

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

November 19, 2024

**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 Board Member	Ward 1	Present	Mary Joan Dickson Board Member	At-Large
Present	Julie Rivera Board Member	Ward 2	Present	Richard Thiel Board Vice-President	At-Large
Present	Nick Recupito Board President	Ward 3	Present	Jennifer N. Sandberg, IAMCA, CMC, CPFIM Clerk-Treasurer	
Present	Chuck Becker Board Member	Ward 4	Present	Jeff Bunge Town Manager	
Present	Greg Parker Board Member	Ward 5	Present	David Austgen Town Attorney	

NEW BUSINESS

1. Approval of Minutes – October 15, 2024

A motion to accept and waive the reading of the minutes was made by Greg Parker with second by Mary Joan Dickson. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Parker – Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 7 - 0.

2. NIES Pay Request No. 8 for Krystal Oaks Elevated Water Tank – Dixon, in the amount of \$1,150.00

Mr. Simstad reported this was for Dixon Engineering for the elevated water tank at Krystal Oaks. It is a routine inspection as part of the final punch list review. It is in the amount of \$1,150. Additional work is scheduled as part of the results of the inspection. They are to be performed by the contractor and there will be a follow-up inspection based on this report in front of them. Mr. Carnahan asked what the inspection was for. Mr. Simstad stated it was for the coating, valves for overflow, and general grouting and condition of the tank. Not only the base but including up along inspection areas to the top of the tank and areas including the hatch. Mr. Carnahan stated he knows they are not doing it but they indicated to the public that they will be putting trees in. He asked if that is still proceeding and if they would be doing that in-house. Mr. Kubiak stated yes. That is something they need to come up with a decision of what they want to do. They are not currently working on it. They do intend to do it after the tower is complete. Mr. Carnahan stated he does not want it to get lost in the shuffle.

A motion to approve was made by Greg Parker with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Parker – Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 7 - 0.

3. Current Water Capacity Needs Planning Discussion

Mr. Recupito asked if there was anything to add. He stated he and Rich have been on the horn for a little bit about a potential well site in Town. They have had some ideas over the last week about maybe giving some direction at some point to engineers to start vetting some sites. Mr. Thiel stated he did not remember the exact date when they were on the phone with Kevin and Don from Christopher Burke. They did have some initial discussions on possible ideas. Mr. Carnahan asked if they relinquish what some of that is. Mr. Recupito stated his ideas of how this process could possibly work. He said he was

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open to suggestions but he believes they should get a handful of sites picked out. Some have been floated and since they had the meeting with IDEM, he believes they should be involved in helping to pick a site. They will not get any approvals without them. Mr. Thiel stated part of the meeting was the question on where some of the wells were drilled as far as location and why. He stated when he talked to Nick the other day, when they do get everything back from Christopher Burke, the idea is to reach out to IDEM and get them involved for their opinion on placement. Mr. Carnahan stated there was discussion about potential wells that were drilled without permits. Mr. Thiel stated these would all be permitted. Mr. Carnahan asked if they knew of the people that drilled wells that did not get permits or was it just a rumor. Mr. Parker stated none of those wells were permitted and none were put in viable sites. Mr. Recupito stated that ball is in their court. Mr. Austgen stated that is going to be public information pretty soon. There is review and engineering assessment of all that is going on. It was the first thing they said in the communication to IDEM about a week or ten days ago. The engineers were working on comprehensive planning. It is coming and it will be here because it is public and it is public record. Mr. Carnahan stated in the Christopher B. Burke Report, it indicates that they received preliminary approval to bring the water from the Lighthouse Well to the Police and Fire Buildings. He stated he does not believe that is a final. When it does get approved, they will have a forty-five-day waiting period. Mr. Parker stated that sounds right. He asked Mr. Kubiak. Mr. Kubiak stated that is correct. Mr. Parker asked Neil if that was his understanding too. Mr. Simstad stated yes, from speaking with Tim. Mr. Recupito stated they will continue to keep the public updated.

