

**MINUTES OF THE REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY JANUARY 16, 2024**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting on Tuesday, January 16, 2024 with Commissioner Garcia presiding, in the first floor meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Silent Roll Call: Commissioners Kathy DeGuilio-Fox, John Bech, Greg Cieslak, Dave Jones and Richard Garcia. Also present were Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney and Mark Knesek, Public Works Director.

Mr. Snyder stated there was no engineer status report.

Mr. Knesek stated no Public Works status report.

M. Tweedle updated the commission that he is working on the semiannual report.

At 6:34 the study session ended and the Regular Meeting of the Board of Sanitary Commissioners of the Sanitary District of Highland convened with Commissioner Garcia presiding, in the meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Commissioners Kathy DeGuilio-Fox, John Bach, Greg Cieslak, Dave Jones and Richard Garcia. Also present were Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney and Mark Knesek, Public Works Director.

The minutes from the December 19, 2023 public meeting are approved.

Mr. Herak arrived to swear in David Jones.

Special Order:

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 Cieslak seconded. Upon a roll call vote there were five (5) affirmatives and no (0) negatives. The motion passed.

Communications: None

General Order and Unfinished Business:

1.

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2024-01

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 2024

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 16th day of January 2024. Having been passed by a vote of 5 for and 0 opposed.

THE SANITARY DISTRICT OF HIGHLAND BY ITS BOARD OF COMMISSIONERS:

Richard Garcia, President Attest:

David Jones, Secretary

Commissioner Cieslak motioned to approve Resolution 2024-01 Commissioner Bach seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.

2.

SANITARY DISTRICT of HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2023-02

A RESOLUTION ESTABLISHING the 2024 WAGE AND SALARY RATES of the Sanitary District of Highland, Lake County, Indiana

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 8, 2024 as set forth below:

Attorney	\$476.00 per month (retainer) \$160.00/hr.
District Consulting Engineer(s)	(retainer) \$400.00 per month
Public Works Director	\$417.67 bi-weekly (w/ longevity)

	(portion payable from SD – Solid Waste Fund-6601) \$1,670.70 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Assistant Public Works Director	\$1,723.34 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Operations Director	\$353.63 bi-weekly (w/ longevity) (portion payable from SD – Solid Waste Fund-6601) \$1,414.51 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Utilities Supervisor	\$1,398.53 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Facilities Supervisor	\$1,421.33 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6601)
Street Supervisor	\$284.27 bi-weekly (w/ longevity) (portion payable from SD – Solid Waste Fund-6601) \$852.80 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Fleet Supervisor	\$426.40 bi-weekly (w/ longevity) (portion payable from SD – Solid Waste Fund-6601) \$994.93 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Recording Secretary	\$77.25 per meeting
Laborer, Seasonal Leaf Collection	\$10.85/hr.
Laborer (Part-Time)	\$10.85/hr. (1 st year) \$11.21/hr. (2 nd year)
Temporary (Summer Help)	\$11.58/hr. (3 rd year and after) \$10.85/hr. (1 st year) \$11.21/hr. (2 nd year) \$11.58/hr. (3 rd year and after)

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 16 th Day of January, 2024 by the Board of Commissioners of the Town of Highland Sanitary District, Lake County, Indiana. Having been passed by a vote of five (5) in favor and none(0) opposed.

THE SANITARY DISTRICT of HIGHLAND
BY ITS BOARD of COMMISSIONERS:

Richard Garcia, President

Attest:

David Jones, Secretary of the Board of Sanitary Commissioners

Commissioner Cieslak motioned to approve Resolution 2024-02 Commissioner Deguilio-Fox seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.

3.

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
CAPITAL BUDGET RESOLUTION NO. 2024-03

A RESOLUTION ESTABLISHING THE 2024 CAPITAL PROJECT BUDGET OF THE SANITARY DISTRICT TO BE PAID FROM ITS SEWAGE WORKS IMPROVEMENT FUND

Whereas, The Sanitary District of Highland 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 Board of Sanitary Commissioners in performing its duties, now determines that passage and adoption of a Capital Budget Resolution establishing a Capital Budget to be paid from funds of the Sanitary District to be necessary for the sound management and control of the sewage works and performing its duty to construct, reconstruct, operate, repair, and maintain all sewage works.

