

**MINUTES OF THE REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY October 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, October 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 John Bach, Kathy DeGuilio-Fox, Greg Cieslak, 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.

Mark Knesek stated that residents have sheds on the easement where the projects are taking place. They will have to be moved by the residents.

Mr. Tweedle stated no new news on the CMOM.

A discussion took place on Highland's capability of calculating Highland's future storm water billing and on annual basis.

Mr. Snyder gave an update on the Parkway storm sewer project. A discussion took place including the drain disconnect program.

Mr. Tweedle updated the commissioners on the Sewage Collection/Treatment Agreement between Highland and HSD.

Study Session ended at 6:43.

At 6:43 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 John Bach Kathy DeGuilio-Fox, Greg Cieslak, 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.

The minutes from the September 19, 2023 and October 3, 2023 public meeting are approved.

Special Order: None

Communications: None

General Order and Unfinished Business:

1. Commissioner DeGuilio-Fox motioned to approve Resolution 2023-28 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. 2023-28**

A Resolution Accepting a Bid From Grimmer Construction, Incorporated for the Sanitary Sewer Overflow Remedial Measures Project Phase 1 – Division A in the Amount of \$11,619,169.00 as the Lowest Responsive and Responsible Bid

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, On April 5, 2022, The Sanitary District of Highland entered into a Consent Decree with the United States of America on behalf of the United States Environmental Protection Agency and the State of Indiana on behalf of the Commissioner of

the Indiana Department of Environmental Management relating to implementation of a Remedial Measures Plan for the Town of Highland to fulfill its environmental compliance obligations relating to sanitary sewer overflows under the Clean Water Act; and

Whereas, The Sanitary District of Highland has determined a need to construct improvements to its sanitary sewer collection system pursuant to Phase I - Division A of the Remedial Measures Project (the Project) as mandated by the Consent Decree; and

Whereas, Commonwealth Engineers, Incorporated has prepared plans and specifications for the Project on behalf of the Sanitary District and the Project was bid in accordance with IC 36-1-12 *et seq.* and notice was published in accordance with IC 5-3-1; and

Whereas, The following bids were received at 10:00 a.m. on September 29, 2023:

Grimmer Construction, Inc.	\$11,619,169.00
LGS Plumbing, Inc.	\$20,250,056.00
Engineer's Opinion of Probable Cost	\$ 8,567,246.00

Whereas, The Sanitary District Superintendent and Commonwealth Engineers, Incorporated have reviewed the bids and determined that the bid of Grimmer Construction, Inc. in the amount of Eleven Million Six Hundred Nineteen Thousand One Hundred Sixty-nine Dollars and 00/100 Cents (\$11,619,169.00) to be the lowest responsive and responsible bid; 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 the bid and award the Project to Grimmer Construction, Incorporated.

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

1. That the bid of Grimmer Construction, Incorporated in the amount of Eleven Million Six Hundred Nineteen Thousand One Hundred Sixty-nine Dollars and 00/100 Cents (\$11,619,169.00) for the Sanitary Sewer Overflow Remedial Measures Project Phase 1 – Division A is hereby accepted as the lowest responsive and responsible bid;
2. That the Sanitary District Superintendent is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 17th day of October, 2023. Having been passed by a vote of five (5) in favor and no (0) opposed.

Highland Sanitary District
By Its Board of Commissioners:

Richard Garcia, President
Attest:

David Jones, Secretary

2. Commissioner Cieslak motioned to approve Resolution 2023-28 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
Capital Budget Resolution No. 2023-29

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:

6204-0000-36850	Inflow/Infiltration Repair/Rehab	\$1,000,000.00
6204-0000-42016	Eder Backyard Pipe Bursting (PE)	\$20,000.00
6204-0000-42017	Eder Backyard Pipe Bursting (CN)	\$315,000.00
6204-0000-42018	Eder Backyard Pipe Bursting (CE)	<u>\$15,000.00</u>
Total		\$1,350,000.00

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 October, 2023. Having been passed by a vote of five (5) for and no (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 Jones motioned to approve Resolution 2023-28 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. 2023-30**

A RESOLUTION APPROVING A PROPOSAL FROM NIES ENGINEERING, INC. FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE EDER STREET BACKYARD SANITARY SEWER PIPE BURSTING PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$15,000.00

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 Sanitary District of Highland has determined a need to replace approximately 290 feet of existing deteriorated sanitary sewer in the backyards between 3102 Eder Street and 3124 Eder Street by pipe bursting methods; and

Whereas, NIES Engineering, Inc., (Consultant) has submitted a proposal 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 Fifteen_Thousand Dollars (\$15,000.00); 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; and

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

Now, Therefore Be it Resolved by the Sanitary Board of Commissioners for the Town of Highland, 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 Eder Street Backyard Sanitary Sewer Pipe Bursting Project is hereby approved, adopted and ratified in each and every respect;
2. That the terms and charges under the agreement for Professional Construction Engineering Services in the not-to-exceed amount of Fifteen Thousand Dollars (\$15,000.00) is found to be reasonable and fair;
3. That the President of the Sanitary Board of Commissioners of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Sanitary Board of Commissioners of Highland.

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 17th day of October, 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

New Business: None.

Reports: None

Comments from the Commissioners: None

Business from the floor: None

Claims:

3308	SAN DIST BD & INT	500.00
6201	SEWAGE OPERATING	363,072.27
6204	SEWAGE IMPOV	14,111.00
6205	WASTE WATER CONSTRUCTION	120,000.00
6601	SANITARY OPERATION	36,296.30
	Total	533,296.30

Commissioner Jones motioned to approve the docket. Commissioner Cielak 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 November 7, 2023 . The next regularly scheduled Public Meeting will be held Tuesday, November 21, 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 DeGuilio-Fox moved to adjourn. Upon a voice vote, the meeting was adjourned at 6:49 pm.

Respectfully Submitted, Denise Beck, Recording Secretary