

**MINUTES OF THE STUDY SESSION
BOARD OF SANITARY COMMISSIONERS
TUESDAY, JANUARY 19, 2021**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session at 6:30 p.m. on January 19, 2021 with Commissioner Garcia presiding via ZOOM..

Present at the study session on silent roll call were Commissioners Richard Garcia, Laura Corpus, David Jones and Rex Burton. Also present were Mark Knesek, Public Works Director, Tim Gembala, Derek Snyder of NIES Engineering, Inc.; Robert Tweedle, Attorney, Michael Griffin, Clerk/Treasurer, Mark Herak, Town Council.

1. Updates regarding illegal discharge of grease products into our sewer system. Mr. Tweedle reported he drafted correspondence to include violation in 2019, 2020 and one witness by IDEM investigator informing the offender that we will continue with citations. Mr. Tweedle has spoken with both IDEM and EPA about this violator. Letters have gone out certified and they have been receiving them. We will continue with our fines and continue as needed.
2. New development expanding points of sale inspection requirements in Illinois. Mr. Garcia has seen these where an inspection must occur before a final sale can take place. This would include lateral inspections for any property sales. He wanted to make the commission aware in case Indiana decides to require this in time. Mr. Garcia asked Mr. Knesek how this may take place. Mr. Knesek explained what steps and equipment would be needed. A discussion took place.
3. Recent updates from Susan Franzetti. Mr. Tweedle reports Mrs. Franzetti is working on response to revisions on the consent decree.
4. Updates regarding external water-sewer line protection agreements. Mr. Garcia did some research regarding these agreements. He found these are not an insurance policy and does not want the residence to think the town is encouraging these policies.
5. IDEM municipality waste services. Mr. Griffin explained this was for data processing.
6. Redzone 2: Mr. Knesek spoke with Redzone and they will be continuing the end of January.
7. Update regarding current projects: Mr. Snyder reported the lining project on Wicker Avenue is moving forward.
8. HSD negotiations: Mr. Tweedle reported New Gen has been selected as the candidate. He gave an update on the next steps.

The study session ended at 7:00 p.m.

The Board of Sanitary Commissioners of the Sanitary District of Highland met Tuesday, January 19, 2021 at 7:00 p.m. via ZOOM. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll call: Present at roll call were Commissioners Richard Garcia, Laura Corpus, David Jones and Rex Burton. Also present were Mark Knesek, Public Works Director, Tim Gembala, Derek Snyder of NIES Engineering, Inc.; Robert Tweedle, Attorney, Michael Griffin, Clerk/Treasurer, Mark Herak, Town Council. The minutes were recorded by Denise Beck, Recording Secretary.

Minutes of Previous Session: December 15, 2020 of the Regular Public meeting are posted as written.

Special Orders:

Election of Officers

President, Richard Garcia
Vice President, Greg Cieslak
Secretary, David Jones

Appointments

Sanitary District Superintendent, Mark Knesek
Sanitary District Recording Secretary, Denise Beck
Sanitary District Attorney, Robert Tweedle
Sanitary District Derek Snyder, Nies Engineering

Commissioner Jones made a motion to accept the officers. Commissioner Burton seconded. Upon a roll call vote there were four (4) affirmatives and no (0) negatives. The motion passed.

Communications: None

General Orders and Unfinished Business:

1. Sanitary District of Highland
Board of Sanitary Commissioners
Resolution No. 2021-01

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE SANITARY DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL ENGINEERING SERVICES AS DISTRICT SEWAGE WORKS ENGINEER FOR THE YEAR 2021

Commissioner Burton motioned to approved Resolution 2021-01. Commissioner Corpus seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, has heretofore determined a need to engage the professional engineering services in order carry out the mission of the District; and

Whereas, NIES Engineering, Incorporated, (Consultant) has offered and presented an Agreement to provide and furnish Professional Engineering Services in consideration for fees to be charged and billed monthly; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners for the Sanitary District of Highland, Lake County, Indiana, as follows:

Section 1. That the Professional Engineering Agreement (incorporated by reference and made a part of this resolution) between NIES Engineering, Incorporated, and the Sanitary District of Highland for District Sewage Works Engineer is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for professional engineering services are found to be reasonable and fair;

Section 3. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Sanitary District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary District of Highland.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 19th day of January 2021. Having been passed by a vote of ____ for and ____ opposed.

**THE SANITARY DISTRICT OF HIGHLAND
BY ITS BOARD OF COMMISSIONERS:**

Richard Garcia, President

Attest:

David Jones, Secretary

2. SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2021-02

**A RESOLUTION ESTABLISHING the 2021 WAGE AND SALARY RATES of the
SANITARY DISTRICT of HIGHLAND, LAKE COUNTY, INDIANA**

Commissioner Burton motioned to approved Resolution 2021-02. Commissioner Corpus seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

BE IT HEREBY RESOLVED BY the Board of Sanitary Commissioners of the Sanitary District of Highland, Lake County, Indiana as follows:

Section 1. That the compensation and other provisions set forth in the wage and salary and the compensation and benefits ordinances as passed by the Town Council are hereby adopted and ratified for the officers of the Sanitary District and those employees of the municipality performing duties for the utility under its control.

