

RECORD OF PROCEEDINGS
VILLAGE OF FORT RECOVERY COUNCIL

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held February 19, 2024

CALL TO ORDER: Mayor Dave Kaup called to order the Regular Council Meeting on February 19, 2024 at 7:30 pm in the Village of Fort Recovery Council Chambers to conduct regular business.

Roll call was conducted with the following Council members present: Erik Fiely, Cliff Wendel, Luke Knapke, Greg Schmitz, Scott Pearson, and Al Post.

Also Present: Randy Diller, Erin Abels, Roberta Staugler, Bailey Cline, Mike Frank, Jerry Guggenbiller, John & April Bihn, Conner & Leah Rammel, Chuck Kaiser, Neal Spencer

The mayor led with prayer and the pledge of allegiance.

Reports to Council: VA Report, January Finance Reports.

Minutes: Knapke made a motion to approve the February 04, 2024 Meeting Minutes as presented. Schmitz seconded the motion. Vote all yes.

Mayor: We have some visitors here; I assume to discuss the lagoons?

Conner Rammel: We want to see where we are at, get an update, see what the plan is. Initially we were here in April 2021 and discussed the smell we are receiving on Wabash Rd and in town. We have had the odor today and three times last week. We have read from the reports that the numbers are better, things are improving but numbers don't matter it still stinks. In the papers, it has been discussed a consultant and dredging that has to be done. Where are we at? What are the steps? You have another project coming up in a couple of years, is that more important than getting this problem taken care of?

Diller: In 2021 we had the bad smell. I drive out every day to see what I see, have for a long time. It started in the spring of 2021 thru the end of 21. At the same time, we have been conducting a wastewater study. If the recommendation was to be completed it would be a long term \$8-12-million project which is not feasible unless we receive funding. In the meantime, we have ideas on getting dredged which could be \$800,000 to \$1,000,000. We are trying to plan how to proceed. At the end of 2023 we found a grant we could apply for. It will cost a total of \$842,200 to clean the lagoons out.

Rammel: The grant just came about, is it the only one available? Diller: Most grants are project specific, and most won't point out high enough to fund dredging. It is ARPA money the state still had, so we have submitted it. We have a lot of support from representatives and senators who put support behind us along with local industry and Jared Ebbing. We feel we are getting traction, reached out today, the sooner the better. If it gets funded, we could put it together quickly, possibly sometime this year. We can't land apply it, so it could be any time of year.

Rammel: To do the dredging project, is our pond still capable at the level we are getting? Diller: Yes, as long as the numbers stay down, the egg facility waste is not any different than domestic waste, it does spike occasionally for a single test result but in reality, it is just the equivalent to a lot more houses. We are not going to be able to meet all EPA testing requirements. We are looking at a long-term plan, with new technology in the next few weeks. It has been around for 10 years, one just opened in West Virginia. It is called Lemna. We would continue to use the lagoon, and add a semi-mechanical plant which is different and quicker. We are looking at that, seems like a great process for us. There is one in Van Buren IN and Laurelville OH. It is somewhere between \$1 - \$2million. We would go out and find funding if we need to. There are low interest loans and small grants if we find the best answer.

Rammel: Are you still using the same company as before? Diller: Yes, Kainos Ag. Last fall we stopped for three weeks; They completed some sample tests at which time we needed a new contract. It seemed to help from my perspective. You say you noticed odor at Christmas? Rammel: Yes, it's frustrating. We have new windows in our basement which

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doesn't help when it's that bad. Diller: Seems worst in evening? Rammel: Yes, and it's been in town too. My parents smell it on Flaler Road. How can we be involved? I don't want to get angry but how can we be involved so we know we are getting play by play? Diller: I don't see it like you do, I go out every day and don't smell it until I get to the lagoons. I know the smell from April, 2021 is not the smell I have smelled recently. I drove around them at 5:45 tonight and didn't notice a smell except back at the lagoons and shortly thereafter I received a text that it was smelling on First St.

