

**MINUTES OF THE REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY AUGUST 17, 2021**

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 August 17, 2021 with Commissioner Garcia presiding, in the 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 Laura Corpus, Rex Burton, Greg Cieslak, Dave Jones and Richard Garcia. Also present were Mark Knesek, Public Works Director, Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, Michael Griffin, Clerk-Treasurer, Mark Herak, Town Councilman.

Mr. Knesek gave an update regarding illegal discharge of grease product into our sewer system.

Mr. Snyder gave an update on projects. The lining project is moving along. The Ohio PI project will be moving soon.

Mr. Garcia gave an update on the cost of service study. He stated NewGen finally responded to Mr. Snyder's written memorandum on August 9th. NewGen stated they are not planning on making any changes. However, Mr. Snyder reached out regarding the Maxday allocation. NewGen has since reconsidered and will be updating the report and getting back ccto Mr. Snyder.

The commission thanked Mr. Snyder for his hard work and progress he has made with NewGen.

Mr. Tweedle gave on update on the government compliance issues. Mr. Tweedle stated there are still a few issues but things are moving along and hoping to get this wrapped up in the next few months.

Mr. Knesek stated he is hoping the commission approves the request for a new camera truck.

A long discussion took place with Councilman Herak and the commissioners regarding the SWIF grant.

The study session ended at 7:00 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 Laura Corpus, Rex Burton, Greg Cieslak, Dave Jones and Richard Garcia. Also present were Mark Knesek, Public Works Director, Derek Snyder of NIES Engineering, Inc.; Robert Tweedle, Attorney; Michael Griffin, Clerk-Treasurer, Mark Herak, Town Councilman.

Minutes of Previous Session: The July 20, 2021 Regular Public meeting minutes are approved as posted.

Special Order: None

Communication: None

General Orders and Unfinished Business:

- 1) Commissioner Burton motioned to approved Resolution 2021-12. 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
RESOLUTION NO. 2021-12**

**A RESOLUTION AUTHORIZING AND APPROVING A LEASE/PURCHASE AGREEMENT WITH U.S.
BANCORP GOVERNMENT LEASING AND FINANCE, INC. TO SUPPORT THE PURCHASE OF ONE
(1) CAMERA INSPECTION TRUCK IN THE AMOUNT NOT TO EXCEED \$199,975.00**

Whereas, The Town of Highland Sanitary District (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/lease, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, Pursuant to §3.05.050(D)(7) of the Highland Municipal Code (HMC), the Public Works Director as Sanitary District Superintendent serves as the purchasing agent for the Highland Sanitary District; and

Whereas, The Public Works Director has determined a need to purchase and/or replace certain equipment and supplies and has secured a quote from U.S. Bancorp Government Leasing and Finance, Inc. for the lease purchase of one (1) Camera Inspection Truck in the amount not to exceed \$199,975.00 at the rate of 1.664% for a term of four (4) years with annual payments; and

Whereas, the lease or rental agreement exceeds one-year in duration and \$15,000.00 in value and, pursuant to §3.05.040(C) and §3.050.050(B)(1) of the HMC requires the express approval of the purchasing agency; and

Whereas, the Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Sanitary District of Highland; and

Whereas, The lease payments will be supported by a budgeted account in the Sewage Improvement Fund and there is or is expected to be sufficient appropriation in order to support the purchase; and

Whereas, the Board of Sanitary Commissioners now desires to approve and authorize the Public Works Director to complete the lease purchase pursuant to the terms stated herein.

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

Section 1. That the Public Works Director is hereby authorized to lease one (1) Camera Inspection Truck not to exceed \$199,975.00 from U.S. Bancorp Government Leasing and Finance, Inc. at the rate of 1.664% for a term of four (4) years with annual payments;

Section 2. That the Public Works Director is authorized to execute the lease purchase agreement and any additional documents in order to implement the agreement.

DULY, PASSED AND ADOPTED by the Board of Sanitary Commissioners of the Town of Highland, Lake County, Indiana this 17th day of August, 2021 having passed by a vote of 5 in favor and 0 opposed.

