

**MINUTES OF THE SPECIAL PUBLIC METTING  
BOARD OF SANITARY COMMISSIONERS  
TUESDAY JUNE 6, 2023**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a Public Meeting at 6:30 p.m. on Tuesday, June 6, 2023 with Commissioner Garcia presiding, in the first floor meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Public meeting was opened with the Pledge of Allegiance to the United States of America.

**Roll Call:** Commissioners Kathy DeGuilio-Fox, Greg Cieslak, Rex Burton, Dave Jones and Richard Garcia. Also present were Mark Knesek, Public Works Director, Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, Toya Smith, Councilwoman and Mark Herak, Clerk Treasurer.

**Special Order:** None

**Communications:** None

**General Order and Unfinished Business:**

1. **Commissioner Burton motioned to approve Resolution 2023-11 DeGuilio-Fox seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.**

**TOWN OF HIGHLAND  
BOARD OF WORKS  
ORDER OF THE WORKS BOARD NO. 2023-14**

**WATER WORKS DISTRICT OF HIGHLAND  
BOARD OF WATER WORKS DIRECTORS  
RESOLUTION NO. 2023-06**

**SANITARY DISTRICT OF HIGHLAND  
BOARD OF SANITARY COMMISSIONERS  
RESOLUTION NO. 2023-11**

**A JOINT RESOLUTION OF THE BOARD OF WORKS, WATER WORKS BOARD AND SANITARY BOARD ACCEPTING AND AWARDING A BID TO GRIMMER CONSTRUCTION, INC. FOR THE PARKWAY DRIVE IMPROVEMENT PROJECT IN THE TOTAL BASE BID AMOUNT (CONTRACTS 1 AND 2 COMBINED) OF \$1,302,719.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID**

**Whereas,** The Town of Highland, through its Board of Works pursuant to IC 36-1-2-24(3) and IC 36-1-12, has determined the need to make certain public improvements and repairs to roadway infrastructure along the 8600-8800 blocks of Parkway Drive and a 150-ft portion of Kenilworth Avenue directly adjoining Parkway Drive (including pavement, curb and gutter, sidewalk, driveway aprons and parkway trees) and has hereto approved a project to be described as the Parkway Drive Improvement Project (Project); and

**Whereas,** The Water Works District of Highland (WW District), through its Board of Directors pursuant to IC 8-1.5-4 and IC 36-1-12, has determined the need to replace and upsize the existing water mains within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the Water Works District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas,** The Sanitary District of Highland (SD District), through its Board of Commissioners pursuant to IC 36-9-25 and IC 36-1-12, has determined the need to replace certain storm sewer infrastructure within the Project boundaries, as described herein; has determined that it would be in the best interest of the Sanitary District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas,** the Town of Highland has applied for and was successfully awarded a Community Crossings Matching Grant from the State of Indiana in the amount of Three Hundred Eighty-five Thousand Three Hundred Fifty-six Dollars and No Cents (\$385,356.00) to be used toward the cost of street and storm sewer improvements for the Project; and

**Whereas,** the Town of Highland has applied for and was successfully awarded a Grant from the Council of Lake County, Indiana through its appropriation of County reserve revenue funds in the amount of Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) to be used toward the cost of water main improvements for the Project; and

**Whereas,** NIES Engineering, Inc. has prepared plans and specifications for the Project, on behalf of the Board of Works, Water Works Board and Sanitary Board; has divided the Project in two Contracts (Contract 1 – Water Main Replacement and Contract 2 – Street Improvements [2023-1 CCMG: Des. No. 2300395]); and has stipulated that both Contracts be awarded together to a single bidder with the lowest overall bid for the project as determined by the Total Base Bid amount (Contracts 1 and 2 combined); and

**Whereas**, the Project was bid in accordance with IC 36-1-12, with notice published in accordance with IC 5-3-1; and

**Whereas**, the following bids were received at 10:00 a.m. on May 22, 2023:

<u>Contractor</u>	<u>Contract 1</u>	<u>Contract 2</u>	<u>Total Base Bid</u>
Grimmer Construction, Inc.	\$598,368.00	\$704,351.00	\$1,302,719.00
Gatlin Plumbing & Heating, Inc.	\$700,000.00	\$700,000.00	\$1,400,000.00
Rieth-Riley Construction Co., Inc.	\$614,777.90	\$957,753.90	\$1,572,531.80
Dyer Construction Co., Inc.	\$953,692.89	\$763,585.74	\$1,717,278.63
Engineer's Estimate	\$682,252.00	\$812,690.00	\$1,494,942.00

**Whereas**, NIES Engineering, Inc. and the Public Works Director have reviewed the bids and determined the bid from Grimmer Construction, Inc. in the Total Base Bid amount (Contracts 1 and 2 combined) of One Million Three Hundred Two Thousand Seven Hundred Nineteen Dollars and No Cents (\$1,302,719.00) to be the lowest responsive and responsible bid.