April Kaiser: There was definitely a smell at the eggplant. If you went further it smelled. Chuck Kaiser: At 5:30 AM there was no wind, the flag was flat today. It was at my place and the lumber yard. April: I haven't said anything since October. Should I document every time it smells? Diller: I won't give you heck for that. April: Christmas it was terrible, some days worse than others.

Diller: We have some product coming in tomorrow or Wednesday. We will put it in. It helped in 2021. We are trying to make it better until the weather gets warmer. Kainos and other lagoon consultants thinks it can help if we use additional aeration. They say we need to get more air in those lagoons than what we installed in 2019-20. Rammel: It's turning into spring when kids want to be outside. Long term, we are under the impression there will be upgrades happening at Coopers along with additional homes adding to the lagoons. Diller: They may add a machine that can do more with no more water or waste running five days a week unless they have more orders. Kaiser: At that point will they use more water? Diller: Don't know but they could. Their use of water hasn't changed within 100K total for last 18 months. Their test results are better, for the amount we have to treat. Doing a lot of good things. The first step is to try to get the lagoons cleaned out. Still have to do something different to meet EPA numbers. We don't have phosphorus requirements yet but we have to be prepared to meet that limit coming up. We want to get cleaned out as soon as we can, if we don't get a grant, we will put together a project to get part of it done. If we get the first pond cleaned out it will give us years of operation. Kaup: The Lemna technology would only utilize a small portion of the 6 acre, like 1/10th. Diller: Closer to 1/3 of one pond, still classified as a lagoon. We won't need to have someone there or a large building, there is maintenance and operational cost but it has to work. Rammel: Did you use the product last month? Diller: We have continued to use since October 1st. Rammel: It is being added and still smells? Diller: Lagoons will always create a smell when they flip over. 2021 was a cold year, it flipped a couple of times. They don't do much in winter, the bio doesn't work. Our point to feeding in the winter is so it helps in the spring. John Bihn: Is there a benefit to make it deeper?

Diller: The Lemna process will include digging the area being used to 12' as opposed to current 6'. It actually gets a cover put over it. Biggest reason is to keep it 50° all winter, then it will work all winter long, and should not have to flip in the spring. Rammel: If quote to get done, have they ever been dredged? Diller: No, they were built in 1971. Which is normal as the first 40 years there was no industrial waste. Rammel: If you go semi-mechanical, would there be a set standard to dredge every 10 years, and set aside money to do it? Diller: We would have to monitor, if bacteria works all year around, there would be a process to go thru to measure when they get cleaned out. Don't have as much space and volume. Retention, curtains weave all around take longer more time for bacteria to work. Kaiser: The goal is to get dredged? Diller: Can't know for sure will look at, hopefully we get the grant and can continue to move forward to get project put together. We have to stay in operation. April: Are you going to use general funds for those things that are more important? Diller: We are going to take care of it. January 1st this year was the first time the grant was available. Kaiser: It can't be land applied, does that mean it is harmful? Diller: There is a chemical that municipal lagoons often have that make it so it can't be land applied but my understanding is that is not dangerous to human health. Coldwater and St Henry can't land apply either.

Rammel: How often do they dredge? Diller: They go through a lot more waste, maybe 10 years ago. They have smell issues that they don't talk about. It is deeper not as thick.

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Pearson: Do you know where lagoons are in Celina? They stink bad. Diller: Rockford's smell, it is across the river. April: Always smell? Rammel: I understand, I know it smells a little bit, but does it get in multiple people's homes? I can't imagine that. Diller: It's a two-month process, I can commit to doing, I can send updated text once a week to you to keep you in the loop. It would probably be easier if I have your emails. Bihn: I know other people on First St and at the school smell it too. We know because we are out there. Rammel: If we can have open communication. All we know is what we read in the paper; it said you applied for grant but didn't know how much it cost. Last month minutes said the numbers were good.

