

**Minutes of the Regular Meeting of the
Board of Sanitary Commissioners
Terre Haute, IN**

February 6, 2024

The Regular Meeting of the Board of Sanitary Commissioners took place in the Third Floor Conference Room of City Hall, 17 Harding Avenue, Terre Haute, Indiana, on February 6, 2024.

Physically present:

Pat Goodwin -	President
Jim Winning -	Vice-President
Marcus Maurer-	Secretary
Tim Adams-	Board Member

Video-Call:

Dan Bradley-	Board Member
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Richard Shagley-	Sanitary Attorney
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Sally Roetker -	Dept. of Engineering
Brad Utz-	Dept. of Engineering
Maitri Desai-	Dept. of Engineering
Ed Stewart-	Director of the WWTP
Brad Speidel-	WWU Billing Specialist
Jessica Thome-	City Controller
Jesse Tohill-	Director of Public Works
Troy Swan-	HWC Engineering
Bob Murray-	ED Tax Payer's Association
Jim Hunter-	Tax Payer's Association

Pat Goodwin, President of the Board of Sanitary Commissioners, called the meeting of the Board of Sanitary Commissioners to order. Pat asked the new people around the room to introduce themselves.

PUBLIC COMMENTS

There were no public comments.

APPROVE MINUTES

The Board received the minutes of the meeting from January 16, 2024.

On a motion of Tim Adams, seconded by Marcus Maurer, and unanimously approved, it was resolved the minutes from the January 16, 2024 meeting be approved.

APPROVE CLAIMS

Ed Stewart reported there is an excessive amount of construction due to the 26 hour call out the Treatment Plant had a few weeks ago on the Park Ave. Force Main and other costs are still being incurred from that. Dan Bradley inquired about the expense of \$37,000.00 for light bulbs. Ed reported these light bulbs are disinfectant bulbs. The

current UV light bulbs used for disinfection are becoming hard to find. They purchased the last 102 bulbs that USA Bluebook had in stock and they won't be restocked. This will supply enough bulbs to get through the disinfection season. They will be looking for a replacement supply vendor. The process uses 96 bulbs per bank, there are two channels and three banks per channel. The disinfection season runs from April 1 through October 24, during this period the temperature rises enough for e-coli to start growing.

Pat noted on the new claims list there are two new claims from Public Sector Group and there are still three invoices for Public Sector Group tabled from the last meeting. The new invoices are from September and October 2023; the tabled invoices were from June, July and August of 2023. Jessica presented a spreadsheet from Scott Walker of Public Sector Group that provides detail and dates for these invoices. He also provided an explanation for his billing process. The Controller has asked that he step away from the Sanitary District for 2024 and he also stated he would not bill for his services in November and December of 2023. Richard Shagley inquired if there is an agreement with Public Sector Group and the Sanitary District. Jessica stated the City does have an agreement but not sure if there is one with the Sanitary District. Richard asked if there were any findings in the last audit that the Sanitary Board should be aware of. Jessica stated she did not believe there were. There is also a copy of the City Audit on the website. Pat asked whether Scott Walker has been paid for this work. She stated the checks have been cut but not given to him yet. Dan Bradley asked why these billings are so many months behind. Scott explained this in the document he presented to the board. The reason for his late billing was due to the situation with the high tax caps. He would defer his invoices when budgets were tight to keep expenditures down. This year with the change in administration he made the decision to have everything billed in the last quarter of 2023. He did this of his own accord for the benefit of the City of Terre Haute. Richard Shagley inquired how Scott calculates his percentage of allocation for services. Jessica stated he used the figure of \$57,000,000.00 of cash for the Sanitary District and figured in \$140,000,000.00 less \$84,000,000.00 of the MLS Bond proceeds and averaged the two percentages which come to 30%; he has charged this for the past 19 years. Jessica stated this year during budget season, she plans to have every line item accounted for. Jessica will request his agreement from Legal to provide to the Board.

