



MINUTES OF THE EXECUTIVE SESSION FOR
GARY SANITARY DISTRICT BOARD OF COMMISSIONERS
HELD ON **MARCH 4, 2024** AT 11:00AM

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 attended the Executive Session:

PRESENT

William L. Allen, President
 Ola V. Morris, Vice President
 Maurice G. Mabon, Secretary/Treasurer
 Darnail Lyles, Member
 William Cook, Member

ABSENT

OTHER INVITED ATTENDEES

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

OTHER ABSENT

3. The following matters were discussed and information received by the Board during its advertised Executive Session, and NO OFFICIAL ACTION was taken.
 - The initiation of litigation, pending litigation or written notice of threatened litigation

GARY SANITARY DISTRICT
BOARD OF COMMISSIONERS

DocuSigned by:
William L. Allen

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William L. Allen, President

DocuSigned by:

Maurice G. Mabon

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Maurice G. Mabon, Secretary/Treasurer



MINUTES OF THE GARY SANITARY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING HELD ON **MARCH 4, 2024**

BOARD OF COMMISSIONERS MEETING

DATE: Monday, March 4, 2024
TIME: 12:00PM, cst
LOCATION: GSD, Boardroom

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

BOARD MEMBERS PRESENT

William L. Allen, President
Ola V. Morris, Vice President
Maurice G. Mabon, Secretary/Treasurer
Darnail Lyles, Member
William Cook, Member

ABSENT MEMBERS

OTHERS PRESENT

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

OTHERS ABSENT

I. Call to Order: 12:20PM by Chairman Allen

Chairman Allen began the Meeting with the Pledge of Allegiance followed by Roll-Call. He then stated prior to the start of the March 4, 2024 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 Allen asked if any Board member dissented to the certification. Hearing none, he proceeded with the meeting.

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1. MINUTES

Commissioner Mabon gave the motion to approve/accept the Regular Meeting Minutes of February 21, 2024, with any/all noted corrections. The motion for approval of the minutes was seconded by Commissioner Cook and passed without dissent.

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

2. NEW BUSINESS

2.1 A Motion to Approve GSD's Payroll Earnings for Period Ending: January 29, 2024 through February 11, 2024, in the amount of \$253,201.98.

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

Chairman Allen called for the Board's pleasure with respect to approving GSD Agenda Item 2.1. Commissioner Mabon gave the motion to approve. The motion to Approve and Ratify GSD's Payroll Earnings for Period Ending: January 29, 2024 through February 11, 2024 was seconded by Commissioner Cook and passed/approved.

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

2.2 A Motion to Approve a Professional Services Agreement between Gary Sanitary District and Taft Stettinius & Hollister LLP for Legal Services, in an amount notto-exceed \$60,000.00.

Overview: Executive Director Anderson stated Indiana Code 36-4-9 provides that the Mayor shall appoint the head of the Department of Law, and that Indiana Code 36-4-9-11 and 12 et. Seq. and the Gary Municipal Code further provide that the Corporation Counsel with the Department of Law shall manage the legal affairs of the City, and shall appoint such assistants as are necessary to conduct the legal affairs of the city; and Taft Stettinius & Hollister LCC and Adam K. Mills represents and acknowledges that Attorney Mills is an Attorney licensed in the State of Indiana with experience in municipal law and is qualified to advise the City, including its Gary Sanitary District on this and related legal matters.

Taft Stettinius & Hollister LLP will assist Gary Sanitary District on a wide variety of civil assignments, including but not limited to pending Consent Decrees, Environmental Law, utility and regulatory issues, contract drafting and review, public disclosure requirements and community relations.

Chairman Allen called for the Board's pleasure with respect to approving GSD Agenda Item 2.2.

Question: Commissioner Mabon asked if all of the positions and people listed are Attorneys. He also asked if said services for Taft Law would cover legal services (on any level) for the City of Gary.



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Response: City of Gary Corporation Counsel Carla Morgan stated the services to be provided by Taft Stettinius & Hollister LLP pertains to GSD only. Attorney Morgan plans to provide the Board with information concerning Taft's team members.

Statement: Attorney Harris stated the use of Taft Stettinius & Hollister LLP was a recommendation by the City of Gary's Corporation Counsel. Attorney Harris agrees with using Taft as they have a significant amount of Environmental Law experience.

Attorney Harris further requested Taft Stettinius & Hollister LLP to submit a revised table detailing position titles associated with all the names included in the agreement for a clear understanding of the rates associated by titles/names.

OFFICIAL MOTION:

Commissioner Lyles gave the motion to approve Agenda Item 2.2 subject to the stated contract/agreement changes (inclusion of table detailing position titles, names and rates).