Diller: Numbers are good. We know how much it costs; don't know what paper you're talking about. We can't apply for a grant unless we know how much it costs. Typically estimates are a little high. Kaup: Depends on how far you need to truck it. Bihn J: Do they put in a tank and bury it. Kaup: Bag? Diller: They pump it into a tube. We have aerators and curtains. Kaup: We have spent a lot of money, it hasn't worked. Diller: Prior we spent money on curtains, aerators with blowers prior to the smell. Then treated it more and better. April: Was the reason you didn't dredge? money? Rammel: Spent money you didn't need to spend? Diller: Last spring it didn't smell and we put the stuff in there anyway. We used two different products. Rammel: What does that cost? Diller: \$9,000. We used Dazzle and KCDX. Dazzle is quicker, the KCDX is slower but last longer. We will do both again. Bihn J: Anticipate to continue treatment? Diller: If we dredge it is not as big as deal. Kaup: Hope if we get it dredged we won't have to put in as much chemicals. Diller: With chemicals you can't treat ammonia. We have to test just don't have to meet all limits yet. Phosphorus currently is at a 3, Ammonia 25-30. Cooper Egg's tests are never over 2 on Phos or 3.5 - 4 in ammonia. Rammel: In 4 years you need to be at 1 or below? Diller: According to this company that is not an issue. We would still have to treat the E-coli separately. Anything EPA gives us as limits has to do with what is going into the river not to deal with smell. Kaiser: You won't have to put in a multi-million-dollar plant? Diller: Either plant or something. If we dredge pond one, we won't even need pond one. It will go directly to pond two and be treated. Rammel: This company from Minnesota; is that all they do? Diller: Lemna, has been in use for years. Rammel: If it works that well, that simple why isn't everyone doing that? Pearson: I'm not disagreeing, the problem is we have so many companies. Bihn J: What are other towns with egg breaking companies using? Fiely: Tests are good. Diller: Maybe the odor is because of sludge in the bottom. We still have to make improvements to our plants. Rammel: You have support from legislators. Who is reviewing? Do we need to write letters? Diller: Dept of Development. Jared Ebbing deals with them all the time. The Consulting Co is doing great job to get support. Kaiser: Email us as soon as you get the letter. Diller: Don't feel bad about letting me know when it smells. I won't get upset; you have to live it.

Kaup: March 9th at 1:00 pm we have a Town Hall Meeting to provide information about the RE tax process. Spread the word. Fiely: What is our goal? Kaup: To let them know. In talking to the Auditor, there are things on the property tax, they had no idea were on there. In the 70's these levies were put on for schools. Instead of as renewal, made them continuous. Things voted on by our parents which are on there for good. Will be there forever. Diller; We will get more money on inside milage, accessed value get roughly \$24,000 more this year. Outside millage will not increase. Kaup: Dave Walter said the school has a 20-mil ceiling. They are getting more money; the ceiling needs to be lowered. Diller: Effective rate as low as 1.9 to 1.7 range. Rollback takes care of mileage. Kaup: It will be a pretty informative meeting. Diller: This is not a session to complain about rates or bring in your tax bill. It's to cover things most people don't know and don't ask. If you pull up your real estate tax there is a tax chart showing the % of tax that goes to each levy. It is easy to tell where your money is going. Kaup: Talked to school and said you may want to show people what you do with the money. She said it all goes into the same bucket, can't necessarily say exactly. Diller: Thing is for the school back in the day if local tax went up state money went down. May not make as big as impact, if not giving to the school where is it going. Kaup: Randy Grapner, Dave Walter, Dave Buschur, Congressman Lata's Office will be there.

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The Mayor's Community Service Award will go to the Fort Recovery Athletic Boosters this year.

RESOLUTIONS/ORDINANCES:

RES 2024-05 A Resolution Authorizing and Directing the Village Administrator to execute an Aggregation Service Agreement and corresponding Power of Attorney with Priority Power Management LLC. Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes. Post made a motion to pass the resolution which was seconded by Pearson. Vote all yes.

