



MINUTES OF THE GARY SANITARY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING HELD ON **DECEMBER 18, 2023**

BOARD OF COMMISSIONERS MEETING

DATE: Monday, December 18, 2023
TIME: 11:00AM
LOCATION: GSD, Boardroom

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

BOARD MEMBERS PRESENT

Maurice G. Mabon, Vice President
Ola V. Morris, Secretary
Charles W. Jackson, Jr., Member
Darnail Lyles, Member

ABSENT MEMBERS

Daniel F. Vicari, President

OTHERS PRESENT

Jewell Harris, Jr., Attorney – *Harris Law Firm*
Rhonda Anderson, Executive Director
Jerome Foster, Finance Manager

OTHERS ABSENT

I. Call to Order: 11:10AM by Chairman Mabon

Chairman Mabon began the Meeting with the Pledge of Allegiance followed by Roll-Call. He then stated prior to the start of the December 18, 2023 Board Meeting, there was an Executive Session held and there was nothing discussed in Executive Session that was not indicated on the Posted Notice of the Executive Session; and being in compliance with Indiana Statutes, there were no final votes held during the Executive Session. Chairman Mabon asked if any Board member dissented to the certification. Hearing none, he proceeded with the meeting.

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1. MINUTES

As per the Executive Session and Regular Meeting Minutes of December 4, 2023, Chairman Mabon called for the Board to make a motion for approving the minutes.

Commission Morris gave the motion to approve/accept the Executive Session and Regular Meeting Minutes of December 4, 2023, with any/all noted corrections. The motion for approval of the minutes was seconded by Commissioner Jackson and passed without dissent.

The vote: Four (4)-Ayes / Zero (0)-No

**OLD BUSINESS
FOR THE RECORD**

Attorney Harris stated per the December 4, 2023 Board Meeting, there was a vote taken on GSD Agenda Item 2.5 (A Motion to Approve Task Order No. 51 to the Master Services Agreement between Gary Sanitary District and American Structurepoint, Inc., for Structural Engineering Services for the Garage Extension, in an amount not-to-exceed \$20,750.00).

At said Board Meeting, there was one (1) Commissioner absent, two (2) Commissioners abstained on voting; and two (2) Commissioner votes in favor of approving GSD Agenda Item 2.5. The Agenda item was declared approved by the GSD Board President as the majority of the Board present, voted in favor of the Agenda item. Pursuant to Roberts Rules of Order, this order of action would have been correct, however, there is an Indiana State Statute dealing with sanitary districts which specifically requires that whatever the measure, the majority of the Board must approve any measures (items) on the Agenda - - in this instance, three (3) votes (in favor) would have been required and there were only two (2) in favor of approving votes.

Therefore, the December 4, 2023 GSD Agenda Item 2.5 (A Motion to Approve Task Order No. 51 to the Master Services Agreement between Gary Sanitary District and American Structurepoint, Inc., for Structural Engineering Services for the Garage Extension, in an amount not-to-exceed \$20,750.00) **FAILED TO PASS**.

Question: Chairman Mabon asked if any action has been taken with respect to awarding Task Order 51 to American Structurepoint.

Response: Board Secretary Willette Lee stated no action to award Task Order No. 51 to American Structurepoint has been taken.

2. NEW BUSINESS

2.1 A Motion to Approve GSD's Payroll Earnings for Period Ending: November 6, 2023 through November 19, 2023, in the amount of \$257,665.78.

Overview: Finance Manager Jerome Foster recommended approval of the GSD Payroll Earnings Report submitted as GSD Agenda Item 2.1.



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Chairman Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.1. Commissioner Lyles gave the motion to approve. The motion to Approve and Ratify GSD's Payroll Earnings for Period Ending: November 6, 2023 through November 19, 2023 was seconded by Commissioner Morris and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.2 A Motion to Approve GSD Resolution No.: SD23-19, Ratifying the Merit Pay Distribution for the Employees of the Gary Sanitary District for Calendar Year 2023.

