

**ANDREWS TOWN COUNCIL MINUTES
OF A PUBLIC MEETING HELD DECEMBER 15, 2025**

A public meeting of the Town Council of the Town of Andrews, Indiana convened on December 15, 2025, at 6:00 p.m. at the Andrews Town Hall in accordance with applicable law and pursuant to appropriate notice.

ROLL CALL

Council Members Laura Dillon, Roger Newsome, Jr., and Michael Dean Young were in attendance. Clerk-Treasurer Laury Powell declared a quorum was present and the meeting would continue.

PROPOSED AGREEMENT WITH RTX CONCERNING A NEW WELL FIELD

Taft Law's Rod Michael stated that following several rounds of mediation and considering two options to address the Town's drinking water contamination—the Huntington Regional Solution and a local south well field—attorneys continued discussions after the December 8 mediation and have reached an agreement he intends to present to Council this evening, saying it represents the best solution moving forward. Mr. Michael discussed key points from the Settlement Term Sheet – December 15, 2025.

- Water Treatment Facility and Well Field: RTX will pay \$7,650,200.00 to the Town for the new water treatment facility and well field as identified in the Vitreon Group Cost Estimate dated December 2, 2025. Both parties agree this is a firm dollar amount that will not increase. The Town agrees that RTX will not be responsible for any future costs related to the water treatment facility and/or well field and that the RTX funds will be used exclusively for a new drinking water supply for the Town, through either the Huntington Regional Solution or a new water plant and well field at the Town's sole discretion. RTX will pay \$90,000.00 for the cost of land acquisition for the new wells. Both parties agree this is a firm dollar amount that will not increase.

The Town Council was asked by Mr. Michael to approve an Agreement for Grant of Access and Option To Purchase for property south of Andrews which is owned by Andrew and Stephanie Eckert. This would allow the Town, its employees, agents, and contractors to enter the property to drill test wells and conduct environmental assessments to determine the suitability of the property for municipal well development and water supply purposes. Dean Young motioned to approve the Grant of Access and Option To Purchase Agreement. Roger Newsome seconded the motion which passed 3-0.

- Air Stripper Permits: The Town agrees to execute the engineering, and construction permits for the installation of the new, redundant Air Stripper simultaneous with the execution of this Term Sheet.

The Town Council was asked by Mr. Michael to approve RTX's Application and Construction Permits for a New Air Stripper. Roger Newsome motioned to approve the Application and Construction Permits for a New Air Stripper that was seconded by Dean Young. Motion passed 3-0.

- Access Agreements: The Town and RTX will agree to a single access agreement with two components, to be drafted by RTX: 1) The Town will agree to grant access to RTX and its environmental consultants for the existing air stripper and the new, redundant air stripper for 30 years. In exchange, RTX will make annual payment of \$5,000 for up to 5 years or completion of the work contemplated in the first section of this Term Sheet. Afterwards, RTX will make an annual access payment of \$1,000 for the remainder of the 30 year term; 2) The Town will agree to grant access to RTX and its environmental consultants to municipal wells 2 and 3 for 30 years. In exchange, beginning in the year that the above contemplated work is completed, RTX will make an annual access payment of \$1,000 for the remainder of the 30 year term. Once the contemplated work is complete and the Town of Andrews has switched to using a new water

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source, RTX will pay electricity costs associated with the air strippers and municipal wells 2 and 3, as well as a reasonable rate for discharges to the sanitary sewers via a meter. RTX has the right to install an alternate discharge, including but not limited to, one pursuant to an NPDES permit. Once remediation is complete, RTX agrees to decommission wells 2 and 3 and cover those decommissioning costs. Parties agree to address ownership transfers in the final Access Agreement.

- Remediation: Pursuant to the Voluntary Remediation Agreement with the State of Indiana, RTX will continue to take necessary and appropriate actions to achieve regulatory closure for the site related constituents of concern (COC). RTX agrees that the Town is not releasing its right or ability to seek injunctive relief in state or federal court requiring RTX to comply with its obligations under the Voluntary Remediation Program (VRP) to complete remediation in the Town of Andrews.
- Release and Other Terms: The Town agrees to release RTX from all of its claims asserted in the *Asher er al. v. RTX et al.* lawsuit, cause no. 35D01-2006-CT-000338 including: 1) All claims for property damage, including but not limited to diminution in value and loss of enjoyment. The Town agrees to file a joint stipulation of dismissal with prejudice, as to the Town's claims against RTX, only; 2) All claims for out-of-pocket costs for bottled water, chlorine, energy, or Town employee pay related to water distribution; 3) All claims pertaining to chlorinated solvent contamination present in a) soil, b) groundwater, c) soil gas, d) sewer vapors, e) indoor air vapor intrusions; 4) All claims relating to the quality of the drinking water pertaining to chlorinated solvent contamination from the former UTA facility in Andrews.
- Town Water Distribution System: RTX shall have no further responsibility, financial or otherwise, relating to the repair, replacement and/or rehabilitation of the Town of Andrews' existing water distribution system including, but not limited to, any related costs and charges.
- Do Not Drink Advisory: The Town agrees to remove any references on the Town's website to a "Do Not Drink" the water order.
- Future Cooperation: The Town agrees that the Settlement and Release Agreement shall include terms of future cooperation between the Town of Andrews and RTX, including, without limitation, to 1) RTX's future maintenance and use of the Town's existing water production wells and RTX's Air Stripper systems consistent with RTX's above proposal after the replacement water project is completed; and 2) future potential upgrades or replacements of certain existing Town sewers by RTX.
- Environmental Restrictive Ordinance (ERO): The Town agrees to the adoption of an ERO to protect against future groundwater use in areas of impact or potential impact. RTX will pay the cost of drafting the ERO.
- Attorney Fees: The Town is not responsible for the payment of attorneys' fees in connection with the above terms and releases.