ORD 2024-01 An Ordinance Authorizing the Village Admin to be the Contractual Agent for the Village to apply for Safe Routes to School Funding Infrastructure Project. Pearson made a motion to suspend the rules seconded by Schmitz. Vote all yes by roll call vote. Post made a motion to pass the resolution which was seconded by Fiely. Vote all yes by roll call vote.

January Bank Reconciliation was presented for approval.

Abels: I am preparing another Resolution to execute an easement for the traffic signal.

Diller: Water Grant: The application is in; we have not heard back. RFQ Request is due this Friday February 23rd. We will select an engineer and company.

Water Tower: Bid date March 14th at 10am. Advertised for the first time this Thursday. We are finalizing details with Coopers. We don't know if it will be a perpetual easement or transfer of property. Either one is satisfactory to us. Knapke: Where did the bid come from? nationwide? Diller: Texas and Pennsylvania. This one has a little different spin. It's a long piece of pipe which could be done two ways. Water Tower company can hire a contractor to complete the water main work or Contractor can bid and sub out the tower portion to Water tower companies.

Traffic Signal: Received notice poles are scheduled to be here in June. We hope to have them up by September.

Gwendolyn/Wiggs: PAB already has some things started based on temperature this morning. Will start with utilities after the asphalt is pulled off.

School Transportation: Passed ordinance to authorize Randy to apply. Upgrade pedestrian crossing at 1st Street, improve the 5-point intersection crosswalks and construct a sidewalk from Sharpsburg to the school. This is a 100% funded project.

Public Works: We have a chance to submit more information. Unless they make drastic changes, we feel we are at a level to get funded. Won't get letter of approval until May. Telling ODOT to count on paving all of SR 119 and if we get funded, we will have them skip the portion in the OPWC project.

Real Estate at the edge of town. Randy has a meeting tomorrow with Nathan.

Legislative: Nothing new. Court case ruled in favor of municipalities, it didn't affect us. Someone fought if they were sent home during the pandemic and didn't live in the town where they worked, they didn't want to pay city tax. They will leave it the same for first year.

Aggregation Legislation: Priority Power Management bought out AGE. You gave them a Limited POA to authorize offered rates as they need approved that same day. It will make coordinating with 20 municipalities timelier. They will notify me and I will have the ability to provide feedback.

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Solid Waste Mgmt: Tipping fees went away when land fill closed. Looking at different options. Considering a parcel fee on improved parcels or see about charging the landfills that accept the trash. Bag fees probably will go up. Messing with real estate tax is not real popular.

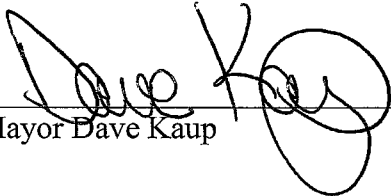
Park Board: Getting close to finalizing pool management team.

Important Items: Cemetery Board Meeting. Tax Incentive: Wed February 28th at 4pm. Next year will be the end of all incentives on file. Town Hall Meeting March 9th at 1pm. March 10th Chamber Banquet.

Poll Council: Wendel: With heat from wastewater, if council wants to see the plant in operation, to see the process, documentation and final preparation in sending back to village. I can take you through the whole system so you can understand how it works. If you give me a day or two notice. Not saying we are not a part of the issue, but we do go through rigorous steps and document what we do. Pearson: I will be out next council meeting.

Council reviewed invoices for check 32510-32564 also including then and now certificates, electronic payments 67-2024 thru 108-2024, inter-departmental transfers and adjustments. Fiely made a motion to approve as presented, this was seconded by Al. Vote all yes.

Fiely made a motion to adjourn the meeting, seconded by Pearson. Meeting adjourned at 8:51pm.


Mayor Dave Kaup


Roberta Staugler