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

Section 1. That for the Capital expenses as hereinafter identified of said District, the following allowances for the identified sums of money are hereby fixed and ordered set apart for the purposes herein specified to be paid from Sanitary District Sewage Works Improvement Fund:

30008 PW Truck Capital Lease \$9,835.00 30010 PW Camera Truck Capital Lease \$52,500.00
Total Allowances as fixed for this Fund \$62,335.00

Section 2. That the Municipal Fiscal Officer is instructed and authorized to assign such accounts and establish such financial reporting methodology as to permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 3. That the Superintendent of the Sanitary District is instructed and authorized to prepare accounts payable for projects identified herein in such a manner as to support and permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

Section 4. That there shall be no capital expenditure for the identified projects in excess of the amounts fixed by this resolution without express action by the Board of Sanitary Commissioners, revising the amount fixed and authorizing the additional allowance amount;

Section 5. That any prior Capital Budget duly adopted by resolution and as amended from time to time is hereby repealed and replaced to include the Capital expenses identified herein.

Section 6. That this Resolution shall be effective immediately upon its passage and adoption by the Board of Sanitary Commissioners and may be amended or repealed by subsequent resolution duly passed and adopted.

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 16th day of January, 2024. Having been passed by a vote of five (5) for and none (0) opposed.

THE SANITARY DISTRICT OF HIGHLAND BY ITS BOARD OF COMMISSIONERS:

Richard Garcia, President

Attest:

David Jones, Secretary of the Board of Sanitary Commissioners

Commissioner Bach motioned to approve Resolution 2024-03 Commissioner Jones seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.

4.

RESOLUTION NO. 2024 -04
A PROPOSED RESOLUTION of the SANITARY DISTRICT of
HIGHLAND, LAKE COUNTY, INDIANA

A RESOLUTION MODIFYING AND ESTABLISHING DISCHARGE REGULATIONS FOR SEWERS AND SEWAGE DISPOSAL, PURSUANT TO I.C. 36-9-25 ET SEQ.

WHEREAS, The Sanitary District of Highland 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 and amending them consistent with the Sanitary District Law; and

WHEREAS, In order to properly maintain and operate all sewage works of the district, the Board has determined it to be necessary to modify Chapter 12.20, Article III, Section 12.20.220 and Section 12.20.230 of the Highland Municipal Code

relating to the discharge of certain wastes into the sewage works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Sanitary Commissioners of the Sanitary District of the Town of Highland, Indiana, and the Department of Public Sanitation as follows:

Section 1. That Chapter 12.20, Article III, Section 12.20.220 and Section 12.20.230 of the Highland Municipal Code are hereby repealed in their entirety and amended to add the following Sections to be numbered Chapter 12.20, Section 12.20.220 and Section 12.20.230 which shall read as follows:

Chapter 12.20
SEWERS AND SEWAGE DISPOSAL
Article III. Discharge Regulations

12.20.220 Certain harmful wastes totally prohibited.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (A) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- (B) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant;
- (C) Any waters or wastes having a pH lower than 5.0, greater than 9.5, or having corrosive properties capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;
- (D) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, and the like, either whole or ground by garbage grinders.

12.20.230 Discharges superintendent may regulate or prohibit.

- (A) The admission into the public sewers of any waters or wastes having:
 - (1) A five-day biochemical oxygen demand greater than 220 milligrams per liter by weight; or
 - (2) Containing more than 260 milligrams per liter by weight of suspended solids; or
 - (3) Containing any quantity of substances having the characteristics described in subsection (C) of this section; or
 - (4) An average daily flow greater than five percent of the average daily sewage flow of the district;shall be subject to the review and approval of the superintendent.
- (B)(1) Where necessary in the opinion of the superintendent, the owner shall provide at his expense such preliminary treatment as may be necessary to:
 - (a) Reduce the biochemical oxygen demand to 220 milligrams per liter and the suspended solids to 260 milligrams per liter by weight; or
 - (b) Reduce objectionable characteristics or constituents to within the maximum limits provided in subsection (C) of this section; or
 - (c) Control the quantities and rates of discharge of such waters or wastes.
- (2) Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent and of the Stream Pollution Control Board of the state, and no construction of such facilities shall be commenced until said approval is obtained in writing.
- (C) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes except if it appears likely in the opinion of the superintendent that such wastes will not harm either the sewers, sewage treatment process or equipment, nor have an adverse effect on the receiving stream, nor can otherwise endanger life, limb, or public property nor constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of

treatability of wastes in the sewage treatment plant and other pertinent factors. Included, but not limited to, the substances not acceptable are the following:

