

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE UTILITY BOARD**

June 15, 2021

**Public Meeting Advertised for 6:30 PM
Conducted at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence**



Roll Call:

| | | | | | |
|----------|----------------------|--------|---------|----------------------------|--------|
| Present | Robert H. Carnahan | Ward 1 | Present | Colleen Schieben | Ward 6 |
| | Board Member | | | Board Member | |
| Present* | John Foreman | Ward 2 | Present | Richard Sharpe | Ward 7 |
| | Board Member | | | Board President | |
| Present | Julie Rivera | Ward 3 | Present | Jennifer N. Sandberg, IAMC | |
| | Board Member | | | Clerk-Treasurer | |
| Present | Ralph Miller | Ward 4 | Present | Rick Eberly | |
| | Board Vice President | | | Town Manager | |
| Present | Randell Niemeyer | Ward 5 | Present | David Austgen | |
| | Board Member | | | Town Attorney | |

**Present Via Zoom.*

NEW BUSINESS

1. Approval of Minutes – April 20, 2021 and May 18, 2021

A motion to accept and waive the reading of the minutes was made by Randy Niemeyer with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7 - 0.

2. Written Report

- a. Fund Report – Clerk-Treasurer Sandberg stated she emailed the current cash and expenditure reports. She reported that she received the McMahon Report from the Town of Lowell. She emailed a copy to them all. This includes the 2020 Compiled Financial Statement and Supplementary Information as well as the 2020 Cedar Lake Reimbursement Calculation. Lowell is seeking reimbursement for 2020 in the amount of \$77,367. Mr. Niemeyer asked when that true-up is calculated, does Lowell do their own calculation or do they accept what McMahon does. Ms. Sandberg stated Lowell accepts the McMahon Report. Mr. Niemeyer discussed debate previously about what was owed by who and when. Mr. Austgen stated Lowell relies on the McMahon Report. Their Clerk-Treasurer applies that report. There were times in the past where our financial advisors engaged in dialogue in regards to review and have secured at times, an adjustment. The number derived at for reimbursement it from the McMahon Report. A brief discussion continued. Ms. Sandberg stated she had sent the report to Sue Haase for review. She keeps a year over year summary. Mr. Miller asked if Sue has determined if they do owe the money. Mr. Eberly and Ms. Sandberg both stated there is no question, the money is due.

3. Lift Station #3 Force Main Break

Mr. Kubiak reported on a force main break at Lift Station #3. They are still getting estimates on the replacement of the force main. This lift station is on Morse. This is approximately the tenth break as far as they can tell from their records. The bad thing is that when it is down, they have to bypass it so they can repair. A temporary pump was put in by Xylem but they haven't gotten the cost yet. It is approximately \$1,500 to rent a

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE UTILITY BOARD**

pump. Their plan is to get a quote to bore in a twelve-inch line and leave the ten-inch line as a bypass if there is a future break. A brief discussion continued on the line size.

4. Project to Fund with IFA Grant

Mr. Eberly reported on the IFA Grant program. Staff met this week to discuss potential projects. The first round of applications are due by July 15th. The second round is due July 15, 2022. They intend to submit the West Side Sanitary Sewer Interceptor Project as a potential candidate for 50/50 funding. They East Side Water Main and Tower Project is already an SRF project. Those are automatically considered for this IFA Grant, so long as they were submitted to the SRF within the last 60 days. They are waiting on confirmation of that. They are planning on submitting for the Lift Station #3 Force Main as well as the Lake Ecosystem Restoration. The awards are 50/50. The maximum award any one community can get is \$5 million dollars. This is going to be a competitive program. There is \$100 million available statewide. A brief discussion continued.

5. The Town's Risk & Resilience Plan/Study/Assessment for Water Utility Acceptance

A motion to certify the Risk & Resilience Plan/Study Assessment for the Water Utility was made by Randy Niemeyer with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7 - 0.