Commissioner Lyles gave the motion to approve. The motion to Approve a Professional Services Agreement between Gary Sanitary District and Taft Stettinius & Hollister for Legal Services was seconded by Commissioner Mabon and passed/approved.

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

2.3 A Motion to Approve and Ratify an Award of Bid to American Precision Services for the Emergency Repair of the North RAS Pump in the West RAS Building, in an amount not-to-exceed \$42,615.00.

Overview: Executive Director Anderson recommended approval of the emergency repair of the North RAS Pump in the West RAS Building.

Chairman Allen called for the Board's pleasure with respect to approving GSD Agenda Item 2.3. Commissioner Lyles gave the motion to approve. The motion to Approve and Ratify an Award of Bid to American Precision Services for the Emergency Repair of the North RAS Pump (in the West RAS building) was seconded by Commissioner Mabon and passed/approved.

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

2.4 A Motion to Approve an Award of Bid to LGS Plumbing for the Emergency Sanitary Sewer Replacement at the vicinity of 1356 Mount Street, in an amount not-to-exceed \$87,108.00.

Overview: Executive Director Anderson stated there are several surface cave-ins and sewer collapses in two (2) sewer segments in the alley between Mount and Durbin Streets, near 14th Avenue. The existing sewer segments lost structural integrity allowing sand and ground water infiltration. During the investigation, one of GSD's CCTV cameras became lodged in the sewer and was unable



to be retrieved. Immediate repairs are necessary to prevent imminent sanitary sewer overflow and retrieval of the CCTV camera.

The work comprises of the removal and replacement of a 143-LF of 10-inch diameter sewer line from Manhole No. 3666 to Manhole No. 3768; and the removal and replacement of 143-LF of 10-inch diameter sewer line from Manhole No. 3768 to Manhole No. 3767.

Quotes were solicited from 12 contractors, with three (3) contractors responding:

- Gary-based Gariup Construction: \$127,500.00
- Gary-based Alex Metz Sewers: \$122,400.00
- Crown Point based LGS Plumbing: \$ 87,108.00

It is the recommendation of the GSD Engineering Department to award the bid to the lowest responsive, responsible bid of LGS Plumbing.

Chairman Allen 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 Emergency Sanitary Sewer Replacement at the vicinity of 1356 Mount Street was seconded by Commissioner Mabon and passed/approved.

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

3. CLAIMS

3.1 GSD Claims Numbers: 619 through 828, in the amount of \$1,346,028.34

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

Chairman Allen 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 619 – 828 was seconded by Commissioner Mabon and passed/approved.

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

4. INFORMATION UPDATES

4.1 Plant Superintendent Updates

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

- The Semi-Annual Progress Report was submitted by the due date.
- OSHA Forms were submitted by the due date.
- The Superfund Amendments and Reauthorization Act (SARA) of 1986, Title 3 Report was submitted by the March 1st due date.

4.2 Construction Activity Updates

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



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

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

Planned Work: Submittal review on-going. Progress meeting to be held on February 22, 2024.

PROJECT: LAKE STREET DRAINAGE IMPROVEMENTS AND ROAD RECONSTRUCTION

Current Work: Preparation for re-mobilization

Planned Work: Work to commence soon – continuing near Cypress Avenue

PROJECT: 27TH & CHASE STREET PUMP STATION FORCE MAIN REPLACEMENT, PHASE II

Current Work: Site has been prepared for winter usage.

Planned Work: Work to resume in Spring 2024.

PROJECT: GRIT IMPROVEMENTS PROJECT

Current Work: Certificate of Submittal Completion has been approved by the ACOE.

Planned Work: Delivery of final 4 Punch List Items. Approval of Certificate of Final Completion.

4.3 American Structurepoint, Inc.

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

- Force Main Project to possible resume in April 2024

4.4 CDM Smith, Inc.

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

- Working with GSD Staff and Legal for the Long-Term Control Plan April 25th submittal deadline.
- Working with GSD Staff for IFA Funding Submittal for Projects by April 1 deadline.
- Working with GSD Staff and Legal to address F.H.Paschen and the 27th & Chase Street Bar Screen Project. Receiving little response from Contractor (Paschen)

There are schedules (Construction Schedule and Schedule of Values) that have not been submitted.

5. DISCUSSION

Commissioner Mabon asked when will a GSD newsletter be submitted to our City of Gary Residents, introducing our new Mayor.

6. REQUEST TO SPEAK

There were no requests to speak.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 12:40PM.



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ADOPTED BY THE BOARD DURING THE MEETING ON:

03/18/2024

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William L. Allen

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William L. Allen, President

DocuSigned by:

Maurice G. Mabon

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Maurice G. Mabon, Secretary

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