Section 2. That wages and salaries of the employees and consulting professionals of the Sanitary District of Highland are hereby established to be effective January **10, 2021**, as set forth below:

Attorney	\$453.00 per month (retainer) \$152.00/hr
District Consulting Engineer(s) (retainer)	\$350.00 per month
Sanitary District Superintendent	\$551.83 bi-weekly (portion payable from SD – Solid Waste 40-15)
Public Works Director	\$1,103.67 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-70)
Operations Director	\$467.24 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15) \$934.49 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-70)
Utilities Supervisor	\$1,272.10 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-070)
Facilities Supervisor	1,272.10 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-040)
Street Supervisor	\$254.42 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15)

	\$508.84 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-70)
Fleet Supervisor	\$381.63 bi-weekly (w/longevity) (portion payable from SD – Solid Waste 40-15) \$763.26 bi-weekly (w/longevity) (portion payable from Sewer Operating Fund-070)
Recording Secretary	\$77.25 per meeting
Sanitary District Program Coordinator	\$16.33/hr.
Part-Time Secretary	\$9.00 -12.88/hr.
Utility Services Field Representative	\$10.56/hr (start) \$12.04/hr (after one year)
CDL Driver (Part-time)	\$16.34/hr
Part-time help (Laborer)	\$9.27-\$ 11.99/hr.
Temporary (Summer help)	\$9.00/hr. (first year) \$9.35/hr. (2nd year) \$9.70/hr. (3 years or more)

Section 3. That pursuant to IC 36-9-25 sections 32 and 34, the Board notes that revenues derived from the collection of fees for waste water treatment and storm water management may be used according to the purposes of its (special district) operating fund, including but not limited to paying general expenses of the board including salaries of its officers and authorizes and directs that the salaries set forth in this resolution may be paid from the special taxing district (general expense) operating or the wastewater/stormwater works operating funds as the board may hereinafter direct;

Section 4. That the Clerk-Treasurer as Fiscal Officer of the Municipality shall not receive additional compensation for duties attached to and performed for the Sanitary District and sewage works pursuant to I.C. 36-9-25-9(a);

(a) That the Sanitary District authorizes and approves that a share of the Clerk-Treasurer’s compensation may be derived from the Special Sanitary District Operating Fund, subject to the laws governing same, including but not limited to P.L. 93-15, codified as IC 36-5-3-2;

(b) That the amount of such share of pay is approved up to and shall not exceed the amount identified and set apart in the properly identified appropriation of the Sanitary District Operating Fund.

Section 5. That the Board of Sanitary Commissioners authorizes and approves that a share of the compensation of the employees in the Office of the Clerk-Treasurer as well as a share of the compensation of the Clerk-Treasurer may be paid from the proper utility fund of the

Wastewater/Stormwater Works, for services connected with the operation of the utility, subject to the laws governing same;

(a) That such pay shall be a part of and not in addition to the compensation as fixed by the Town Council in its most recently adopted and effective salary ordinance; and,

(b) That the compensation and other provisions set forth in the wage and salary as well as the compensation and benefits ordinances as passed by the Town Council are hereby adopted and ratified and their provisions extended to and operative upon the officers and employees of the Sanitary District.

Section 6. That the Board of Sanitary Commissioners authorizes and approves that a share of the compensation of the employees in the Public Works Department may be paid from the proper utility fund of the Wastewater / Stormwater Works, for services connected with the operation of the utility, subject to the laws governing same;

(a) That such pay shall be a part of and not in addition to the compensation as fixed by the Town Council in its most recently adopted salary ordinance; and,

(b) That the compensation and other provisions set forth in the wage and salary and the compensation and benefits ordinances as passed by the Town Council is adopted and ratified and their provisions extended to and operative upon the officers and employees of the Sanitary District.

Section 7. That all enactments of the Board of Sanitary Commissioners in conflict with the terms of this enactment are hereby repealed and of no further force nor effect;

Section 8. That the terms of this resolution shall become and remain effective from and upon its passage and adoption.

ADOPTED and approved this 19th Day of January, 2021 by the Board of Commissioners of the Town of Highland Sanitary District, Lake County, Indiana. Having been passed by a vote of ___ in favor and ___ opposed.

THE SANITARY DISTRICT of HIGHLAND

BY ITS BOARD of COMMISSIONERS:

Richard Garcia, President

Attest:

David Jones, Secretary of the Board of Sanitary Commissioners

3. Sanitary District of Highland
Board of Sanitary Commissioners
Resolution No. 2021-03

Commissioner Jones motioned to approved Resolution 2021-03. Commissioner Burton seconded. Upon a roll-call vote, there were four (4) affirmatives and no (0) negatives. The motion passed.

