



MINUTES OF THE EXECUTIVE SESSION FOR  
GARY SANITARY DISTRICT BOARD OF COMMISSIONERS  
HELD ON **MAY 18, 2020** AT 10:00AM – Via ZOOM Video Conferencing

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1. The meeting was called to discuss the following, as authorized under Indiana Code Section 5-14-1.5-6:

- The initiation of litigation, pending litigation, or written notice of threatened litigation.

2. The following persons were in attendance at the Executive Session:

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**PRESENT**

Maurice G. Mabon, President, *via conference call*  
Charles G. Peller, Jr., Vice-President, *via conference call*  
Ola V. Morris, Secretary, *via conference call*  
Charles W. Jackson, Jr., Member, *via conference call*  
Tramel Raggs, Member, *via Zoom Video Conferencing*  
Daniel F. Vicari, Executive Director, *via Zoom Video Conferencing*  
Vern E. White, Director of Administration, *via Zoom Video Conferencing*  
Tony Walker, Attorney, *via Zoom Video Conferencing*  
Jewell Harris, Jr., Attorney, *via Zoom Video Conferencing*

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**ABSENT**

3. The following matters were discussed and information received by the Board during its advertised Executive Session, and NO OFFICIAL ACTION was taken.

- Collective bargaining.
- Initiation of litigation or litigation that is either pending or has been threatened specifically in writing. As used in this clause, “litigation” includes any judicial action or administrative law proceeding under federal or state law.
- For discussion of records classified as confidential by state or federal statute.

**GARY SANITARY DISTRICT  
BOARD OF COMMISSIONERS**

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**Maurice G. Mabon, President**

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**Ola V. Morris, Secretary**

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MINUTES OF THE GARY SANITARY DISTRICT BOARD OF COMMISSIONERS  
REGULAR MEETING HELD ON MAY 18, 2020

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**BOARD OF COMMISSIONERS MEETING**

**DATE:** Monday, May 18, 2020  
**TIME:** 11:00AM  
**LOCATION:** Video / Tele Conferencing

**TYPE:** Regular Meeting  
**NOTICE PROVIDED IN ADVANCE:** YES  
**QUORUM:** YES

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**BOARD MEMBERS PRESENT *via***

<b>Video Conferencing</b>	<b>Tele-Conferencing</b>
Tramel Raggs	Maurice G. Mabon Ola V. Morris Charles W. Jackson, Jr. Charles G. Peller, Jr.

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**ABSENT MEMBERS**

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**OTHERS PRESENT *via***

<b>Video Conferencing</b>	<b>Tele-Conferencing</b>
Tony Walker Daniel F. Vicari Vern E. White	

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**OTHERS ABSENT**

**Attendee Titling:**

*Maurice G. Mabon, President*  
*Charles G. Peller, Jr., Vice-President*  
*Ola V. Morris, Secretary/Treasurer*  
*Charles W. Jackson, Jr., Member*  
*Tramel Raggs, Jr., Member*

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*Tony Walker, Attorney*  
*Daniel F. Vicari, Executive Director*  
*Vern E. White, Director of Administration*

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**ZOOM**  
<https://us02web.zoom.us/j/86895799308>  
Meeting ID: 868 9579 9308

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**Call to Order:** 11:04 AM by Commissioner Mabon

Commissioner Mabon began the Meeting with the Pledge of Allegiance followed by Roll Call. He then certified that prior to the May 18, 2020 Board Meeting, there was an Executive Session held and there was nothing discussed in the Executive Session that was not indicated on the Posted Notice of the Executive Session; and being in compliance with the Indiana Statues, there were no final votes held during the Executive Session. Commissioner Mabon asked if any Board Member dissented to the certification. Hearing none, he then proceeded with the meeting.



**1. MINUTES**

- a. As per the Minutes of the April 22, 2020 Regular Board Meeting, Commissioner Mabon called for the Board's pleasure with respect to approving the minutes.

A motion to accept the Minutes of the Executive Session Items and the Regular Board Meeting of April 22, 2020 with any/all noted corrections; was given by Commissioner Morris. The motion for approval of the minutes was seconded by Commissioner Jackson and passed without dissent.