6. Consultant(s) & Staff Report(s)

a. Engineer - NIES

- i. West Side Sanitary Interceptor Update - The easement acquisition is proceeding. They will update the IDEM permit. They have had discussions with contractors on the timing for bids. It was discussed to bid in late fall after the harvest.
- ii. West Side Sanitary Interceptor – Project 2 Update - They have delivered the first two easements. They will deliver the remainder of those and coordinate with Dave and Rick on acquisition. Acquisition is always the challenging part of these projects.
- iii. East Side Sanitary Sewer Inspection (ESSSI) Update - They have prepared the bid documents for the lining and rehabilitation of the manholes from 140th to basically Lift Station #3. The contractor they have done a similar project with in Highland, has made a couple of comments and they will be making some changes. They will coordinate with Dave's office and the four contractors for the requests for proposals.
- iv. SSES Update - Wastewater Utility is proceeding on videos. They are looking at some equipment. The vac truck was out of commission. Mr. Carnahan noted it has been repaired. A brief discussion continued.
- v. Utopia Subdivision Water Main Replacement Design Engineering Update - Some work is still being completed. They will be done in conjunction with prior item and ready to bid by the end of year. As was planned with the IURC case and IFA Grant.
- vi. Risk and Resilience – Upon certification they will move forward with the emergency response plan. Improvements will be ongoing.
- vii. East Side Water/Paradise Cove Well - Rick has a meeting with the prior owner tomorrow. They will get access to the site. Once done, he would like permission to move forward on the assessment of the site. They can have a report on recommended improvements within ninety days. He contacted Pittsburg Tank and they recommend a 270-day lead time for bidding to completion. Plan for bid later this year, award in spring,

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE UTILITY BOARD**

and have it online by fall 2022. The estimate of \$1.1 to \$1.2 million is still valid. Mr. Niemeyer stated improvements to the production facility are one thing but what about the transmission mains and combining it with the current source. He asked about design and timing. He also asked about the lapse of the IDEM permit. Mr. Simstad stated the IDEM permit expired because they designed that tower in 2018 and permits expire after one year. He's had discussions with IDEM and all they need to do is ask for an extension of the permit and they'll grant one within sixty days. He'd recommend once they complete the assessment of Paradise Cove and they know what needs to be done and have it out to bid. They would probably request an extension of the permit in August or September. That way when they bid the project, they are well within the twelve-month timeframe. As for the transmission main, they met with developers on the east side and there may be some favorable coordination between the Town and developers. This may include assistance in securing the routing and coordinating easement acquisition. This would possibly include a public-private partnership on the construction of the transmission main. Mr. Niemeyer asked what the board needs to do to get the timeline moving and keep things tight. Mr. Simstad recommended giving Rick permission to coordinate with developers. Mr. Niemeyer made a motion to amend the agenda and consider directing NIES Engineering to begin the assessment of the former Lighthouse Well property. This would be followed-up with a ratification of an engagement at the next Utility Board meeting. A second was made by Robert Carnahan. Mr. Simstad stated they can or they can do it under their general consulting agreement. A brief discussion continued. Mr. Simstad recommended the board give Rick direction to coordinate with developers to allow the share of information. Mr. Niemeyer discussed some of that may fall under an economic development agreement which would go to the Town Council. He stated this is a multi-faceted item. It might be advisable to have the Town Council President, Utility Board President, and Plan Commission President sit in on any of those discussions so that proper reports can go back to the various bodies. This way any necessary action items can be dealt with swiftly. A lengthy discussion continued on the potential project agreements as well as possible design.

- b. Director of Operations/Superintendent
 - i. Operation & Maintenance Report - No further report.
- c. Town Attorney
 - i. Water Rates - Mr. Austgen stated the east side water system development charge (SDC) session will now begin based on the acquisition and closing of the well property. Mr. Niemeyer asked if that was the system wide SDC. Mr. Austgen stated it is. It will level out all the system development charges across the utility. They will begin that work immediately.

- 7. JMOB Report** – Mr. Eberly stated he has reached out to the Lowell Town Manager and is still working on coordination of the next meeting.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE UTILITY BOARD**

- 8. Lake Dale Report** - Mr. Eberly is working on confirming the June 28th meeting with Lake Dalecarlia at 6pm.

PUBLIC COMMENT - None

ADJOURNMENT President Sharpe adjourned the meeting at approximately 7:05 PM.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA UTILITY BOARD

Richard Sharpe, President

Ralph Miller, Vice President

Robert H. Carnahan

John Foreman

Julie Rivera

Randy Niemeyer

ATTEST:

Colleen Schieben

Jennifer N. Sandberg, IAMC
Clerk-Treasurer

The Minutes of the Cedar Lake Utility Board are transcribed pursuant to IC 5-14-1.5-4(b), which states:

- (b) As the meeting progresses, the following *memoranda* shall be kept:
- (1) The date, time and place of the meeting.
 - (2) The members of the governing body recorded as either present or absent.
 - (3) The general substance of all matters proposed, discussed, or decided.
 - (4) A record of all votes taken, by individual members if there is a roll call.
 - (5) Any additional information required under IC 5-1.5-2-2.5.