CM Benning moved to approve the 2025 Salary Ordinance (2024-11-2) and continue with Anthem health insurance coverage. The motion was seconded by CM Jackson and passed unanimously.

New Business

Façade Improvement Matching Grant (FIMG)

The town received 10 applications for the Façade Improvement Matching Grant. The review committee met on November 7 to discuss and score the applications. The committee recommends: Full funding for 5 properties: 12827 North Street, 12985 Bank Street, 13365 Sunset Drive, 13235 Sunset Drive, and 12990 North Street; and partial funding for 1 property: 12550 North Street

CM Fryman made a motion to approve the review committee's recommendations. CM Caldwell seconded. Motion carried unanimously.

Community Crossing Match Grant (CCMG) Award

The town received notice of a \$416,700 CCMG award on November 7. Required documents, including the contractor's bid, award letter, and funding request, must be submitted to INDOT by March 7, 2025. The grant will fund three road improvement projects: Guion Street Reconstruction, Main Street Maintenance, and Western Row Resurfacing

CM Baker noted the need to move a light pole on Guion Street. Walker will follow up with Duke Energy to address the issue.

INDOT Grant Agreement Legal Signer

To proceed with the grant agreement, INDOT requires the town to designate a legal signer. Walker recommended authorizing the Town Manager and, or Council President to sign the agreement. CM Benning made a motion to approve the recommendation. CM Fryman seconded. Motion carried unanimously.

CCMG Engineering Services

Walker is awaiting the Phase II engineering proposal, estimated to cost around \$50,000. Funding sources include: \$11,072 in the 2024 Riverboat budget, \$30,000 in the 2025 Riverboat budget, and \$8,000 in the 2025 Local Road and Streets budget. Walker recommended authorizing the Town Manager or Council President to approve a service agreement for engineering services not exceeding \$45,000. CM Fryman made a motion to approve the recommendation. CM Jackson seconded. Motion carried unanimously.

Western Row Water Main Upgrade

The long-term plan for the water utility includes phasing out the 1958, 75,000-gallon elevated water storage tank and constructing a 200,000–300,000 gallon tank. This would require upgrading the 4-inch water main on Western Row to an 8-inch main to ensure system redundancy. The preliminary cost estimate is \$179,400. The Council decided to table the discussion for a future meeting.

Dearborn Community Foundation Grant Agreement

The town was awarded \$12,200 for sidewalk improvements at the park. If the weather permits, the project may be completed this year. CM Benning made a motion to accept and sign the agreement. CM Caldwell seconded. Motion carried unanimously.

Christmas Bonus

CM Baker recommended a \$150 Christmas bonus for town employees. CM Fryman made a motion to approve the bonus. CM Jackson seconded. Motion carried unanimously.

Employee Holiday Schedule and Luncheon

M. Bauer noted the tradition of town employees working until noon on December 23 and holding a Christmas luncheon. CM Jackson made a motion to continue this tradition and publicize that the Utility Office will close at noon on December 23 and remain closed on December 24 and 25. CM Baker seconded. Motion carried unanimously.

Adjournment

With no further business, CM Fryman made a motion to adjourn the meeting at 6:59 p.m. CM Jackson seconded. Motion carried unanimously.



Rita Stevens, Clerk-Treasurer



ORDINANCE 2024-11- 1

ORDINANCE APPROPRIATING OPIOID SETTLEMENT FUNDS

WHEREAS, the State of Indiana has reached multiple settlements with major pharmaceutical companies, distributors, and related firms as part of the State's ongoing commitment to accountability in addressing substance use; and

WHEREAS, the Indiana Office of the Attorney General calculates the amounts local units of government are to receive from the settlement per the terms and conditions of the settlement and House Enrolled Act 1193; and

WHEREAS, Indiana Code 4-6-15 et seq. codifies these settlement terms and automatically includes political subdivisions like Dillsboro that have chosen to participate in settlement, as parties to and participants in future opioid settlements negotiated by the state; and

WHEREAS, pursuant to the Initial Settlement, Dillsboro is projected to receive approximately \$19,651.23 over the course of 18 years;

WHEREAS, to date, Dillsboro has received payments under the Initial Settlement comprising \$2,255.28 in "abatement" or restricted funds and \$2,543.92 in unrestricted funds; and

WHEREAS, in accordance with the settlement terms and state law, Dillsboro has created unique funds to hold and account for abatement and unrestricted settlement funds; and

WHEREAS, the Community Advocating for Substance-Abuse Awareness (CASA) is Dearborn County's Local Coordinating Council for the Indiana Commission to Combat Drug Abuse; and