The vote: Five (5)-Ayes / Zero (0)-No

- b. As per the Minutes of the Special Board Meeting of May 7, 2020, Commissioner Mabon called for the Board's pleasure with respect to approving the minutes. A motion to accept the Minutes of the Special Board Meeting of May 7, 2020 with any/all noted corrections; was given by Commissioner Morris. The motion for approval of the minutes was seconded by Commissioner Peller and passed without dissent.

The vote: Five (5)-Ayes / Zero (0)-No

**2. NEW BUSINESS**

- 2a. A Motion to Approve GSD's Payroll Earnings for Period Ending: March 30, 2020 through April 12, 2020, in the amount of \$237,319.72.**

Overview: Director of Administration Vern White asked for the Board's approval of the GSD Payroll Earnings Report submitted as GSD Agenda Item 2a.

Commissioner Mabon called for the Board's pleasure with respect to approving Agenda Item 2a. Commissioner Jackson gave the motion to approve. The motion for approval of the GSD's Payroll Earnings (March 30, 2020 through April 12, 2020) was seconded by Commissioner Morris and passed/approved.

The vote: Five (5)-Ayes / Zero (0)-No

- 2b. A Motion to Approve GSD's Payroll Earnings for Period Ending: April 13, 2020 through April 26, 2020, in the amount of \$233,280.49.**

Overview: Director of Administration Vern White asked for the Board's approval of the GSD Payroll Earnings Report submitted as Agenda Item 2b.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2b. Commissioner Peller gave the motion to approve. The motion for approval of the GSD's Payroll Earnings (April 13, 2020 through April 26, 2020) was seconded by Commissioner Morris and passed/approved.

The vote: Five (5)-Ayes / Zero (0)-No

- 2c. A Motion to Approve GSD Resolution No. SD20-10, Authorizing Transferring Funds from GSD Equipment Fund (435) Investment Account to GSD's Equipment Fund (435) Non-Investment Account.**



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Overview: Director of Administration Vern White stated funds were required to supplement the GSD Fund 435 Non-Investment Account for adequate coverage for fund expenses.

Director of Administration Vern White recommended approval of Agenda Item 2c.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2c. Commissioner Peller gave the motion to approve. The motion for approval of the GSD Resolution No. SD20-10, Authorizing Transferring Funds from GSD Equipment Fund (435) Investment Account to GSD's Equipment Fund (435) Non-Investment Account was seconded by Commissioner Jackson and passed/approved.

The vote: Five (5)-Ayes / Zero (0)-No

**2d. A Motion to Ratify and Approve Amendment No. 2 to the City-Wide Residential Solid Waste and Recycling Collection and Disposal Contract between Gary Sanitary District and Republic Services.**

Overview: Executive Director Vicari stated Republic Services is the current vendor – through a competitive bidding process – for the Solid Waste Services throughout the City. Amendment No. 2 will: (1) Provide for an extension of one (1) year per the contract by way of the original base contract; (2) Provide for clarification and new terms for the recycling rate (charged to GSD by Republic); and (3) Provide for an update to the House Count for City of Gary Trash Collection (to audit the house count quarterly throughout the year opposed to annually as reflected in the current agreement).

Attorney Walker stated he, too, reviewed Amendment No. 2. He further stated he and Executive Director Vicari conducted some calculations and it was determined that it appears to be a 50% savings to GSD to allow for Republic Services to takeover and pick up the City of Gary's Recycling over the City's General Services Department. Executive Director Vicari stated the City of Gary's Recycling Director Mattiee Fitzgerald is currently working to assist the City of Gary's Residents in obtaining 96-Gallon Recycling Totes.

Executive Director Vicari recommended approval of Agenda Item 2d.