On a motion of Dan Bradley, seconded by Jim Winning, and unanimously approved, it was resolved to approve all claims except the two listed below in addition to the three previously tabled until Richard can look at the agreement with Public Sector Group:

- Public Sector Group/ \$3,375.00
- Public Sector Group/ \$5,000.00
- Public Sector Group/ \$7,500.00
- Public Sector Group/ \$7,625.00
- Public Sector Group/ \$10,000.00

Jessica Thome will invite Scott Walker of Public Sector Group to the next meeting on 2/20/24 for an explanation of these invoices. Jessica confirmed with the AP Clerk that the June, July and August checks were cut November 30, 2023 and cashed in December 2023. Pat suggested a separate meeting to discuss this issue.

CONTROLLER EXPLANATION OF UNAPPROVED CLAIMS FROM 1/16/2024

Regarding the Republic Services invoice for \$274,065.66, Jessica stated the invoice was paid on 12/19/23. The funds collected for the trash fee are separated from the other revenues. There is not enough money collected to pay the entire Republic Services Contract. The trash contract goes up by 3% each year but the City did not increase the trash fee to the citizens. Richard Shagley recommended the Republic Services invoice be taken off the claims list because it is a City bill that was paid in the prior year and not this

board's responsibility. Jessica reported the Auditors pick random claims to audit. There is no action needed on this invoice.

SEWAGE LIEN PROCESS

Brad Speidel, the Sewage Billing Specialist, provided the board with documentation explaining the process of recovering delinquent sanitary user fees. Resolution 4-2016 established standard operating procedures for claims approval. Section 1-D deals with check requests for liens. County Government gives certain windows to file certified liens for unpaid sanitary services. They only allow 200 per day and a cut off on March 1st so there is time to record these and put on the May tax bills. The same process is repeated for September 1st. There were 535 liens in this batch totaling approximately \$360,000.00 of unpaid billings. If a bill goes 60 days past the due date this becomes disconnect eligible. A letter is sent stating the amount owed and must be paid in guaranteed funds. If not paid it gets transferred to IAWC and it becomes part of their process to disconnect the water. At this time all charges become due. IAWC has 10 days for this process to occur. Once a lien is filed it goes against the property owner. The TRECS program will identify delinquent accounts that are not disconnect or lien eligible and process those accounts for collections. Accounts that have been submitted to TRECS for two consecutive years and have received no material collection activity may be considered irrevocable debt and be subject to administrative discharge. When a lien is certified for \$100, it is actually \$155 which breaks down to \$100 for lien, \$25 for the Recorder, \$25 to the County to release it, and \$10 to the City for administrative costs. These have to be prepaid to the Vigo County Recorder to certify these liens. Due to this process payments made to the Vigo County Recorder's Office for the purpose of recording sewer liens can be paid prior to Board approval per Resolution 4-2016. Our collection rate is about 94%, which is well above the norm.

UNAPPROVED CLAIMS FROM 1/16/2024-VIGO COUNTY RECORDER

On a motion of Marcus Maurer, seconded by Jim Winning, and unanimously approved, it was resolved to approve the claims to the Vigo County Recorder that were previously tabled as listed below:

- Vigo County Recorder/ \$3,375.00
- Vigo County Recorder/ \$5,000.00
- Vigo County Recorder/ \$5,000.00

PAYROLL

The Board received the WWTP payroll for the period of 1/8/24-1/21/24 for Hourly and 1/18/24-1/31/24 for Salary.

On a motion of Jim Winning, seconded by Marcus Maurer, and unanimously approved, it was resolved the WWTP payroll for 1/8/24-1/21/24 for Hourly and 1/18/24-1/31/24 for Salary be approved.

ESCROW AGREEMENT/ THIENEMAN CONSTRUCTION, INC.

Brad Utz reported Thieneman Construction has requested that the retainage be withheld on the Main Lift Station in an escrow account for the duration of the project.

The amount being held is 5%. The retainage is released to the Contractor after the punch list is completed at the end of the project.

On a motion of Tim Adams, seconded by Marcus Maurer, and unanimously approved, it was resolved to approve the Escrow Agreement with Thieneman Construction Co. for the New Main Lift Station project.