WHEREAS, CASA's mission is "To develop and support a comprehensive community plan focused on preventing and reducing substance abuse and addiction among youth and adults in Dearborn County by driving impactful advocacy efforts."; and

WHEREAS, Dillsboro wishes to appropriate the full amount of the current balance of the "abatement" or restricted funds for such uses by CASA in its ongoing efforts to aid the community in combating the harms caused by the opioid epidemic; and

WHEREAS, the Common Council now finds that all conditions precedent to the adoption of an ordinance authorizing an appropriation of the Town have been complied with in accordance with Indiana law;

NOW THEREFORE, BE IT HEREBY ORDAINED BY COMMON COUNCIL OF THE TOWN OF DILLSBORO, DEARBORN COUNTY, INDIANA THAT:

SECTION 1: For the purposes of addressing ongoing impacts of the opioid crisis felt by the residents of Dillsboro, the following additional sums of money are hereby appropriated and ordered set apart from the Opioid Settlement Fund - Restricted - for the purposes herein specified, subject to the laws governing the same:

- **Opioid Settlement Restricted (Fund #2257) – Community Advocating for Substance-Abuse Awareness**
 - Classification - Services and Charges: \$2,255.28

SECTION 2: There is hereby appropriated the sum of \$2,255.28 Dollars out of the Restricted Opioid Funds, for the purpose of engaging non-profits and faith-based communities as systems to support prevention. Such appropriation shall be in addition to all appropriations provided for in the existing 2024 budget and shall continue in effect until the completion of the described purposes. This appropriation is limited to the current settlement payments into the Opioid Funds and shall not affect the disposition of payments received into those funds in 2025 and subsequent years.

SECTION 3: The Clerk-Treasurer is hereby authorized and directed, for and on behalf of the Town, to execute and deliver any agreement, certificate or other instrument or take any other action which such officer determines to be necessary or desirable to carry out the intent of this Ordinance.

DILLSBORO, INDIANA

TOWN COUNCIL

Date: 11/18/24

Charlie Caldwell
CHARLIE CALDWELL

- Aye
- Nay
- Abstain

Tim Benning
TIM BENNING

- Aye
- Nay
- Abstain

Doug Baker
DOUG BAKER

- Aye
- Nay
- Abstain

Becky Fryman
BECKY FRYMAN

- Aye
- Nay
- Abstain

JERRI JACKSON
JERRI JACKSON

- Aye
- Nay
- Abstain

ATTEST:

Rita Stevens
RITA STEVENS
Clerk-Treasurer

TOWN OF DILLSBORO ORDINANCE 2024- 11-2

An ordinance setting salary and wages for the employees, Town Council and Clerk Treasurer of the Town of Dillsboro for the 2025 fiscal year.

WHEREAS the town council has a lawful obligation and duty to set amounts of compensation and increases and decreases from time to time of the Town's employees; and

WHEREAS, it has been determined that certain employees should have salaries and wages for the year 2025 and are effective upon December 23, 2024, unless otherwise noted herein.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL, TOWN OF DILLSBORO THAT:

1. Michael J. Beach, General Laborer, shall receive a regular hourly wage of \$21.89 per hour, an overtime wage of \$32.83 per hour, a Sunday wage of \$43.78 per hour, and be reimbursed \$600 annually for cell phone usage. Compensation for this position shall be allocated as follows: 20% from the Motor Vehicle Highway (MVH) Fund, 40% from the Water Works Fund, and 40% from the Sanitary Sewage Fund.
2. Brian Graver, General Laborer, shall receive a regular hourly wage of \$24.10 per hour, an overtime wage of \$36.15 per hour, a Sunday wage of \$48.20 per hour, and be reimbursed \$600.00 annually for cell phone usage. Compensation for this position shall be allocated as follows: 20% from the MVH Fund, 40% from the Water Works Fund, and 40% from the Sanitary Sewage Fund.
3. Eric R. Graver, Wastewater Operator, shall receive a regular hourly wage of \$26.70 per hour, an overtime wage of \$40.05 per hour, a Sunday wage of \$53.39 per hour, and be reimbursed \$600.00 annually for cell phone usage. Compensation for this position shall be allocated as follows: 100% from the Sanitary Sewage Fund.
4. Donald R. Schmaltz, Foreman, shall receive a regular wage of \$25.03 per hour, an overtime wage of \$37.54 per hour, a Sunday wage of \$50.05 per hour, and shall be reimbursed \$600.00 annually for cell phone usage. Donald R. Schmaltz will receive 1/5 sick day per (1) day that Utilities Superintendent is absent beginning January 1, 2023, and each year thereafter. Compensation for this position shall be allocated as follows: 60% from the Water Works Fund, 30% from the Sanitary Sewage Fund, and 10% from the Park and Recreation Fund.

