

LAPORTE COUNTY REGIONAL SEWER DISTRICT

MEETING MINUTES

October 21, 2021

9:00 a.m.

Time and Place:

The LaPorte County Regional Sewer & Water District monthly board meeting was held on Thursday, October 21, 2021, at 9:00 a.m. Central Time, in person at 809 State St., LaPorte, IN 46350, County Complex Building, Conference Room #3, and by Zoom. Login: <https://us02web.zoom.us/j/87987802822?pwd=ZXQvRWJjVExJSWxwRTJDZE9mSDNYUT09>, Meeting ID: 890 3863 9253, Password: 87987802822

Attendees:

Meeting was called to order at 9:00 a.m. by John Carr, roll call was taken. Those present included the following: Dalia Zygus, Amanda Lahners, John Carr, Mark Danielson, and Marcella Kunstek. – Absent Mitch Bishop and Jerry Jackson.

Approval of Minutes:

Marcella Kunstek made the motion to approve the minutes from the monthly board meeting on September 16, 2021. Dalia Zygus seconded the motion, and all were in favor. Motion passed.

Public Comments:

A comment was made that the public could not hear the meeting.

Mark Danielson made a motion to adjourn the meeting until the technical issues have been resolved. Motion seconded by Amanda Lahners, and all were in favor.

John Carr called the LaPorte County Regional Sewer District meeting back to order at 9:17 a.m.

John Carr stated as follows, “Anyone wishing to speak please state your name and address and will be allowed 3 minutes to speak to the board.”

Gary Radtke – owner Radtke Engineering and Surveying, LLC – 5821 US 35, LaPorte, IN 6350

Gary provided the Board with reports for two projects his company has been working on.

Existing low-pressure sewer system (Hwy 20) – the school owns the sewer and Radtke Engineering is working with the Michigan City Sanitary Sewer District to get it transferred. Last Sunday the pressure test was approved. Problems they had before Sunday, included a faulty valve in one of the manholes and the laterals from the school were shown incorrectly in the plans. Since then, the valve in the manhole has been replaced and they have the new locations of the laterals by excavating. Gary will be completing the report to all four of the organizations

involved this week. Gary will also be sending out a hard copy and email for the Board to review. Next week Radtke will begin Phase 3 of the Memorandum of Understanding (MOU). Phase 3 will include certifying the cost, establish an Equivalent Dwelling Unit Cost System (EDU), and establishing a connection charge. All three of these items will be used for the Michigan City Sanitary Sewer System's District and the properties that are to connect to this system. The goal is to have this work complete in a year; however, this timeframe is an impossible task due to the amount of work that has yet to be completed including approvals of transfers, etc. This concludes the project update for Project I.

Union Mills Proposed Sewer System – Radtke Engineering has been working with the property owners for the past three years in developing a sewer system for those in need of it in Union Mills. There have been many public meetings and they have established an area in need of a public sewer system. Radtke Engineering has completed a preliminary wastewater treatment design as well as a low-pressure collection system. Cost estimates were prepared, and two phases are planned. The first phase includes the commercial area immediately. The second phase includes the remainder of the project. Radtke Engineering is in the process of preparing a report and they plan to identify areas experiencing issues with septic systems. LaPorte County has approved Ordinance 2016-02 adopted on April 06, 2016, called the LaPorte County Property Transfer Ordinance. The County passed this Ordinance to protect the health, safety, welfare, and property and ensure appropriate information is provided to prospective buyers concerning the quality of the drinking water and status of septic systems prior to acquisition. Section 3 includes the requirements of inspection of the septic system, testing of the well water, and filing with the Department of Health before the transfer. Radtke Co. believes this will be a great source of information for them to show the need for the project to the property owners of Union Mills; hence, the reason they pursued this project. The transfer of property is a State record and there have been 38 transfers in the last three years. There were 28 transfers that included parcels with buildings. The Health Department provided Gary with 16 of the 28 tests that were completed, and Amanda Lahners indicated she would be working to locate the last 12 tests. Radtke will proceed with preparing a report with the 16 tests results they have. Of the 16 tests completed, 4 of the septic systems failed. There is concern with existing septic systems in the Union Mills area and most septic systems are over 44 years old and six septic systems need repaired. There was only 1 of 16 water tests completed. The other 15 water test were incomplete. Gary would like to thank Amanda Lahners and her staff for her assistance in getting this information. Gary's purpose is for the area residents to understand the problem and what they face. With the four failures, neighbors should be concerned. This concludes Gary's Project II update.

Amanda Lahners clarified that Gary's request was for septic inspections and not the water results. Amanda indicated she will provide Gary with the water results for those properties. Gary responded this information will aid in the completion of his report.

Jennifer Ransbottom asked Gary what he would like for the Board to do with the information provided. She asked if he would like to request an Executive Board Meeting to discuss more on this topic. Gary indicated he is only asking for information on the sewer system. He is concerned the Ordinance is not being followed and he would like for the Board to step in to be sure the Ordinance is being followed. Attorney Barry McDonnell responded this is not an issue handled

by the Board and it falls under the purview of the Health Department and presumably the Commissioners. At this point, Gary is just providing the Board with information and if at some point him, his firm, or the citizens of Union Mills want to come before the Board with a Proposal for some type of grant then the Board is familiar with the preliminary discussion.