SANITARY SEWER EASEMENT- TH CITY CENTER MALL

Marcus Maurer stated this easement has been donated by the City Center Mall. There will be a Lift Station Project at this location. Troy Swan stated there is an existing Lift Station in the parking lot north of JC Penney. This location is not accessible to the staff. The goal is to move it out to the north greenspace that exists. The Mall Ownership Group has agreed to donate this easement. Mr. Shagley has reviewed this agreement. Marcus stated this is a redline version of the easement and there are a few things that need corrected. Marcus is asking if the board will give him the signatory authority.

On a motion of Jim Winning, seconded by Marcus Maurer, and unanimously approved, it was resolved to approve the Sanitary Sewer Easement donated by Honey Creek Investment, LLC the owner of Haute City Center.

On a motion of Tim Adams, seconded by Dan Bradley, and unanimously approved, it was resolved to approve Marcus Maurer as the signatory on the City Center Mall Easement once the corrections have been made and reviewed by Mr. Shagley.

WWTP/ PURCHASE OF FRONT END LOADER

Ed Stewart reported while searching for a backhoe they discovered a used Front End Loader in really good shape for a very good price at \$34,000.00. Their current Front End Loader is a 1983 and will be put into a lesser used role.

On a motion of Tim Adams, seconded by Marcus Maurer, and unanimously approved, it was resolved to approve the purchase of the following equipment:

- Font End Loader/ Cat 938G purchased from West Side Tractor Sales Co. for \$34,000.00/ Unit is sold as is.

Ed also reported he is in the process of looking for two new dump trucks for the construction crew. The current dump trucks can only hold half the pay load. Ed will bring more information to the Board when he is ready to make the purchases. They are also looking at purchasing a 22 foot sidearm for the tractor to help with the maintenance of Thompson Ditch.

OTHER BUSINESS

Marcus Maurer reported in reference to the Destination Wabash Project, which is being funded through the SRF Bond, there is a \$250,000.00 study, which will also help with the Long Term Control Plan. The plan is to use Green Infrastructure which aligns with the Green Infrastructure goal of the LTCP. An opportunity has been brought forward to apply for the RAISE Grant which could potentially fund the entire design and construction at 100%. There is a very tight deadline which requires a large amount of information. The goal is to get data collection and other information to our consultant. There is currently no supplemental agreement at this time, but we are looking at a

supplement of not to exceed \$65,000.00. Marcus would like to bring this to the Board so we don't start work without a conversation happening. Marcus expects it to be less than \$65,000.00 with all the work the Engineering Dept. is doing in house. We have an existing contract and want to add this supplemental to that contract for a NTE amount of \$65,000.00. The deadline for the Grant is 2/28/24.

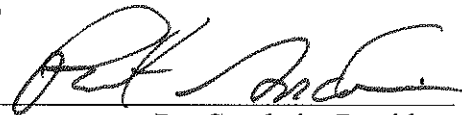
On a motion of Tim Adams, seconded by Jim Winning, and unanimously approved, it was resolved to approve an addendum to the existing contract for Destination Wabash with VS Engineering for a NTE amount of \$65,000.00 pending approval by the Sanitary Board.

ADJOURNMENT

On a motion of Tim Adams, seconded by Jim Winning, and unanimously approved, it was resolved to adjourn the Board of Sanitary Commissioners meeting.

The next meeting of the Sanitary Board will take place on February 20, 2024 at 10:00 a.m. in the Third Floor Conference Room, Third Floor of City Hall, 17 Harding Avenue, Terre Haute, Indiana.

APPROVED on the 20TH day of February, 2024.



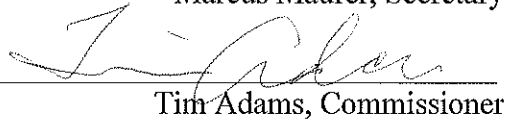
Pat Goodwin, President



Jim Winning, Vice President



Marcus Maurer, Secretary



Tim Adams, Commissioner

Dan Bradley, Commissioner