5. Matthew Bauer, Superintendent, shall receive a regular hourly wage of \$30.08 per hour, an overtime wage of \$45.12 per hour, a Sunday wage of \$60.16 per hour, and be reimbursed \$600.00 annually for cell phone usage. He shall be eligible to receive three weeks' vacation calculated from August 26, 2019, and shall thereafter be entitled to vacation as provided by the Town's personnel policy as thereafter in effect. Compensation for this position shall be allocated as follows: 20% from the General Fund, 40% from the Water Works Fund, and 40% from the Sanitary Sewage Fund.
6. Kami Hamilton, Main Street Executive Director / Administrative Assistant, shall receive a regular wage of \$17.51 per hour, an overtime wage of \$26.27 per hour, and a Sunday wage of \$35.02 per hour. The position is part-time, being offered 32 hours per week, and no overtime is expected. Compensation for this position shall be allocated as follows: 20 hours week (62.5%) from the Riverboat Fund, 3 hours per week (9.375%) from the General Fund, 3 hours per week (9.375%) from the Water Works Fund, and 3 hours per week (9.375%) from the Sanitary Sewage Fund.
7. Rita Stevens, Utilities Clerk, shall receive a regular wage of \$17.21 per hour, an overtime wage of \$25.82 per hour, a Sunday wage of \$34.42 per hour, and shall be reimbursed \$600 annually for cell phone usage. Compensation for this position shall be allocated as follows: 50% from the Water Works Fund and 50% from the Sanitary Sewage Fund.
8. Derek Walker, Town Manager, shall receive an annual salary of \$77,250.00 and shall be reimbursed \$600 annually for cell phone usage. He shall receive five weeks' vacation. Compensation for this position shall be allocated as follows: 60% from the General Fund, 20% from the Water Works Fund, and 20% from the Sanitary Sewage Fund.
9. Alexander Sears, Patrol Officer, shall receive a regular wage of \$24.72 per hour, an overtime wage of \$37.08 per hour, and a Sunday wage of \$49.44 per hour. Compensation for this position shall be allocated as follows: 100% from the Local Income Tax Public Safety Fund.
10. Joshua Cady, Police Chief, shall receive a regular wage of \$30.08 per hour, an overtime wage of \$45.12 per hour, and a Sunday wage of \$60.16 per hour. Compensation for this position shall be allocated as follows: 80% from the General Fund and 20% from the Local Income Tax Public Safety Fund.
11. Part Time / Seasonal Laborers shall receive \$13.25 to \$14.25 per hour. Part Time / Seasonal Laborers are ineligible for benefits and shall remain seasonal as defined by federal law. Compensation for this position shall be allocated as follows: 100% from the Riverboat Fund.

12. The Town Council shall receive \$6,991.83 per year. They will be paid the last pay period of every month. Council members may miss up to two meetings without loss of pay annually, absences in excess of two meetings annually, except for emergency circumstances, will result in reduced compensation. Compensation for this position shall be allocated as follows: 1/3rd from the Sanitary Sewage Fund, 1/3rd from the Water Works Fund, and 1/3rd from the General Fund.
13. The Clerk-Treasurer shall receive \$17,271.58 per year. The Clerk-Treasurer will be paid the last pay period of every month. Compensation for this position shall be allocated as follows: 1/3rd from the Sanitary Sewage Fund, 1/3rd from the Water Works Fund, and 1/3rd from the General Fund.

CELL PHONE REIMBURSEMENT: Employees who receive the \$600.00 cell phone allowance shall receive reimbursement in two installments, the first on or about June 1, 2025, and the second, or about December 1, 2025. Compensation for this benefit shall be allocated as follows: 100% from the Riverboat Fund.

ON CALL PAY: Utility employees who have on call duty will be paid \$100.00 per week. Compensation for this benefit shall be allocated as follows: 50% from the Water Works Fund and 50% from the Sanitary Sewage Fund.

OVERTIME PAY: Overtime will be earned when employees work in excess of 40 hours per week, overtime earned on Sunday will be paid double time. Overtime will be limited to emergencies, i.e., water line breaks, sewage problems, snow removal or as seen necessary by the Town Manager or Superintendent or with prior approval of the Town Council.