**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 Town of Highland, through its Board of Works, now desires to accept the recommendations of the Engineer and Public Works Director and award the bid for the Project to Grimmer Construction, Inc. in the amount of \$376,644.00 as the Works Board's share for street improvements; and

**Whereas**, The WW District, through its Board of Directors, now desires to accept the recommendations of the Engineer and Public Works Director and award the bid for the Project to Grimmer Construction, Inc. in the amount of \$822,053.00 as the Water Works Board's share for water main improvements; and

**Whereas**, The SD District, through its Board of Commissioners, now desires to accept the recommendations of the Engineer and Public Works Director and award the bid for the Project to Grimmer Construction, Inc. in the amount of \$104,022.00 as the Sanitary Board's share for storm sewer improvements.

**Now, Therefore Be it Resolved** by the Board of Works of the Town of Highland, the Board of Directors of the Highland Water Works District and the Board of Commissioners of the Highland Sanitary District as follows:

**Section 1.** That the Bid of Grimmer Construction, Inc. in the Total Base Bid amount (Contracts 1 and 2 combined) of One Million Three Hundred Two Thousand Seven Hundred Nineteen Dollars and No Cents (\$1,302,719.00) for the Parkway Drive Improvement Project is hereby accepted as the lowest responsive and responsible bid.

**Section 2.** That the Town of Highland, through its Board of Works, acknowledges and approves its share of the work for the Parkway Drive Improvement Project in the amount of Three Hundred Seventy-six Thousand Six Hundred Forty-four Dollars and No Cents (\$376,644.00);

**Section 3.** That the Water Works District of Highland, through its Board of Directors, acknowledges and approves its share of the work for the Parkway Drive Improvement Project in the amount of Eight Hundred Twenty-two Thousand Fifty-three Dollars and No Cents (\$822,053.00);

**Section 4.** That the Sanitary District of Highland, through its Board of Commissioners, acknowledges and approves its share of the work for the Parkway Drive Improvement Project in the amount of One Hundred Four Thousand Twenty-two Dollars and No Cents (\$104,022.00);

**Section 5.** That the Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted, Resolved and Ordered** by the Town of Highland, Board of Works, Lake County, Indiana, this 22<sup>nd</sup> day of May, 2023. Having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**TOWN OF HIGHLAND, INDIANA  
BY ITS BOARD OF WORKS:**

\_\_\_\_\_  
Tom Black, President

Attest:

\_\_\_\_\_  
Mark Herak, Clerk-Treasurer

**Duly Adopted, Resolved and Ordered** by the Highland Water Works District, Board of Directors, Lake County, Indiana, this 25<sup>th</sup> day of May, 2023. Having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**HIGHLAND WATER WORKS DISTRICT  
BY ITS BOARD OF DIRECTORS:**

\_\_\_\_\_  
George A. Smith, President

*Attest:*

\_\_\_\_\_  
Richard E. Volbrecht Jr., Secretary

**Duly Adopted, Resolved and Ordered** by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 6<sup>th</sup> day of June, 2023. Having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

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

\_\_\_\_\_  
Richard J. Garcia, President

*Attest:*

\_\_\_\_\_  
David Jones, Secretary

2. **Commissioner Cieslak motioned to approve Resolution 2023-12 Burton seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.**

**TOWN OF HIGHLAND  
BOARD OF WORKS  
ORDER OF THE WORKS BOARD NO. 2023-17**

**WATER WORKS DISTRICT OF HIGHLAND  
BOARD OF WATER WORKS DIRECTORS  
RESOLUTION NO. 2023-07**

**SANITARY DISTRICT OF HIGHLAND  
BOARD OF SANITARY COMMISSIONERS  
RESOLUTION NO. 2023-12**

**A JOINT RESOLUTION OF THE BOARD OF WORKS, THE WATER WORKS BOARD OF DIRECTORS AND THE BOARD OF SANITARY COMMISSIONERS ACCEPTING AND APPROVING A PROPOSAL FROM NIES ENGINEERING, INC. FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE PARKWAY DRIVE IMPROVEMENT PROJECT IN THE TOTAL AMOUNT NOT-TO-EXCEED \$110,000.00**

**Whereas**, The Town of Highland, through its Board of Works pursuant to IC 36-1-2-24(3) and IC 36-1-12, has determined the need to make certain public improvements and repairs to roadway infrastructure along the 8600-8800 blocks of Parkway Drive and a 150-ft portion of Kenilworth Avenue directly adjoining Parkway Drive (including pavement, curb and gutter, sidewalk, driveway aprons and parkway trees) and has hereto approved a project to be described as the Parkway Drive Improvement Project (Project); and