Question: Commissioner Raggs asked why the Gary Sanitary District will continue to provide trash service for the City of Gary as GSD's primary concern is, and should be, the treatment of wastewater. He stated the Federal Government (Consent Decree) was signed by GSD stating we (GSD) would do everything possible to comply with the Clean Water Act and be willing to be fined should we not comply, and the civil city would no longer come to GSD to supplement such services (as the civil city was mandated to reimburse GSD for the use of civil services), yet a trash contract is being extended via GSD, which Commissioner Raggs feels is a detriment to GSD. He stated GSD asked (in the Consent Decree) to not be fined for various incidents as GSD claimed to be impoverished yet we look to approve Amendment No. 2 for Republic



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Services. Commissioner Raggs further stated GSD lost over \$2 Million on the Republic Services contract in Year 2019 and he feels GSD will lose a half-million dollars on this contract in Year 2020 on Trash and Recycling Collection Services.

Commissioner Raggs stated the Federal Government was very clear in their instruction by stating the rate payers of the District are not to supplement the tax payers of the City. He ended by saying it doesn't feel this contract/amendment is in the best interest of GSD.

Commissioner Mabon called for the Board's pleasure with respect to approving Agenda Item 2d. Commissioner Peller gave the motion to approve. The motion for ratification and approval of Amendment No. 2 to the City-Wide Residential Solid Waste and Recycling Collection and Disposal Contract between the Gary Sanitary District and Republic Services was seconded by Commissioner Peller and passed/approved.

The vote: Four (4)-Ayes / One (1)-No (Raggs)

**2e. A Motion to Ratify and Approve an Award of Bid to Grimmer Construction Inc. for the Sanitary Sewer Repairs for 600 Cleveland Street and 834 Hayes Street, in an amount of \$169,200.00.**

Overview: Executive Director Vicari stated in the Horace Mann Area, the 219 Grant Project (Army Corp of Engineers) is repairing sewers. However, this sanitary sewer repair is necessary where the sewer has completely collapsed (had a great deal of sand infiltration) and the 219 Grant Project does not have additional funds to allocate for this project, GSD is responsible to point repairs to these sewers. By unit costs, the price quoted from Grimmer Construction Inc. is better pricing than from the 219 Grant Project as they (Army Corp) deals with a great deal of administrative overhead costs. Grimmer Construction Inc. has immobilized, however the work cannot be started in the middle of a heavy rain event such as what's currently happening.

Executive Director Vicari recommends approval of Agenda Item 2e.

Commissioner Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2e. Commissioner Jackson gave the motion to approve. The motion for ratification and approval an Award of Bid for the Sanitary Sewer Repairs for 600 Cleveland Street and 834 Hayes Street was seconded by Commissioner Peller and passed/approved.

**3. CLAIMS**

**3a. GSD Claims Numbers: 1328 thru 1515, in the amount of \$1,001,774.24**

Overview: Director of Administration Vern White recommended approval and ratification of the GSD Claims.



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Commissioner Mabon called for the Board pleasure with respect to approving GSD Agenda Item 3a. Commissioner Morris gave the motion to approve. The motion for approval and ratification of GSD Claims Numbers 1328 thru 1515 was seconded by Commissioner Jackson and passed/approved.

The vote: Five (5)-Ayes / Zero (0)-No

**3b. GSD Claims Numbers: 1516 thru 1678, in the amount of \$1,065,572.26**

Overview: Director of Administration Vern White recommended approval and ratification of the GSD Claims.

Commissioner Mabon called for the Board pleasure with respect to approving GSD Agenda Item 3b. Commissioner Jackson gave the motion to approve. The motion for approval and ratification of GSD Claims Numbers 1516 thru 1678 was seconded by Commissioner Peller and passed/approved.

The vote: Five (5)-Ayes / Zero (0)-No

**4. INFORMATION UPDATES**

There were no Information Updates.

**5. DISCUSSION**

Commissioner Mabon asked Director of Administration Vern White when the Gary Sanitary District will audit (Indiana State Board of Accounts) start. Director of Administration Vern White replied that State Board of Accounts has already began the process of requesting information.

**6. REQUEST TO SPEAK**

There was no one present requesting to speak.

**7. ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at 11:39AM

ADOPTED BY THE BOARD DURING THE MEETING ON:

06/01/2020

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**Maurice G. Mabon, President**

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**Ola V. Morris, Secretary**

**BOARD OF COMMISSIONERS**

Maurice G. Mabon, President  
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Ola V. Morris, Secretary  
Charles W. Jackson, Jr., Member  
Tramel Raggs, Member