

AGENDA
HIGHLAND SANITARY DISTRICT
BOARD OF SANITARY COMMISSIONERS
TUESDAY, JULY 18, 2023
PUBLIC MEETING

Pledge of Allegiance

Roll Call:

Commissioner Kathy DeGuilio-Fox
Commissioner Rex Burton
Commissioner Greg Cieslak
Commissioner David Jones
Commissioner Richard Garcia

Minutes of

Previous Session: Minutes from the June 20, 2023 meeting.

Special Orders:

Communications:

1. Introduce Resolution 2023-16

A PROPOSED RESOLUTION of the SANITARY DISTRICT of HIGHLAND, LAKE COUNTY, INDIANA

A RESOLUTION MODIFYING AND ESTABLISHING USER FEES FOR THE COLLECTION, TREATMENT AND DISPOSAL OF WASTEWATER PURSUANT TO I.C. 36-9-25 ET SEQ.

2. Introduce Resolution 2023-17

A PROPOSED RESOLUTION of the SANITARY DISTRICT of HIGHLAND, LAKE COUNTY, INDIANA

A RESOLUTION MODIFYING AND ESTABLISHING USER FEES FOR THE MANAGEMENT OF STORMWATER, PURSUANT TO I.C. 36-9-25 ET SEQ.

General Orders and Unfinished Business:

1. Town of Highland

Department of Public Sanitation

Resolution of the Board of Sanitary Commissioners

Resolution No. 2023-18

A Resolution Authorizing and Approving an Agreement between London Witte Group, LLP and the Town of Highland Sanitary District to Perform Municipal Advisory Services and Bond Sale Support Services.

2. Sanitary District of Highland

Board of Sanitary Commissioners

Resolution No. 2023-19

AN ORDER AFFIRMING, RATIFYING, AUTHORIZING AND APPROVING AGREEMENT (S) BETWEEN BOND COUNSEL, LOCAL COUNSEL AND THE SANITARY DISTRICT TO PERFORM PROFESSIONAL LEGAL SERVICES IN SUPPORT OF THE ISSUANCE OF THE SANITARY DISTRICT BONDS OF 2023

**3. Sanitary District of Highland
Board of Sanitary Commissioners
Resolution No. 2023-20**

**DECLARATORY RESOLUTION APPROVING A PROJECT
OF THE SANITARY DISTRICT OF THE TOWN OF HIGHLAND, INDIANA**

New Business:

Reports:

Comments from the Commissioners:

Business from the Floor:

Claims:

\$ Per the docket in the amount of:

3308	SAN DIST BD & INT	654,612.50
6201	SEWAGE OPERATING	236,327.13
6204	SEWAGE IMPROV	127,245.00
6601	SANITARY OPERATING	188,289.50
	Total	1,206,474.13

Next Meeting:

The next Public Meeting will be held Tuesday, August 1, 2023 immediately following a study session at 6:30 p.m.

Adjournment:

Meeting adjourned at: _____

**MINUTES OF THE REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY June 20, 2023**

At 6:30 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 Mark Kneseck, Public Works Director, Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, Councilpersons Toya Smith and Tom Black and Clerk Treasurer Mark Herak.

The minutes from the May 16, 2023, June 6, 2023 public meetings are approved.

Special Order: None

Communications: None

General Order and Unfinished Business:

Commissioner Burton motioned to approve Resolution 2023-15 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. 2023-15**

**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-***** Front End Loader and Backhoe	\$122,500.00
--	--------------

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 20th day of June, 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

Commissioner DeGuilio-Fox motioned to approve Resolution 2023-14 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. 2023-14**

**WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2023-10**

A JOINT ENACTING INSTRUMENT OF THE HIGHLAND SANITARY BOARD OF COMMISSIONERS AND THE HIGHLAND WATER WORKS BOARD OF DIRECTORS ACCEPTING THE QUOTE FROM MCCANN INDUSTRIES FOR (1) FRONT END LOADER AND (1) COMBINATION BACKHOE IN THE TOTAL AMOUNT OF \$245,000.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE

Whereas, The Town of Highland, Department of Public Works, has determined a need to replace (1) Front End Loader and (1) Combination Backhoe in order to carry out its various responsibilities and had prepared specifications for equipment pursuant to that need; and

Whereas, The Public Works Director, pursuant to §3.05.050(D)(1), (6) and (7) of the HMC, serves as the Purchasing Agent for the Public Works Department, Highland Sanitary District and the Highland Water Works District; and

Whereas, The Purchasing Agent, pursuant to §3.05.060(H) of the HMC, expected that the purchase would be more than \$150,000.00 and invited quotes in accordance with §3.05.060(H) of the HMC, which included the trade-in of one John Deere 544L Front End Loader (DW544JZ606125) and (1) Case 580SM Combination Backhoe (S/N: 427982); and

