

LAPORTE COUNTY REGIONAL SEWER DISTRICT

MEETING MINUTES

April 26, 2022

9:00 a.m.

Time and Place:

The LaPorte County Regional Sewer & Water District monthly board meeting was held on Tuesday, April 26, 2022, at 9:00 a.m. Central Time, by Zoom Meeting only. Login: <https://us02web.zoom.us/j/89566118433?pwd=K1VlGtKbTMU3JvQTNSaG5NNzN6Zz09> Meeting ID: 895 6611 8433 Password: 460988

Attendees:

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

Approval of Minutes:

Marcella Kunstek made the motion to approve the minutes from the monthly board meeting on March 22, 2022. Mark Danielson seconded the motion. All in favor. Motion passed.

Public Comments:

Joyce Forbes – Is happy that the project is going forward and that the Public Hearing had so many positive comments. She applauds the board for their efforts. Joyce indicated that she knows there will be decenters that are going to be very vocal and that they do not represent most of who the majority of the people are. She indicated that the project cost has increased a lot by the waiting and that she is excited about this project.

No further public comments made – Public Comments Closed.

Reports - Finance Staff:

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

- 1.) Toll Road
 - A.) Beginning balance \$152,845.30 as of March 1, 2022.
 1. Deposits: \$55,362.90
 2. Interest Paid: \$1.42
 3. Disbursements: \$17,335.38
 - B.) Account Ending balance as of March 31, 2022, is \$190,876.90.
- 2.) Rolling Prairie Service Area
 - A.) Horizon Bank Checking-Rolling Prairie Account - had a beginning balance of \$35,541.52 as of March 1, 2022.
 1. Deposits: \$17,216.44

2. Interest Paid \$.50
3. Disbursements: \$8,061.65
4. Loan Principal County: \$1,830.00
5. Transfers Bond & Int Acct: \$1,416.67
6. Transfers Debt Serv Reserve Acct: \$850.00

B.) Horizon Bank Checking had an ending balance of \$41,308.47 as of March 31, 2022.

3.) Hoosier Fund:

A.) Beginning balance \$251,083.78 as of March 1, 2022.

1. Interest Paid: \$66.68

B.) Hoosier Fund ending balance as of March 31, 2022, is \$251,150.46.

4.) Claims

Steve Carter presented claims for consideration in the amount of \$36,603.07. There were some late additions added after the board packets were emailed to everyone.

Marcella Kunstek made the motion to approve the claims in the amount of \$36,603.07. Seconded by Mark Danielson. All in favor. Motion passed.

Reports:

Astbury

- Chris Vogeler from Astbury Technology reported that there was nothing more than what was in the report. Some grounds maintenance and building maintenance needs to be considered.
- Jennifer indicated that she spoke with Andrew from Andrew's Property Management, and he is going to get started and will do the same as previously – as-needed.
- Chris believes that the entire building needs maintenance – gutters, trees, limbs, and roof needs to be looked at for leaks.
- Mitch indicated that Andrew's Property Management was interested in doing the extra work and would take a look at it to make sure he could do it.
- Roof estimates still need acquired for repairs on the roof if they need to be done this year or not. Jennifer will work on getting 2 or 3 quotes for roof repair. Water Plant and Sewer Plant – leak at the exhaust heater.

Phase II Billing Update – Jennifer Ransbottom

Jennifer Ransbottom, from JPR gave an update on Phase II -

- Billing: Nothing new other than what is in the report.
- Site inspection updates – Mitch Bishop discussed. One was vacant property, and one was in the process of being torn down.
- Discussion regarding debt service once a home was taken down 106 Michigan Street – should have been torn down in 2020.
- Ordinance Review regarding demolition of homes after Rate Ordinance has been set.
- Ordinance Change would need to be completed.

- Barry agreed that he would review the information, Ken and Jennifer would provide additional information and then an Executive Committee could review and bring it back to the board for review.
- Barry will also look at state statute and process.

Public Comments were opened back up due to Zoom attendee claiming to be online and not called:

Brian Gray – 8828 East 700 N., New Carlisle, IN 46552, - Curious why the entire Township board has not been included in the Public Hearing for the Saugany/Hudson information. Is there a place he can find the information and the study? The Link on the site is the P.E.R. for the project which is the pre-qualifier for the USDA and RD funding sources. This project is a Pollution Abatement project and is a septic system elimination project and while there is no study that says that the lake is being polluted – that is not necessarily something that is included or a requirement to advance a project.

Public Comments closed again.