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

Richard J. Garcia, President

Attest:

David Jones, Secretary

2) Commissioner Jones motioned to approved Resolution 2021-13. Commissioner Corpus 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. 2021-13**

A JOINT RESOLUTION OF THE BOARD OF WORKS, WATER WORKS BOARD, AND THE SANITARY BOARD ACCEPTING AND AWARING A BID TO DYER CONSTRUCTION CO., INC. FOR THE 3500 BLOCK OF JEWETT AVENUE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT OF \$568,658.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on the 3500 Block of Jewett Avenue, including pavement, curb and gutter, sidewalk,

driveway aprons and parkway trees and have hereto approved a project to be described as the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project (Project); and

Whereas, the Waterworks District of Highland (WW District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

Whereas, The WW District, through its Board of Directors, has determined the need to replace and upsize the existing water lines 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 utility to coordinate the work with the Project; and have 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) 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 Project scope includes the repair and replacement of certain storm water facilities, which are the responsibility of SD District and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, NIES Engineering, Inc. had prepared plans and specifications for the Project on behalf of the Board of Works, Water Works District, and 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 August 12, 2021:

Dyer Construction Co., Inc.	\$568,658.00
Gough, Inc.	\$606,111.00
Grimmer Construction, Inc.	\$626,966.00
Gariup Construction Co., Inc.	\$657,500.00
Engineer's Estimate	\$519,780.00

Whereas, NIES Engineering, Inc. has reviewed the bids and determined that the bid from Dyer Construction Co., Inc. in the amount of Five Hundred Sixty-eight Thousand Six Hundred Fifty-eight Dollars and 00/100 (\$568,658.00) 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 recommendation of the Public Works Director and award a construction contract to Dyer Construction Co., Inc. for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project, in the amount of \$321,286.58 for street and right-of-way improvements; and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to accept the recommendation of the Water Works Superintendent and Water Works Engineer and award the bid for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project to Dyer Construction Co., Inc. in the amount of \$185,676.04 for water works improvements; and

Whereas, The Sanitary District of Highland, through its Board of Commissioners, now desires to accept the recommendation of the Sanitary District Superintendent and Sanitary District Engineer and award the bid for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project to Dyer Construction Co., Inc. in the amount of \$61,695.38 for sanitary district improvements.

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

1. That the Bid of Dyer Construction Co., Inc. in the amount of Five Hundred Sixty-eight Thousand Six Hundred Fifty-eight Dollars and 00/100 (\$568,658.00) for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project is hereby accepted as the lowest responsive and responsible bid.
2. That the Town of Highland, through its Board of Works, acknowledges and approves its share of the work for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project in the amount of Three Hundred Twenty-one Thousand Two Hundred Eighty-six Dollars and 58/100 Cents (\$321,286.58);
3. That the Waterworks District of Highland, through its Board of Directors, acknowledges and approves its share of the work for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project in the amount of One Hundred Eighty-five Thousand Six Hundred Seventy-six Dollars and 04/100 Cents (\$185,676.04);
4. That the Sanitary District of Highland, through its Board of Sanitary Commissioners, acknowledges and approves its share of the work for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project in the amount of Sixty-one Thousand Six Hundred Ninety-five Dollars and 38/100 Cents (\$61,695.38);
4. That the Water Works District Superintendent/Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 17 day of August, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

**BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA**

Roger Sheeman (IC 36-5-2-10)

Attest:

Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

Duly Adopted, Resolved and Ordered by the Waterworks Board of Directors of Highland, Lake County, Indiana, this 26th day of August, 2021. Having been passed by a vote of ____ in favor and ____ opposed.