In conclusion, Mr. Michael said Taft Law believes that this settlement offers a fair and just resolution to the Town's claims in litigation and recommends approving it. Roger Newsome motioned to accept the Settlement Term Sheet – December 15, 2025, which was seconded by Dean Young. The motion was approved 3-0.

Council President Laura Dillon thanked her colleagues on council, Utility Superintendent Colin Bullock, John Harshbarger, and Clerk-Treasurer Laury Powell for their hard work, cooperation, and support in working together over the years to successfully conclude negotiations with RTX. This is a significant step toward securing clean, reliable water for the community independent of state funding and other funding resources.

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APPROVAL OF COUNCIL MINUTES

Dean Young made a blanket motion to approve council minutes for a Regular Session held on November 24, 2025, and two Executive Sessions held on December 3 and 11, 2025. Roger Newsome seconded the motion, which was approved 3-0.

OLD BUSINESS

Colin Bullock stated that the high service pump is on site and ready for installation. He will turn in the Peerless Midwest invoice to Clerk-Treasurer Powell for payment.

Council President Laura Dillon announced that the Town's 2026 CCMG application was awarded and that the identified road improvements will begin next spring. Council approved Lochmueller Group's amended contract to proceed with preparation of plans, specifications, and contract documents for the CCMG project. This amendment increases the original contract amount of \$4,900.00 by \$14,000.00 to a new amount not to exceed \$19,000.00.

The Order of Enforcement for 400 W Monroe St was tabled until next spring with a motion from Newsome, which was seconded by Young. Motion carried 3-0.

NEW BUSINESS

Dean Young motioned that Laura Dillon be appointed to review and approve year-end claims and the final 2025 payroll prior to the January 12, 2026 council meeting, when the full council will reconvene. Newsome seconded the motion, which was approved 3-0.

Council appointed Andy Eckert to a 2-year term on the Andrews BZA to fill the ETJ seat. Powell reminded everyone that two vacancies remain on the BZA for the Town.

DEPARTMENT REPORTS

Police Department: Town Marshal Josh Platt said he and Officer Wills will be participating in Thursday evening's Shop With A Cop Program at Walmart. He presented a final cost estimate from Crain Ford to order a new 2026 police vehicle. Platt asked for approval to lock in the out-the-door price of \$48,970.55 while adding that quotes from other Ford dealers were not in the ballpark. Young motioned to approve the purchase, with a second from Newsome. Motion carried 3-0.

Fire Department: Dean Young reported that all trucks were DOT inspected and the recommended minor repairs have been made. He added since these invoices were on the docket tonight, he would abstain from the claims vote to avoid any conflict.

Utility Department: Colin Bullock reported they have been snow plowing and clearing town streets.

Clerk-Treasurer: Laury Powell highlighted a \$4.51 utility account overpayment, along with a \$100 meter deposit on tonight's docket, that is to be refunded to the owner of 791 N Main St. The house has been remodeled and sold. She stated that she reached out to the county auditor to ask why the December Settlement money was not deposited into the Town's bank account last Friday. She also contacted the Bank of New York regarding an error where they transferred SRF wastewater money to the wrong sub-account, an issue discovered during the November bank reconciliation process. Finally, Powell mentioned that preparations for year-end activities are underway.

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CLAIMS

Roger Newsome made a motion to approve the claims as presented, which was seconded by Laura Dillon. The motion was approved 2-0. Dean Young abstained from the vote as two fire department claims, including the stipend, were on tonight's docket.

OTHER BUSINESS & PUBLIC COMMENT

Council President Dillon announced that employee Dylan Wilkinson has successfully passed the state's Class II Wastewater Operator exam.

Dillon also reported on SB1 discussion at last week's WHARMM meeting. Many changes are coming related to the budget by 2028.

Cathy Johnson thanked council members for their work on the water situation and inquired about the Town's water infrastructure. Bullock said the leaks are not bad besides small private lines and five hydrants that need to be replaced. She also mentioned an issue with storage sheds obstructing vision at the Jefferson Maple Street intersection near the school. Platt will inquire with the property owner on the status of tree work which caused the sheds to be relocated.

With no further business, Newsome motioned to adjourn the meeting at 6:39 p.m., seconded by Young.

Approved this 12th day of January 2026.

APPROVED BY Laura A. Dillon as
LAURA A. DILLON COUNCIL PRESIDENT

APPROVED BY Roger Newsome as
ROGER NEWSOME, JR. COUNCIL MEMBER

APPROVED BY Michael D. Young as
MICHAEL D. YOUNG COUNCIL MEMBER

ATTEST BY Laury L. Powell as
LAURY L. POWELL CLERK-TREASURER