- (1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit, 65 degrees centigrade.
- (2) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder (other than in a residence) may be subject to the review and approval of the superintendent.
- (3) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (4) Any waters or wastes exceeding the following maximum allowable limits: 2.0 mg/l of boron, 10.0 mg/l of chromium (hexavalent), 25.0 mg/l of chromium (trivalent), 5.0 mg/l of copper, 10.0 mg/l of cyanide, 50 mg/l of iron fez, 0.5 mg/l of lead, 10.0 mg/l of nickel, 100 mg/l of oil and grease, and the like (hexane solubles), temperature not over 150 degrees Fahrenheit (65 degrees centigrade), free acids and alkalis pH between 5.0 and 9.5, 10.0 mg/l of zinc, 2.0 mg/l of cadmium, and 30.0 mg/l of chlorine demand.
- (5) Any waters or wastes containing phenols or other taste- or odor-producing substances after treatment of the composite sewage, in such concentrations exceeding limits which may be established by the superintendent as necessary to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the respective waters.
- (6) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
- (7) Any waters or wastes having a pH less than 5.0 or in excess of 9.5.
- (8) Materials which exert or cause:
 - (a) Unusual concentration of inert, suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment plant.
 - (d) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (9) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (D) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with Standard Methods.
- (E) If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in subsection (C) of this section, and which in the judgment of the superintendent may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent shall:
 - (1) Require new industries or industries with significant increase in discharges to submit information on wastewater characteristics and obtain prior approval for discharges;
 - (2) Require other methods of disposal; and/or
 - (3) Require pretreatment to an acceptable condition for discharge to the public sewers; and/or
 - (4) Require control over the quantities and rates of discharge; and/or
 - (5) Require facilities to prevent accidental discharge of any unacceptable wastes; and
 - (6) Require payment to cover the added cost of handling and treating the wastes not covered by sewer charges under the provisions of this chapter and all ordinances amendatory thereof and supplemental thereto, and any fines, penalties or damages assessed against the district for discharge of such wastes.

Section 2. That the Secretary of the Board of Sanitary Commissioners is hereby directed to forward a copy of this resolution to the Office of the Clerk-Treasurer as clerk of the legislative body, with a request that the Town Council of the Town of Highland, take up the matter for consideration and action at its earliest opportunity.

Duly Adopted and approved this five (5)Day of January 16, 2024, by the Board of Sanitary Commissioners of the Town of Highland Sanitary District, Lake County, Indiana by a vote of Five (5) in favor and none (0) opposed.

SANITARY DISTRICT of HIGHLAND
By Its BOARD of COMMISSIONERS:

Richard Garcia, President

Attest:

David Jones, Secretary

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the floor: None

Claims:	3308	SAN DIS BD & INT - EXEM	\$645,387.50
	6201	SEWAGE OPERATING	\$449,340.69
	6204	SEWAGE IMPOV	\$ 9,281.60
	6205	WASTE WATER CONSTRUCTION	\$ 43,263.00
	6206	SEWAGE CASH RESERVE	\$362,742.77
	<u>6601</u>	<u>SANITARY OPERATION</u>	<u>\$196,073.08</u>
		Total	\$1,706,088.64

Commissioner Jones motioned to approve the docket. Commissioner Cieslak seconded. Upon a roll call, there were five (5) affirmatives and no (0) negatives. The motion passes.

Next Meeting:

The next meeting will be a study session to be held at 6:30 p.m. on Tuesday, February 6, 2024. The next regularly scheduled Public Meeting will be held Tuesday, February 20, 2024 following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitation Commissioners, Commissioner DeGuilio-Fox moved to adjourn. Upon a voice vote, the meeting was adjourned at 6:43 pm.

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 Kathy DeGuilio-Fox, Rex Burton, Greg Cieslak, Dave Jones and Richard Garcia. Also present were Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, and Toya Smith, Town Councilwoman.

The discussion continued regarding the allocation and collection of storm water charges pursuant to the Highland Storm Water Management Ordinance.

At 7:15 the study session adjourned.

The commission then went into the Executive Session.

At 8:06 the commission continued the study session.

A short discussion took place concerning other grease discharge areas.

Meeting adjourned at

Respectfully Submitted, Denise Beck, Recording Secretary