**Whereas**, The Water Works District of Highland (WW District), through its Board of Directors pursuant to IC 8-1.5-4 and IC 36-1-12, has determined the need to replace and upsize the existing water mains within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the Water Works District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas**, The Sanitary District of Highland (SD District), through its Board of Commissioners pursuant to IC 36-9-25 and IC 36-1-12, has determined the need to replace certain storm sewer infrastructure within the Project boundaries, as described herein; has determined that it would be in the best interest of the Sanitary District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

**Whereas**, The Works Board, Water Works Board and Sanitary Board have heretofore determined a need to engage professional construction engineering services in order to implement the Project, and

**Whereas**, NIES Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish Professional Construction Engineering Services in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in an amount not to exceed One Hundred-Ten Thousand Dollars and No Cents (\$110,000.00), allocated in the amounts of Thirty-two Thousand Dollars and No Cents (\$32,000.00) to the Board of Works, Sixty-nine Thousand Dollars and No Cents (\$69,000.00) to the Water Works Board and Nine Thousand Dollars and No Cents (\$9,000.00) to the Sanitary Board; 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 Town of Highland, through its Board of Works, now desires to accept and approve the agreement for services as herein described; and

**Whereas**, The Water Works District of Highland, through its Board of Directors, now desires to accept and approve the agreement for services as herein described; and

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

**Now, Therefore Be it Resolved** by the Board of Works for the Town of Highland, the Board of Directors of the Highland Water Works and the Board of Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

1. That the Professional Construction Engineering Services Proposal (incorporated by reference and made a part of this resolution) from NIES Engineering, Inc. for the Parkway Drive Improvement Project is hereby approved, adopted and ratified in each and every respect;
2. That the terms and charges under the agreement for Construction Engineering services in the not to exceed amount of One Hundred Ten Thousand Dollars and No Cents (\$110,000.00), allocated in the amounts of Thirty-two Thousand Dollars and No Cents (\$32,000.00) to the Board of Works, Sixty-nine Thousand Dollars and No Cents (\$69,000.00) to the Water Works Board and Nine Thousand Dollars and No Cents (\$9,000.00) to the Sanitary Board, is found to be reasonable and fair;
3. That the Town Council, which is the Works Board of the municipality, the Water Works District of Highland, through its Board of Directors, and the Sanitary District of Highland, through its Board of Commissioners, believe that NIES Engineering, Inc. 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;
4. That the Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted, Resolved and Ordered** by the Town of Highland, Board of Works, Lake County, Indiana, this 12<sup>th</sup> day of June, 2023. Having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

TOWN OF HIGHLAND, INDIANA  
BY ITS BOARD OF WORKS:

\_\_\_\_\_  
Tom Black, President

Attest:

\_\_\_\_\_  
Mark Herak, Clerk-Treasurer

**Duly Adopted, Resolved and Ordered** by the Highland Water Works District, Board of Directors, Lake County, Indiana, this 25<sup>th</sup> day of May, 2023. Having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

HIGHLAND WATER WORKS DISTRICT  
BY ITS BOARD OF DIRECTORS:

\_\_\_\_\_  
George A. Smith, President

Attest:

\_\_\_\_\_  
Richard E. Volbrecht Jr., Secretary

**Duly Adopted, Resolved and Ordered** by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 6<sup>th</sup> day of June, 2023. 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

2. **Commissioner DeGuilio-Fox motioned to approve Resolution 2023-13 Burton 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. 2023-13

**A RESOLUTION AMENDING 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:

6204-0000-**** Parkway Dr. Improvement (CN)	\$104,022.00
6204-0000-**** Parkway Dr. Improvement (CE)	\$9,000.00
Total	\$113,022.00

**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 6<sup>th</sup> day of June 2023. 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 of the Board of Sanitary Commissioners

**New Business:** None.

**Reports:** None

**Comments from the Commissioners:** None

**Business from the floor:** None

---

**Next Meeting:**

The next regularly scheduled Public Meeting will be held Tuesday, June 20, 2023, immediately 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 6:37pm.

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

Present at the study session on silent roll call were Commissioners Kathy DeGuilio-Fox, Greg Cieslak, Rex Burton, Dave Jones and Richard Garcia. Also present were Mark Knesek, Public Works Director, Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney and Toya Smith, Councilwoman.

No reports from Public Works.

No reports from the Sanitary Engineer.

Damon Tsouklis and Dan Botich of SEH were present to discuss future storm water billing for the Town of Highland including the different category and size range options. A long discussion took place regarding the advantages and disadvantages of each approach.

Mr. Tweedle explained that even though Highland will not be eligible for grant funds due to its relatively high median household income and its current ranking on the list but may be eligible for pooled funds for a subsidized loan rate from IFA but Highland needs to be prepared.

Mr. Tweedle explained we finalized the amendment to our sewage treatment agreement. We have 120 days from June 1<sup>st</sup> to begin making payments.

Ms. Smith inquired if the new gas station has received their capacity agreement approval from Hammond. Mr. Tweedle will reach out.

**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 7:40 pm.

Respectfully Submitted, Denise Beck, Recording Secretary