HIGHLAND WATERWORKS
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 17th day of August, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

Richard Garcia, President

Attest:

David Jones, Secretary

3) Commissioner Jones motioned to approved Resolution 2021-13. Commissioner Corpus 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. 2021-14

A JOINT RESOLUTION OF THE BOARD OF WORKS, WATER WORKS BOARD, AND THE SANITARY BOARD ACCEPTING AND APPROVING A PROPOSAL FROM NIES ENGINEERING, INC. FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE 3500 BLOCK OF JEWETT AVENUE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT OF \$54,500.00

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on the 3500 Block of Jewett Avenue, including pavement, curb and gutter, sidewalk, driveway aprons and parkway trees and have hereto approved a project to be described as the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project (Project); and

Whereas, the Water Works District of Highland (WW District) is governed by its Board of Water Works Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the water works and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

Whereas, The WW District, through its Board of Directors, has determined the need to replace and upsized the existing water lines 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 utility to coordinate the work with the Project; and have 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) 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 Project scope includes the repair and replacement of certain storm water facilities, which are the responsibility of SD District and have 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, Inc., (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 Fifty-four Thousand Five Hundred Dollars (\$54,500.00) allocated in proportional shares equivalent to the percentage of construction work being completed for each agency; 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; 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); and

Now, Therefore Be it Resolved by the Board of Works for the Town of Highland, Board of Directors of the Highland Water Works District, and the Board of Commissioners of the Highland Sanitary District; Lake County, Indiana and, 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 3500 Block of Jewett Avenue Water Main Replacement and Street 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 Fifty-four Thousand Five Hundred Dollars (\$54,500.00) allocated in the amount as follows:

- a. Thirty Thousand Dollars and no Cents (\$30,000.00) to the Town of Highland Board of Works is found to be reasonable and fair;
 - b. Eighteen Thousand Dollars and no Cents (\$18,000.00) to the Water Works District of Highland is found to be reasonable and fair;
 - c. Six Thousand Five Hundred Dollars and no Cents (\$6,500.00) to the Sanitary District of Highland 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 believes 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, acting also as Water Works District Superintendent and 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 Town Council, Lake County, Indiana, this 17th day of August, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

**BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA**

Roger Sheeman (IC 36-5-2-10)

Attest:

Michael W. Griffin, Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

Duly Adopted, Resolved and Ordered by the Highland Water Works District, Board of Directors, Lake County, Indiana, this 26th day of August, 2021. Having been passed by a vote of ____ in favor and ____ opposed.

**HIGHLAND WATER WORKS
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 17th day of August, 2021. Having been passed by a vote of 5 in favor and 0 opposed.

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

Richard Garcia, President

Attest:

David Jones, Secretary

4). **ACTION TO APPROVE PAY REQUEST #1 IN THE AMOUNT OF \$172,494.00 FOR 2021 CIPP LINING PROJECT TO INSITUFORM TECHNOLOGY**

Commissioner Corpus motioned to approved Pay Request #1 to Insituform Technology. Commissioner Cieslak seconded. Upon a roll-call, there were five (5) affirmatives and no (0) negatives. The motion passes.

New Business: None

Reports: None

Comments from the Commissioners: None

Business from the floor: None

Claims:

\$ Per the docket in the amount of:

040	Sanitary District Operating	\$203,502.13
042	San Dist BD & INT	\$950,710.75
044	Sanitary Dist Capital	\$172,494.00
070	Sewage Operating	\$287,555.78
072	Sewage Improv	\$ 617.50
	Total	\$1,614,880.16

Next Meeting: The next meeting is a study session will be Tuesday September 7, 2021 at 6:30p.m. The next regularly scheduled Public Meeting Session will be held Tuesday September 21, 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 Burton moved to adjourn. Upon a voice vote, the meeting was adjourned at 7:20 pm.

The commission continued the study session. Mr. Griffin gave an update on the sanitary revenues and expenditures.

Mr. Knesek stated Republic is now not picking up recycling cans for those who are not recycling correctly. They are spot checking cans and then tagging them and leaving a flyer as to what is recyclable. The transfer station is now rejecting towns who do not recycle correctly.

The meeting adjourned at 7:35.

Respectfully Submitted,
Denise Beck, Recording Secretary