Overview: Executive Director Anderson stated whereas the Management of Gary Sanitary District (GSD) previously reviewed employee performance for the calendar year 2023, and calculated an appropriate amount of merit pay based on the District's policy; and

Whereas, attached hereto is the policy detailing the formula for calculating the amount to distribute; and whereas, the Executive Director and Finance Manager recommend that the Board approve the Merit based amounts for the year 2023.

Question: Chairman Mabon asked where is the pay-breakdown/detail.

Response: Attorney Harris asked that the detail be attached to the final document/signed resolution to be a matter of record (details to be proved by Human Resource Manager Kara Burns).

Chairman Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.2. Commissioner Jackson gave the motion to approve. The motion to Approve GSD Resolution No.: SD23-19, Ratifying the Merit Pay Distribution for the Employees of the Gary Sanitary District for Calendar Year 2023 was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.3 A Motion to Approve Release of Retainage to Grimmer Construction for the Lake Street Force Main Relocation Project (GSD Project No.: SD23-01).

Overview: Executive Director Anderson stated Todd McCain has provided information regarding compliance, including a letter from the Union Hall where they (Grimmer) hire their employees. The details also show compliance percentages with hiring Gary-residents/ordinance.

Question: Chairman Mabon asked if there were retainage-release requirements.

Response: Attorney Harris stated there are retainage-release requirements included in the agreement by and between the contractor and The District.

Question: Chairman Mabon asked when the Certified Payroll is made available.



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Response: Todd McCain stated the Certified Payroll is ongoing and provided in stages as the project progresses.

Chairman Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.3. Commissioner Jackson gave the motion to approve. The motion to Approve Release of Retainage to Grimmer Construction for the Lake Street Force Main Relocation Project was seconded by Commissioner Lyles and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

2.4 A Motion to Approve an Award of Bid to LGS Plumbing for the Sanitary Sewer Repair at the vicinity of 3972 Pierce Street, for an amount not-to-exceed \$48,758.00.

Overview: Executive Director Anderson stated the Engineering Department requested quotes for the Sanitary Sewer Repairs located 3972 Pierce Street. The existing sanitary sewer has lost its structural integrity and collapsed in the alleyway, thereby causing a cave-in with infiltration of sand and groundwater. To prevent a surface cave-in and becoming a pedestrian and vehicular hazard, repairs are necessary.

The work comprises of: • Remove and replace existing 12-inch diameter pipe with 12-inch diameter PVC SDR35 ± 42- linear feet starting 88 feet from Manhole No. 496 going north towards Manhole No. 495.

The Engineering Department prepared the specification and solicited seal bids from thirteen (13) Contractors; with three responses from:

- LGS Plumbing: \$48,578.00
- Gariup Construction Co.: \$57,500.00
- Alex Metz Sewers, Inc.: \$61,100.00

The recommendation is to award the Sanitary Sewer Repair to LGS Plumbing.

Question: Chairman Mabon asked if this Sanitary Sewer Repair to be an emergency.

Response: Engineer Eric Tonk stated this item is not deemed an emergency, yet the has collapsed; and if the area were to get any worse, it would be an emergency.

Chairman Mabon called for the Board's pleasure with respect to approving GSD Agenda Item 2.4. Commissioner Lyles gave the motion to approve. The motion to Approve an Award of Bid to LGS Plumbing for the Sanitary Sewer Repair at the vicinity of 3972 Pierce Street was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No



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3. CLAIMS

3.1 GSD Claims Numbers: 3420 through 3661, in the amount of \$1,179,205.57

Overview: Finance Manager Jerome Foster recommended approval and ratification of the GSD Claims.

Question: Chairman Mabon questioned if GSD Claims Nos.: 3458, 3459 and 3460 were actually three (3) separate claims (Invoices) or if they were duplicates as there are no invoice numbers. (Vendor: Dapper Miller Enterprises)

Response: Todd McCain explained that Dapper Miller Enterprises was the meal provider for the Student Tours (21st Century Charter School / 9th Graders) that took place at GSD on December 12 – December 14. The claims are correct as shown – three (3) separate claims/invoices.

Response: Attorney Harris stated going forward the alleviate confusion, the vendor should provide invoice numbers.