COMPENSATORY TIME: Employees who earn overtime may also opt to take overtime hours as compensatory time rather than receiving overtime pay. Employees shall arrange compensatory time with their immediate supervisor, which will not be unreasonably denied. The employee will also report compensatory time scheduled and taken promptly to the clerk treasurer. Compensatory time will be granted so long as the compensatory time sought does not cause a serious disruption of town operations and/or services.

VACATION ENTITLEMENT: All permanent full-time employees shall earn vacation in accordance with the Town Employee Policies and Procedures policy. All vacation time accumulated in 2025 shall be used in 2025, with the exception to 40 hours which may be either paid out and/or rolled over to the following year. Vacation entitlement for new hires shall be subject to the discretion of the Council as outlined in the personnel policy.

SICK LEAVE: All permanent full-time employees shall receive twelve days per year from January to December. All new employees shall receive one sick day per month from date of employment to December. Sick days can be accumulated to a maximum of

90 days. Sick leave entitlement for new hires shall be subject to the discretion of the Council as outlined in the personnel policy.

HEALTH INSURANCE BENEFIT: All employees of all 35 or more hours per week will receive major medical and dental insurance effective on the first day of employment, except as otherwise provided herein, and all permanent full-time employees will be enrolled in PERF. The Town of Dillsboro will furnish major medical insurance and dental insurance to the permanent full-time employees and their families. Employees who have single coverage will pay \$39.28 per pay period; employees with a child pay \$73.11 per pay period; employees with a spouse pay \$78.60 per pay period, and employees with family coverage will pay \$113.08 per pay period. The Town of Dillsboro will pay the balance of the premium.

HEALTH SAVINGS ACCOUNT: The Town of Dillsboro will deposit \$2,000.00 into any employees' Health Savings Account who is entitled to the insurance plan for the year 2025 to be taken out of the Riverboat Revenue Fund. The deposits will be as follows, March, \$500.00; June, \$500.00; September, \$500.00; and December, \$500.00.

RETIREMENT FUND: All full-time employees will be covered by the Indiana Public Employees' Retirement Fund (PERF), effective first day of employment except for a newly created position which will be subject to enlargement approval from PERF.

BONUS PAY: Any employee that acquires a CDL, a DSS Water License, or a Class 2 Wastewater license will receive an additional \$1.00 per hour for each such license earned so long as the license is maintained by the employee. The Town of Dillsboro will pay the costs for additional training, continuing education and other similar requirements necessary to maintain any such license. Each employee having secured such a license is expected to take the necessary steps to maintain the license in good standing. Every employee who receives additional pay for acquiring a CDL, DSS Water License or a Class 2 Wastewater license will be expected as a condition of employment to perform the duties which any such license holder is entitled to perform by law. Failure or refusal to perform such duties when required may result in disciplinary action or termination of employment.

TRAINING/CONTINUING EDUCATION: All employees covered under this ordinance may receive up to five paid days for professional training or continuing education for licensure on subjects directly related to their employment with Dillsboro. These paid training/continuing education days shall be scheduled with and approved by the employee's supervisor if applicable and shall only be used for training/continuing education purposes. The employee shall provide proof of attendance at the training/continuing education to their supervisor and/or the clerk treasurer as and when requested. Training and/or education in excess of five (5) actual days shall require approval of the Town Council. The employee shall use

vacation time to cover absences caused by training and/or continuing education if approved by council for the days in excess of five (5) days.

GENERAL TERMS: Any employee hired shall receive minimum wage. The Council may approve a higher rate depending on education and experience. This payment shall come from the Water Works, Sanitary Sewage, General Funds or Motor Vehicle Highway Fund. All salaries and/or wages are to be paid every 2 weeks with twenty-six pay periods per year, and the overtime rate will be one and a half times the hourly rate. All salary and wage increases set forth above will be paid to those persons unless in the discretion of the Town Council there are insufficient appropriations or amounts contained in the budget from which to pay such increases.

DILLSBORO, INDIANA
TOWN COUNCIL

Date: November 18, 2024

Charlie Caldwell
CHARLIE CALDWELL
 Aye
 Nay
 Abstain

Doug Baker
DOUG BAKER
 Aye
 Nay
 Abstain

Jerri Jackson
JERRI JACKSON
 Aye
 Nay
 Abstain

Tim Benning
TIM BENNING
 Aye
 Nay
 Abstain

Becky Fryman
BECKY FRYMAN
 Aye
 Nay
 Abstain

ATTEST:

Rita Stevens
RITA STEVENS
Clerk-Treasurer
Town Council, Town of Dillsboro