Whereas, The following quotes were received:

	West Side Tractor	Altorfer Cat	McCann Industries
	Sales		
	Front End Loader		
Make/Model	John Deere 544P	Cat 930M	Case 621G
Base Price	\$199,870.00	\$213,000.00	\$190,000.00
Trade-in	(\$45,000.00)	(\$44,500.00)	(\$41,500.00)
Net Price	\$154,870.00	\$168,500.00	\$148,500.00
	Combination Backhoe		
Make/Model	John Deere 320P	Cat 416-07	Case 580SV
Base Price	\$148,634.87	\$130,300.00	\$115,000.00
Trade-in	(\$20,000.00)	(\$19,500.00)	(\$18,500.00)
Net Price	\$128,634.87	\$110,800.00	\$96,500.00
Total	\$283,504.87	\$279,300.00	\$245,000.00

and

Whereas, The equipment will be used to support the missions of the Sanitary District, and Water Works District, and

Whereas, It is prudent and in the best interest of the Highland Sanitary Board of Commissioners and Highland Water Works Board of Directors and the public at large, to support and share the purchase of the equipment, in equal amounts, and

Whereas, The Board of Sanitary Commissioners, pursuant to §3.05.030(E) of the HMC serves as purchasing agency for the Public Sanitation Department; and

Whereas, The Board of Water Works Directors, pursuant to §3.05.030(D) of the HMC serves as purchasing agency for the Highland Water Works; and

Whereas, The purchase price exceeds \$15,000.00 and, pursuant to §3.05.040(C) of the HMC requires the express approval of the purchasing agencies; and

Whereas, The purchase will be supported by the Sewer Improvement Fund and Water Improvement Fund and there are sufficient appropriations in order to support the purchase pursuant to §3.05.040(E); and

Whereas, The Board of Sanitary Commissioners, and the Water Works Board of Directors now desire to approve and authorize the Public Works Director to complete the purchase pursuant to the terms stated herein.

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

Section 1. That the quote of McCann Industries in the amount of Two Hundred Forty-five Thousand Dollars and no cents (\$245,000.00) for the purchase of (1) Front End Loader and (1) Combination Backhoe is hereby accepted as the lowest responsive and responsible quote;

Section 2. That the purchase shall be funded in equal shares (1/2) by the Highland Sanitary Board of Commissioners through the Sewer Improvement Fund and the Highland Water Works Board of Directors through the Water Improvement Fund;

Section 3. That, upon the approval of the Highland Sanitary Board of Commissioners and the Highland Water Works Board of Directors, the Public Works Director is hereby authorized to issue a purchase order to McCann Industries and to execute all documents necessary to implement the purchase thereof.

DULY, PASSED AND ADOPTED by the Highland Sanitary District, Board of Sanitary Commissioners, Lake County, Indiana this 20th day of June, 2023 having passed by a vote of five (5) in favor and no (0) opposed.

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

Richard J. Garcia, President

Attest:

David Jones, Secretary

DULY ADOPTED AND RESOLVED by the Highland Water Works District, Board of Directors of Lake County, Indiana, this 22nd day of June, 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

New Business: None.

Reports: None

Comments from the Commissioners:

Business from the floor:

Claims:

6201	SEWAGE OPERATING	\$337,869.97
6204	SEWAGE IMPOV	\$ 3,975.00
6601	SANITARY OPERATION	\$203,700.57
	Total	\$545,545.54

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

Next Meeting: The next regularly scheduled Public Meeting will be held Tuesday, July 18, 2023 immediately following a study session at 6:30 p.m.

No study session on July 4, 2023

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 6:35 pm.

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately after the regular meeting at 6:30 p.m. on Tuesday, June 20, 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 Mark Knesek, Public Works Director, Derek Snyder of NIES Engineering, Inc., Robert Tweedle, Attorney, Councilpersons Toya Smith and Tom Black Attorney and Clerk Treasurer Mark Herak.

Robert Reynolds from London Witte Group was present via Zoom to discuss the study on sewer rates and related charges so as to enable Highland to meet its ongoing future revenue requirements.

Mr. Tweedle proposed that we will need a rate study before we change the sewer rates.

Mr. Knesek stated nothing to report for Public Works/Sanitary District.

Mr. Tweedle updated the commission on Highland's potential for eligibility for pools funds for the subsidized loan rate from IFA. A long discussion took place.

Mr. Tweedle updated the commissioners on the compliance issues regarding the Consent Decree.

Study Session ended at 7:25.