Chairman Mabon called for the Board pleasure with respect to approving GSD Agenda Item 3.1. Commissioner Lyles gave the motion to approve. The motion for approval and ratification of GSD Claims Numbers 3420 – 3661 was seconded by Commissioner Jackson and passed/approved.

The vote: Four (4)-Ayes / Zero (0)-No

4. INFORMATION UPDATES

4.1 Plant Superintendent Updates

Rhonda Anderson, Executive Director, provided the Board with an update:

- HMI Project

Six (6) of the Nine (9) clients have been installed. The old SCADA System and new SCADA System is running parallel to each other.

Question: Chairman Mabon asked if our SCADA System was impacted during the hack (February 2023).

Response: Executive Director Anderson stated our SCADA System was not infiltrated during the hack. In 2013, GSD's Instrumentation & Controls Specialist had the foresight to disconnect the SCADA System from GSD's Business System.

4.2 Construction Activity Updates

Eric Tonk, GSD Resident Engineer, provided Construction Activity Updates:

PROJECT: AERATION SYSTEM IMPROVEMENTS PROJECT

Current Work: Execution of the Certificate of Final Completion

Planned Work: Waiting on response on how to close out project properly



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PROJECT: GRIT IMPROVEMENTS PROJECT

Current Work: Delivery of Spare Parts and Inventory. Warranty issue on level sensor on East Grit.

Planned Work: Delivery of Final 9 Punch List Items. All being paper work. Project close out w/ ACOE.

PROJECT: 27TH AND CHASE PUMP STATION FORCE MAIN REPLACE, PH 2 PROJECT

Current Work: Site has been prepared for winter usage.

Planned Work: Work to resume in Spring 2024

PROJECT: LAKE STREET PUMP STATION FORCEMAIN RELOCATION

Current Work: Completion of Certificate of Final Completion and Release of Retainage paper work.

Planned Work: Close out of Project.

PROJECT: LAKE STREET DRAINAGE IMPROVEMENTS AND ROAD RECONSTRUCTION

Current Work: Asphalt base layers installation.

Planned Work: Preparing roadways for winter usage. Project to continue in Spring 2024.

PROJECT: 27TH & CHASE PUMP STATION BAR SCREEN REPLACEMENT PROJECT

Current Work: Electrical demolition and digging of trench for electrical bank.

Planned Work: Prepare for the demolition of one of the bar screens.

4.3 Community Engagement

Todd McCain, GSD Community Engagement Director, provided the Board with updates:

- Alex Metz Sewers, Inc. | 2400 Louisiana Street Project:
1 of 4 employees is a Gary Resident; equating to 25%
- Grimmer Construction | Lake Street Project:
3 of 10 employees is a Gary Resident; equating to 30%
- Grimmer Construction (Nov 25 / Dec 2 / Dec 9) Compliance Numbers:
Out of 16 Reports, the compliance for Gary Residents is:
Three (3) jobs were in compliance at 100%
Four (4) jobs were in compliance at 60%
Nine (9) jobs were below 60% compliance
Received a letter from the hiring union. An attempt is being made to provide Gary workers/residents. There were no Gary workers available.



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4.4 American Structurepoint, Inc.

John Tucker, American Structurepoint, Inc., (ASI) provided the Board with updates:

- 27th & Chase Street Project
Project is being winterized.

4.5 CDM Smith, Inc.

Matthew Bednarski, CDM Smith's Client Service Leader, provided updates:

- Indiana Financing Authority (administer funds from the partisan infrastructure law) discussions were had. We look to get approval for grant funds for two (2) projects....approximately \$5Million

5. DISCUSSION

Question: Chairman Mabon asked what was the approximate age of the current garage bay.

Response: LaMingo Tomlin stated the garage bays date back to the early 1990's.

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 11:52AM.



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ADOPTED BY THE BOARD DURING THE MEETING ON:

01/09/2024

DocuSigned by:

Daniel F. Vicari

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Daniel F. Vicari, President

DocuSigned by:

Ola V. Morris

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Ola V. Morris, Secretary

BOARD OF COMMISSIONERS

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- Darnail Lyles, Member