Reports - Finance Staff:

Steve Carter, the Board's accountant, presented the board with the following reports:

Financial Report

- 1.) Toll Road
 - A.) Beginning balance \$155,475.17 as of September 1, 2021.
 1. Deposits: \$0.00
 2. Interest Paid: \$1.17
 3. Disbursements: \$11,243.08
 - B.) Account Ending balance as of September 30, 2021, is \$144,233.26.
- 2.) Rolling Prairie Service Area
 - A.) Horizon Bank Checking-Rolling Prairie Account - had a beginning balance of \$40,193.97 as of September 1, 2021.
 1. Deposits: \$1,106.69
 2. Interest Paid \$0.33
 3. Disbursements: \$2,368.23
 - B.) Horizon Bank Checking had an ending balance of \$38,932.76 as of September 30, 2021.
- 3.) Hoosier Fund:
 - A.) Beginning balance \$250,710.88 as of September 1, 2021.
 1. Interest Paid: \$63.05
 - B.) Hoosier Fund ending balance as of September 30, 2021, is \$250,772.76.
- 4.) Claims

Steve Carter presented claims and added in 2 additional IN Michigan power invoices and an old USIC locates invoice for \$875 which brought up a discussion for payment.

Jennifer discussed the USIC invoice and locates regarding how it crossed with Phase II work and Woodruff & Sons, Inc. When the invoice first came in, she reviewed with USIC, and they were going to review the invoice since it was mostly from the construction of Phase II – never heard anything further about the invoice until last week when a lady called about collection payment from the invoice. They have decided they will not reduce the bill and want full payment because we did not notify them of Woodruff & Sons previously - but never notified me of such information.

Mark asked if the board could only pay for the four locates that were legit and still dispute the other locates. Attorney McDonnell indicated that the board could do just that and make a Motion.

Mark made a motion to pay the four legit locates at \$25/each for a total of \$100 of Invoice #442854 for USIC and dispute the rest. Marcella Seconded the rest. All approved. Motion passed.

Mark Danielson made the Motion to approve the claims in the new amount of \$35,299.25. Seconded by Dalia Zygus. All approved. Motion passed.

Reports:

Astbury

- Chris Vogeler from Astbury reported that everything was good. They did haul 18,000 gallons of sludge and they did receive the ferric chloride for the treatment.
- Jennifer received the invoices the previous night and will process them next month.

JPR - Billing/Collections/Lien

- Jennifer Ransbottom informed the board that there were 5 accounts going into collections and if they did not pay, or make arrangements on their account, they would get a lien on their property.
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Phase II Update: Includes 4th progress meeting update and construction schedule

Dan Byam, from JPR, attended via Zoom to give an update on Phase II -

- AEP does have all the electrical meter services installed for the project.
- Waiting on pump start-up. It was attempted on October 14th but was unsuccessful because the control panels were missing an element. Ferguson has confirmed they have them in stock and will be making that repair as fast as they can.
- The next Grinder start-up date is scheduled for next Friday, October 29th.
- If startup is completed, then Substantial Completion will follow.
- Therefore, Change Order #9 was presented for a time extension for an additional 30 days. Pushing time contract completion date to November 12th. It would be 30 days from that date in which Woodruff & Sons would have to complete all punch list items.
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Dalia Zygus made the motion to approve Change Order #9. Marcella Kunstek seconded the motion; all were in favor. Motion passed.

- Notice to Connect letter was updated and dates for the property owners to come to the WWTP to fill out connection paperwork and pay permit/inspection fees was discussed.
- Additional discussions regarding when full billing will start and to add another paragraph in the letter to include that information. Also indicating that the board did not charge the interim rate at the start of construction which it could have done for the past 7-8 months.
- Timeline for testing and once the meters were in how long before the system would be up and running.
- Once the Notice to Connect letter goes out to property owners full billing must start.

John Carr made the motion to approve the Notice to Connect letters being sent out subject to the contractor's substantial completion being approved. Dalia Zygus seconded the motion, all were in favor. Motion passed.

- Office hours and days were discussed for property owners to come in and fill out and pay for the permits and sewer connections.
- The office hours and days will be included in the Notice to Connect letter mailed to the property owners.
- Property owners will also be able to mail in their paperwork and payments, along with contacting us.
- Additional Funds – District Office Improvements – Scada System – no discussion on this topic but was kept in there for when the substantial completion is done.
- Updated Guidelines with details were sent to the board members added. No new language – just the mentioned details were added to the end of the Guidelines.