4. Written Report

- a. Fund Report – Clerk-Treasurer Sandberg stated the cash and expenditure reports were previously sent out.

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

- a. Engineer - NIES
 - i. Sanitary Update – Project one is substantially complete. They are waiting on the final as-built record drawings. They will provide those to staff for their long-term review and for the ability to have the location of all the manholes. Once that is received, they will approve the final pay request for the contractor and file all close-out documents with IDEM consistent with the permit. West side project two, as discussed prior, is essentially complete in terms of design. All of the easements are acquired and then looking forward to project three, there is a concept route but no further information in terms of that going forward on full design. Items were submitted at the March 19th meeting of project costs for routing 3A and 3B. Mr. Carnahan asked about project two and an estimated time when that might start. Mr. Simstad stated that is completely dependent on the policymakers, this board, to determine when to move forward with that. Mr. Simstad stated they would be looking for approximately 30 to 45 days to complete the plans and set bid dates as well as submit documents to IDEM for the construction permit. They would then be looking to properly advertise and bid the project, with Jen and Dave, to make sure the dates work in terms of State statutes. More than likely, it would be 100 to 120 days from whenever the board does decide to move forward, that you could do bid opening. Mr. Recupito stated they would get more into that with item six.

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- ii. Water update – Mr. Simstad stated nothing further from item two. It is proceeding on punch list and close out with the SRF with Jen and Sue. He stated he appreciates their help.
- b. Director of Operations
 - i. Operation & Maintenance Report – Mr. Kubiak stated they did hear back from Don on IDEM and the permit for the upgrades at Robins Nest pumphouse. Five things were requested and asked. Hopefully, with those being answered they will be closer to getting the permit. He stated Mr. Oliphant is working on the answers now and hopefully they will hear something. He believes there is a waiting point also. Mr. Carnahan asked if after that is put in, they will be able to fill the water tower. Mr. Kubiak stated that is correct.
- c. Town Attorney – No report.

6. Update/Discussion

- i. West Side Sewer Interceptor Phase 2 – Mr. Recupito stated he spoke with Sue over the past week. Jeff had brought it back up to them about getting it moving along. Neil has been saying for quite a while, just looking for direction. Mr. Recupito stated he told Sue this week that funding had been brought up and there are several avenues. The big question is if they are ready to move forward on this and if they have some options with funding. Mrs. Haase stated there are options on funding and it depends on when they are going to do it. She told them to keep in mind they are a regulated utility. Any permanent funding in excess of 12 months has to be approved by the IURC. She stated that is a regular filing and would not happen overnight or within 30 days. Ms. Sandberg corrected Sue and stated they are discussing phase two of the west side sanitary sewer interceptor not water. Mrs. Haase stated there are a lot of solutions as far as financing goes. They have the reimbursement resolution in place for phase one. They would do a long-term debt on the cost on phase one and that would give additional funds for phase two. They could use the improvement and system development charge funds. She stated that would zero them out and that worries her because they do not know what 2025 will bring. She stated they need to know if they are going to go forward with it. If they do, do they want to use what they have in place as far as the reimbursement resolution, do they want to outright finance phase two, or do they want to use as much cash on hand as they can. Mr. Recupito asked Mr. Simstad about engineering and bidding. He asked about timing and how soon the window closes. Mr. Simstad stated as soon as possible. Generally, if you can get your IDEM permit secured in late summer/early fall, get the project bid out in late fall into winter, and open around the first of the year, is the ideal time. A lot of contractors are looking for work to fill their books for the subsequent year. It is supply and demand. There are fixed costs in terms of labor and materials that are not. When looking to fill books for the subsequent year, now is the time. Mr. Recupito asked him if he is comfortable with them taking some more time and placing it on the December agenda. Mr. Simstad stated he has no problem. Ultimately, the seven of them are responsible to the ratepayers and taxpayers. It is to meet what their needs are. Mr. Carnahan stated the