A RESOLUTION, OFFERING, AUTHORIZING AND APPROVING AN EXTENSION TO THE CONTRACT FOR THE ANNUAL SERVICE AGREEMENT 1 TO INSITUFORM TECHNOLOGIES USA, INC. FOR CURED-IN-PLACE PIPE LINING OF SANITARY SEWERS THROUGH DECEMBER 31, 2021, UNDER THE SAME TERMS AND CONDITIONS AS THE ORIGINAL CONTRACT

Whereas, The Sanitary District of Highland (District) is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Board of Sanitary Commissioners in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 36-9-25 including repealing or amending them consistent with the Sanitary District Law; and

Whereas, The Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has heretofore determined a need to rehabilitate the sanitary sewer system for the purpose of controlling inflow and infiltration of storm water into the sanitary sewer and that sanitary sewer lining is a "Trenchless Reconstruction" initiatives available to that purpose; and

Whereas, The District did award a contract on April 17, 2018 to Insituform Technologies USA, Inc. for ANNUAL SERVICE AGREEMENT 1 FOR CURED-IN-PLACE PIPE LINING OF SANITARY SEWERS, as the lowest responsible and responsive bid; and

Whereas, On February 18, 2019, Insituform Technologies USA, Inc. offered an extension to the 2018 contract and on March 19, 2019, the District did accept the offer and approved an extension to the contract on March 19, 2019, through December 31, 2019, and

Whereas, Insituform Technologies USA, Inc. has again expressed interest, through a letter dated April 15, 2020, attached hereto, to extend the current contract for an additional year at the same terms and conditions for CURED-IN-PLACE PIPE LINING OF SANITARY SEWERS; and

Whereas, Insituform Technologies USA, Inc. has again expressed interest, through a letter dated January 07, 2021, attached hereto, to extend the current contract for an additional year at the same terms and conditions for CURED-IN-PLACE PIPE LINING OF SANITARY SEWERS; and

Whereas, Insituform Technologies USA, Inc. has demonstrated professional competence and qualifications to perform the particular concrete work for the District and it has been determined that extending the current contract will realize a cost and time savings for mutual benefit of both parties; and

Whereas, The District, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Insituform Technologies USA, Inc., through December 31, 2021, for CURED-IN-PLACE PIPE LINING OF SANITARY SEWERS, under the original terms, conditions and prices as the original contract (1-year).

Whereas, there are sufficient and available appropriations balances on hand to support the payments under the agreements, pursuant to IC 5-22-17-3(e); and

Whereas, The Sanitary District of Highland, through its Board of Sanitary Commissioners, now desires to accept the bid and award the contracts, respectively.

Now, Therefore Be it Resolved by the Board of Sanitary Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

1. That the Contract Extension between the Sanitary District of Highland and **INSITUFORM TECHNOLOGIES USA, INC.** in the amount of the various classes of work described in the original bid for **ANNUAL SERVICE AGREEMENT 1, CURED-IN-PLACE PIPE LINING OF SANITARY SEWERS,** is authorized and approved, at the same terms, conditions and prices as the original contract (1-year), through December 31, 2021.
2. That the Sanitary District Superintendent is authorized to execute any and all documents and all documents necessary to implement the Contract extension.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 19th day of January, 2021. Having been passed by a vote of ____ in favor and ____ opposed.

**HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:**

Richard Garcia, President

Attest:

David Jones, Secretary

Business from the floor: None

Commissioner Corpus took leave at this time.

Reports: Mr. Snyder asked if he and Mr. Knesek can get started on a list of lining projects needed for this year.

Comments from the Commissioners:

Business from the Floor: None

Claims:

Fund 040	Sanitary Operating	\$31,394.21
<u>Fund 070</u>	<u>Sewage Operating</u>	<u>\$160,556.33</u>
	Total	\$191,950.54

Commissioner Jones moved to approve payment of the claims in the amount of \$191,950.54. Commissioner Burton seconded. Upon roll-call vote, there were three (3) affirmative and no (0) negatives. The motion passed.

Next Meeting: The next study session will be held Tuesday February 2, 2021. The next regularly scheduled Public Meeting Session will be held, Tuesday, February 16, 2021 at 7:00 p.m., following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitation Commissioners, Commissioner Garcia moved to adjourn. Commissioner Jones seconded. Upon a voice vote, the meeting was adjourned.

The Board of Sanitary Commissioners of the Sanitary District of Highland reconvened in study session immediately after the Public Meeting.

Present at the study session on silent roll call were Commissioners Laura Corpus, Richard Garcia, David Jones and Rex Burton. Also present were Derek Snyder of NIES Engineering, Inc.; Robert Tweedle, Attorney; Mark Knesek, Public Works; and Mark Herak, Town Council.

Mr. Herak wanted clarification on what a lateral is. Mr. Snyder stated it was from sewer to the house. Mr. Herak questioned if we would be able to require a point of sale inspection. Mr. Tweedle explained Indiana laws are different from Illinois. A discussion took place.

The meeting was adjourned at 7:29 p.m.

Respectfully Submitted, Denise Beck, Recording Secretary