New Business:

- LaPorte County Regional Sewer and Water District Sewer Use Ordinance
 - John Carr, acting President, introduced the “LaPorte County Regional Sewer and Water District Sewer Use Ordinance” by title only.
 - Attorney Barry McDonnell explained that the Sewer Use Ordinance is the rules and regulation that operate a sewer system. Both presumable the Rolling Prairie area, Toll Plaza and any future areas that may extend sewer and water. It talks about payment of fees, extensions, violations, etc. This was well put together by Ken Jones and his team as well as Jerry Jackson. It's important to get it into place as we get all the Rolling Prairie residents connected.
 - John indicated that the Sewer Use Ordinance was an Ordinance regulating the connection to and use of public and private sewers and drains, the installation and connection of building sewers, and the discharge of waters and wastes into the sewer system.

Marcella Kunstek made the motion to approve the Sewer Use Ordinance No. 2021-01 and to carry over to the second reading. Mark Danielson seconded the motion. Motion passed.

- ARP money – Jennifer reviewed with Mitch and even though the Rolling Prairie project was on the list for receiving \$250,000 for connections and hookups, no money has been given to the District yet. Therefore, until money has been given to the District we cannot act or assume anything.
- The County Commissioners are hoping to decide on where the money is going to be given by December 2021. However, they do have until 2026 to spend all the money.
- If the District were to get the money for the connections – then we would need to look at policy/plan for a credit for the property owners.
- It is just being mentioned because we cannot preemptively waive those fees on the hope that we get that money. But it will be a good problem to have if we get that money.

- Ken Jones mentioned that the money hopefully will be some SBA guidance that will be administrating. We will have to make sure that we develop a policy that is monitored closely and fair when it is on the private side and that it is carefully tracked so that it can be recorded.
- Barry McDonnell indicated that hopefully some other District will use the same process so we can follow their footsteps and learn from them.
- MOU – Michigan City Rental Payment – Barry McDonnell talked to Jim Meyer about the project but is still more of a County Redevelopment project. Sanitary District is still involved but they do not have numbers and bids. They are still on board and will work it out. However, we cannot charge a fee if we are not charging a service.
- One of the methods discussed is that the Easements procured to the County or to the District – and that may be a way to get a modest payment.
- They are providing the bulk of the work and we would have to be reasonable with the numbers/amount. The conversation was good, and our recollections were the same which was good.
- Keep on Agenda for next meeting.
- Pollution Policy Application Renewal – Discussion on the renewal and the necessity of the policy. The policy covers four locations and the WWTP.
- Premium for the policy is \$5,182/year. None of the other Districts I work with have a policy like this nor do Steve Carter's.
- This policy covers four locations for the District – they are as follows: WWTP site, Hatfield L.S, CR 350/SR2 location, and Metering Station on SR 2.
- The policy covers the cleanup and fees, fines charged if there were any breaks in the system. Apparently, your GL does not cover any of those items.
- Discussion regarding the need of the Pollution Policy and renewal was discussed. Several other Districts do not have this policy. Attorney Barry McDonnell was not worried about paying the premium on the 11-1-2021 due date but finding out further information and details regarding the need for the policy.
- Ken Jones was asked his thoughts on the Pollution Policy – he indicated that he was not aware about if all the District's having the policy or not, but he did know that they District's usually would be saving money and putting it away in case of an emergency fund for such a situation in case one did occur.
- Attorney Barry McDonnell indicated that if Jennifer sends him the policies GL and the E&O, he will send it on to a couple other agents and get other quotes. Hopefully, from another LaPorte County insurance agency.
- Barry suggested there by a Motion by the board to either pay or not pay from the board regarding the Pollution.

Marcella Kunstek made the motion to suspend the payment for the Pollution Policy until further review and approval of the Executive Committee and review of Barry McDonnell and Jennifer Ransbottom. Mark Danielson seconded the motion. Motion passed.

- Discussion on the payment for the Cincinnati insurance for the 2018 - \$1,367 was part 2018 Surety Bond, along with the current year payment. Discussion regarding why it was on the invoice now and not on previous years invoices 2019 and 2020. The payment had already been approved and it should have been discussed prior to payment approval.
- PER Hudson/Saugany Lake – It is moving forward. The draft will be ready by the end of the year for the board to review.
- Ken Jones indicated that the PER being completed is a Funding Pre-Qualification Document. It would be a basis for submittal for funding to either USDA or State Revolving Fund.
- Public Hearing would be held early part of 2022 and all potential customers would be notified. If there was a desire to advance the project to formal application for funding that deadline for application would be March 1, 2022.
- procure that project
- Ken Jones discussed a subdivision area where John Carr lives which he prepared preliminary numbers for the connection of homes.
- The cost right now would be approximately \$125-\$130, 000 and that would not include supplying a grinder pump to every home – it would be low pressure sewer.
- Ken mentioned this because if there was any desire to reach out to another area to connect for another funding package – we could do that now or anytime before the public hearing.
- Ken Jones also reiterated that they will be ready to hold a Public Hearing after the first of the year if the board is ready.

Old Business:

The next Board meeting is November 18, 2021.

Adjournment:

Mark Danielson made the motion to adjourn at 10:24 a.m. Dalia Zygas seconded the Motion. All were in favor – Motion passed.