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sooner they get it moving, the better opportunity to have the thing put on someone's agenda for 2025. Mr. Simstad added the engineering budget for project two still has funds available to complete the design work and apply for the IDEM permit. Once the permit is approved and submitted, it is good for one year. They can extend the permit within ten months from issue, for an additional year. There are things they can do that will not impact anything in terms of schedules, in terms of what they are looking at for funding, to get the project moving towards bid without putting it out to bid. Mr. Recupito discussed the dialogue starting and getting some of the pieces together with Sue, Corby, and Jennifer to figure out the options for funding. Mr. Thiel asked about what Neil just said and if that mean they could still instruct Neil to have him start his stuff for bidding while they do the other stuff over the next month. Mr. Simstad stated that is correct. They can move forward with the boiler plate portions of the bid documents and the plans and submit the permit to IDEM for review. They have been very responsive. In the range of six weeks. Mr. Simstad stated those considerations could move forward without necessarily having funding in place or decided. Mr. Thiel asked if it would be action or instruction to Neil. Mr. Austgen stated action. Mr. Austgen suggested any motion include instruction to all financial people in Town to use all of the strategy options for financing.

A motion to instruct Neil to start the plan and start with the IDEM permit, finalizing the contract documents to be prepared for bidding, and ask the financial people to pursue all options for funding was made by Greg Parker with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Parker – Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 7 - 0.

- ii. Lake County JICA for East Side Water Development \$650,000 – Mr. Recupito stated Jennifer refreshed his memory that Julie had brought this up at one of the last meetings to discuss use of the remaining funds. Mrs. Rivera stated yes and she thought that Jennifer had her suggestions. Ms. Sandberg responded it was not suggestions from her. They had previously discussed with Mr. Kubiak the funds being utilized to pay for improvements and upgrades at Robins Nest. She could not recall the total number. She stated she heard that some equipment has started to come in but she has not received an itemized invoice yet to process. She stated she believes there will be electrical work to come. Mr. Kubiak stated electrical work, installation, and the equipment. Mr. Parker asked if it was in excess of \$650,000. Mr. Kubiak stated no but it put a good dent in it. He estimated it was around \$400,000. Mrs. Rivera stated it is not a bad position to be in to have the extra money. Ms. Sandberg stated no but the JICA did specify that it was for the east side. Whatever their plans are for the east side, they would utilize the remainder of the money. Mr. Carnahan asked if there was a deadline for when they had to spend the money. Ms. Sandberg stated as far as she is aware, the JICA did not spell out a deadline, as far as what County's deadlines may be, she does not believe that would be on them because the JICA does not stipulate a deadline. Mr. Kubiak stated the plans for the rest of the money was for WPM for a new wellhouse. Mr. Parker stated he has plans for the entire

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\$650,000. Mr. Kubiak stated yes. Ms. Sandberg stated at this point, Robins Nest is what has been officially approved.

7. **JMOB Report** – Mr. Thiel stated they received confirmation today that the next JMOB meeting will be on Thursday, December 19th at 6PM in Lowell.

PUBLIC COMMENT

Jerry Wilkening, 10826 W. 131st Avenue, stated just to be clear, they have no direction from IDEM regarding west side water. Other than they have a problem. Mr. Parker stated they got direction when they were in Indianapolis. That is why the utility master plan is being worked on right now. Mr. Wilkening stated they do not have a plan. There is no existing plan right now being worked on. Mr. Austgen stated yes. He added for clarity, in the context of the comprehensive plan, it is being worked on and developed for their consideration. Mr. Carnahan asked who is working on the plan. Mr. Austgen stated the engineers at Burke. Mr. Carnahan asked if that was Christopher B. Burke. It was stated yes.

ADJOURNMENT President Recupito adjourned the meeting at approximately 7:00 PM.

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Robert Carnahan, Ward 1

Julie Rivera, Ward 2

Nick Recupito, Ward 3

Chuck Becker, Ward 4

Greg Parker, Ward 5

Mary Joan Dickson, At-Large

ATTEST:

Richard C Thiel Jr., At-Large

Jennifer N. Sandberg, IAMCA, CMC, CPFIM
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 section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.