Phase II Update – Dan Byam

Dan Byam and Ken Jones, from JPR gave an update on Phase II -

- Woodruff & Sons will be in town doing warranty work for seeding & touching up and reinstall Depot Street Grinder & Panel.
- New Mix Valves and flush valves have been installed – Per Jerry it was completed and doing a fantastic job with the matting issue.
- Rolling Prairie II – P.E.R. Amendment #3 – Request for \$152 Balance which is for \$10K, mix flush valve, \$117: Reimbursement Plan @\$1K each, \$25K for Admin Services. Total of everything is \$151,326.20.
- Discussion regarding the changes from the funding agency in the way the Reimbursement Plan was to be processed for the property owners and which account the funds were to come from.
- John Carr will need to sign off on a Cover Letter for the PER Amendment #3.

Mark Danielson made the motion to approve the John Carr signing the P.E.R. Amendment #3 once reviewed by Attorney McDonnell. Seconded by Marcella Kunstek. Roll call taken; All in favor. Motion passed.

- Dan Byam indicated that the Asset Management Plan Update – for the sewer and water system.
- Sewer System is complete. The Water system inventory is complete. Staff is wrapping up the technical section of the Asset Management and forwarding to Steve Carter to complete the financial manager section.
- Jerry Jackson would like to see the day-to-day and procedures that we follow started.

PER – Hudson/Saugany Lake

- Dan Byam discussed that the P.E.R. Public Hearing date is Thursday, May 5th at 6:00 p.m. Central Time.

New Business:

- Jerry Jackson asked about the new Bill passed regarding the Connection Requirements and fees and what can and cannot be charged now.
- Attorney McDonnell indicated that it did pass but has not reviewed it completely.
- Ken Jones gave a brief description of the passing of the Bill. It will have an impact on the project. We will have to provide a direct mailing and we do anyway in this project.
- We will have to provide written notification (which we do anyway) once the IDEM permit is issued to 100% of the property owners by direct mail to inform them of their rights to file an exemption and the process to do so.
- The Amendment includes a couple of things to complicate things but nothing that cannot be overcome – we would suggest the board assign a committee to work with the local health dept.
- Property owners have a right to have their systems inspected and determined if they are not failing.
- There are a couple of conditions that the property owners are going to have to meet – before they are wanting to go forward with having their system inspected.
- That would include acquiring any and all records of the system.
- A qualifying system has to be new. A repair or replacement will not qualify.
- There has to be a qualified inspector.
- The criteria for not failing – 1. System can upon testing can receive 100% of the water or wastewater by the septic systems fixtures. 2. Ponding of wastewater on the surface of the ground. 3. Determine that the system is not polluting the ground water and the drinking water.
- The District and the Health Department are going to have to work together to determine some type of guidelines that all 3 of those things are determined.
- But first, there has to be a written record of the permit of the installation and the inspection of the final system before it went into operation. That is the beginning of the process.
- That information will also be discussed at the Public Meeting.
- Amanda also discussed that that a Drywell is not a septic system. So, anyone on a drywell automatically does not qualify.
- Amanda further discussed issues regarding water tables and households.
- Adjustments going forward with the new Code and joint funding will need to be reviewed earlier in the projects.
- Will make it more complicated in the advanced planning portion – but it is absolutely something with which we can deal.
- Dalia Zygis asked about the connection fees – Ken Jones indicated that the connection fees would no longer be able to be allowed which in this project we did not charge.
- Penalty fees were also a topic of discussion and will have to be looked at to see if they survived the Code.
- Any unpaid amounts of bills and penalties could be filed on by a Lien, however, a lien cannot be forced for a tax sale.

Sewer Transfer and Use Agreement – MI City/Renaissance Academy Inc/Sewer District

- Attorney Barry McDonnell presented to the Board the Final Sewer Transfer and Use Agreement which has been going back and forth between all parties. Attorney Barry McDonnell made sure that there was an indemnification clause included as to the Sewer District.

Mark Danielson made the motion to approve the Michigan City Sanitary District Sewer Transfer and Service Agreement with Renaissance Academy, Inc. D/B/A Renaissance Academy Charter School and LaPorte County Regional Sewer and Water District and to approve as is subject to attorney review and authorize John Carr and Jerry Jackson to sign. Seconded by Marcella Kunstek. All in favor. Motion passed.

2022 Meetings:

- 4th Tuesday of every month for Meeting Dates for the Sewer Board for 2022
- Next meeting, May 24, 2022, in person and zoom.

Old Business:

Adjournment:

Mark Danielson made the motion to adjourn at 10:16 a.m. Seconded by Marcella Kunstek. All in favor. Motion passed.