

**MINUTES OF THE REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY JANUARY 17, 2023**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, January 17, 2023 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, Rex Burton, Greg Cieslak, Dave Jones and Richard Garcia. Also present were Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, Toya Smith, Town Councilwoman, and Bernie Zeman, Councilman.

A discussion took place regarding the January 3, 2023 SSO.

Mr. Tweedle gave an update on the CMOM.

Mr. Knesek stated there are no updates on the dye testing at this time.

Shamir Manhaini, business owner of the project at Hart Rd and Indianapolis Blvd had questions about a permit needed to connect to the sanitary sewer. Mr. Snyder and Mr. Tweedle explained the steps and reasons for the permit. Shamir Manhaini and Mr. Zeman took leave after the discussion.

The commission discussed different option for the allocation and collection of storm water charges pursuant to the Highland Storm Water Management Ordinance.

At 7:00 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, 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 minutes from the December 20, 2022 public meeting are approved.

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 DeGuilio-Fox 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. **Commissioner Burton motioned to approve Resolution 2023-01 Cieslak seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.**

SANITARY DISTRICT OF HIGHLAND
Board of Sanitary Commissioners
Resolution No. 2023-01

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 2023

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 17th day of January 2023. 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

2. Commissioner Jones motioned to approve Resolution 2023-02 Commissioner Deguilio-Fox seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.

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

A RESOLUTION ESTABLISHING the 2023 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, 2023, as set forth below:

Attorney	\$453.00 per month (retainer) \$152.00/hr.
District Consulting Engineer(s) (retainer)	\$380.00 per month
Public Works Director	\$398.34 bi-weekly (w/ longevity) (portion payable from SD – Solid Waste Fund-6601) \$1,593.36 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Assistant Public Works Director	\$1,639.93 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Operations Director	\$337.35 bi-weekly (w/ longevity) (portion payable from SD – Solid Waste Fund-6601) \$1,349.38 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Utilities Supervisor	\$1,331.63 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Facilities Supervisor	\$1,356.43 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6601)
Street Supervisor	\$271.29 bi-weekly (w/ longevity) (portion payable from SD – Solid Waste Fund-6601) \$813.86 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Fleet Supervisor	\$406.93 bi-weekly (w/ longevity) (portion payable from SD – Solid Waste Fund-6601) \$949.50 bi-weekly (w/ longevity) (portion payable from Sewer Operating Fund-6201)
Recording Secretary	\$77.25 per meeting
Laborer, Seasonal Leaf Collection	\$10.33/hr.
Laborer (Part-Time)	\$10.33/hr. (1 st year) \$10.68/hr. (2 nd year) \$11.03/hr. (3 rd year and after)
Temporary (Summer Help)	\$10.33/hr. (1 st year) \$10.68/hr. (2 nd year) \$11.03/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 17th Day of January, 2023 by the Board of Commissioners of the Town of Highland Sanitary District, Lake County, Indiana. Having been passed by a vote of 5 in favor and 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

3. Commissioner Burton motioned to approve Resolution 2023-03 Commissioner Cieslak seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.

SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS CAPITAL BUDGET
RESOLUTION NO. 2023-03

A RESOLUTION ESTABLISHING THE 2023 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 xxxxx Parkway Drive WM and Street Improvement Project (PE) \$5,500.00

Total Allowances as fixed for this Fund

\$67,835.00

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 17th day of January, 2023. 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 of the Board of Sanitary Commissioners

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the floor: None

Claims:	3308	SAN DIS BD & INT - EXEM	\$662,637.50
	6201	SEWAGE OPERATING	\$496,333.08
	6204	SEWAGE IMPOV	\$ 40,688.00
	6601	SANITARY OPERATION	\$175,317.28
		Total	\$1,374,975.86

Commissioner Jones motioned to approve the docket. Commissioner DeGuilio-Fox 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 7, 2023. The next regularly scheduled Public Meeting will be held Tuesday, February 21, 2023 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 Burton moved to adjourn. Upon a voice vote, the meeting was adjourned at 7:10 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.

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

Meeting adjourned at 8:25.

Respectfully Submitted, Denise Beck, Recording Secretary