

**Minutes of Meeting of Board of Directors  
Independence Hill Conservancy District  
Wednesday, May 8, 2024**

A regular meeting of the Board of Directors of Independence Hill Conservancy District was held on Wednesday, May 8, 2024, at IHCD office at 8015 Cleveland Place, Merrillville, Indiana. The Chairman David M. Uzelac called the meeting to order at 5:00 p.m. and led the Pledge of Allegiance. The Secretary, Lynn E. Sattler, called the roll, and the following directors, staff and advisors were present or absent as noted:

**DIRECTORS:**

**Present**

**Absent**

Michael A. Mirin, Area 1 Director	X	
Christina Williamson, Area 2 Director	X (Phone)	
George Kymakis, Area 3 Director	X	
James W. Beshears, Area 4 Director	X (Zoom)	
David M Uzelac, Area 5 Director	X	

**STAFF/ADVISORS:**

**Present**

**Absent**

Lynn E. Sattler, Secretary, Office Manager, Clerk	X	
Aravind S. Muzumdar, Engineer	X	
Terrence Bronowski, Accountant	X	
Smith Sersic, Attorney, by Kevin Smith	X	
Brian Smolar, Project Manager	X	

A Quorum existing, the meeting was held.

**Chairman Report:** Chairman Uzelac stated that the Board (all members present in person except Ms. Williamson was present by phone) met in Executive Session on April 27, 2024, at 8:45 a.m. for the discussion of those matters listed in the public notice specifically discussion to discuss job performance of employees and other personnel matters. No subject matter was discussed in the executive session other than the subject matter in the public notice.

The Chairman further reported that it was discovered that for approximately two years Whitcomb Terrace instead of being charged by flow it was being charged by the water company (Indiana American) \$20 flat rate per building per month and probably should be \$50-60 a month based upon flow. Mr. Uzelac indicated he called several times to Whitcomb Terrace with no response. It was then discovered that the water company did not bill them correctly. The water company indicated that they would not bill them correctly to make the District whole. Mr. Mirin asked if we are charging a flat rate. Ms. Sattler indicated no it is supposed to be by the meter. The meters are owned by the water company/Utilities, Inc. A discussion was had regarding how to recapture the loss to the District. Mr. Smith asked if there was a billing agreement with Indiana American water. Ms. Sattler said yes. Mr. Smith asked if there is data regarding the actual usage in the buildings even though it was not billed correctly. Ms. Sattler will be checking with the water company. Ms. Williamson asked if we could use the past averages if we can't get the data. Mr. Smith stated yes, that would be the back up plan. Mr. Beshears asked how the data is sent over every month. Ms. Sattler said we have to look to see how far back we have.

No NIPSCO update per Mr. Smith regarding the refund. He will follow up and cc: the Chairman.

### **Minutes of Meetings:**

- A. April 16, 2024, Regular Meeting Minutes for Approval. Motion by Mr. Mirin, seconded by Mr. Kymakis. No discussion. Motion carries.

### **Attorney/Legal Report**

- A. Mr. Smith reported that the Board should look into whether it officially passed a virtual meeting policy and if not, it should consider passing one.

### **Accountant Report:**

- A. Mr. Bronowski reported that he will begin the 2025 budget process by June of this year with projections and Mr. Smolar's input.

### **Engineer Report:**

- A. Mr. Muzumdar's report, including his updated report, that was in the board packet and it was accepted by the Board on the topics of Young America & South Brook subdivision, US 30 & Taney Place, Redwood Merrillville, Overflow Basin Generator, Franklin Estates, Resurfacing of Asphalt Pavement at Pump Station driveways.
- B. Motion by Mr. Mirin to approve a change order for \$3,500 to extend paving at the Taney Lift Station maintenance area, seconded by Mr. Kymakis. No discussion. Motion carries.

### **Committee Reports:**

- A. Maintenance: Brian Smolar, Project Manager provided an update and report regarding Redwood Estates. All tests are completed and televising is scheduled for 5/14/24. Lift station paving, milling to start 5/20/24. We checked over 900 manholes over 6 days and identified several issues. 200 left to go. LGS completed the restoration at US 30 and Taney.
- B. Personnel: Director Mirin Chair. Interviews are taking place on Saturday May 11, 2024.

### **Financial Report:**

Claims: Motion made by Mr. Kymakis to approve accounts payable vouchers dated May 8, 2024 presented from March 21, 2024 through May 8, 2024, in the amount of \$77,397.29 for accounts payable vouchers 33892-33945 seconded by Mr. Mirin, no discussion. Motion carries.

**Old Business:**

There was no old business.

**New Business:**

There was a discussion over certain property that was believed to be the town's but that is still in the District's name that has been mowed by the town for many years. Mr. Muzumdar will check with the recorder regarding ownership.

**Audience Comments:**

There were no audience comments.

**Adjourn:**

Motion by Mr. Kymakis, seconded by Mr. Mirin to adjourn. No discussion. There being no further business, the meeting was adjourned at 5:42 p.m.

APPROVED this 24 day of MAY

By: David D. [Signature]

Chairman

ATTEST:

Lynne E. Lottler

**ADA NOTICE**

Independence Hill Conservancy District (IHCD) will generally, upon request and without charge, provide appropriate aids and services for qualified persons with disabilities so that they can participate equally in IHCD programs, services, and activities, such as qualified sign language interpreters, and documents in large print, for example, for people who have speech, hearing, or vision impairments. Anyone who requires an auxiliary aid or service should contact the IHCD office as soon as possible, but no later than 24 hours before the scheduled event, at 8015 Cleveland Place, Merrillville, IN 46410, telephone 219-769-3996, fax 219-769-6237, email [contact@IHCD-in.com](mailto:contact@IHCD-in.com), or dial Relay Indiana, at 711 or 800-743-3333.

### **3. Staff Positions**

[Reserved]

### **4. Hiring Process**

#### Application for Employment:

Application for employment is made using a standard application form that is available at the District office and requires information needed to assess the applicant's ability to do the work. Questions relating to race, color, religion, age, disability, and sex will not be asked unless relevant to the applicant's ability to do the work. Pertinent additional information received from the applicant will be made a part of the application. If the applicant is offered employment, the terms of the offer will be recorded on the application.

Information provided by an applicant in or with an application for employment is confidential. Unless and until the applicant is hired, the District will not allow access to that information by anyone other than District staff, directors, and consultants involved in the hiring process. Applications from persons not hired will be purged after 12 months. If hired, the application becomes a part of the person's personnel file. Providing false information in or with a job application is cause for refusal to hire or for immediate termination upon discovery after hiring, no matter when discovered.

#### Anti-Nepotism Policy:

A person who is a family member of a director, officer, employee, or professional consultant of the District is not eligible for employment and cannot apply for employment. For purposes of this policy, "family member" means a spouse, parent, grandparent, child, grandchild, brother, sister, and spouse's parent, grandparent, child, grandchild, brother, and sister.

#### Posting Openings:

Upon learning that a position is or will become open, the Office Manager will notify the Chair of the Board and post notice of the opening at the District office and by advertisement in one or more local newspapers of general distribution for a period specified by the Chair of the Board, at least 14 days. When the Board creates a new position, notice will be posted and advertised in the same manner as to fill a vacancy.

#### Written Tests:

A test or tests, selected and administered by the District or an agency contracted by the District, may be administered to applicants to demonstrate their ability to do the work.

#### Interviews:

Applicants who pass initial screening are to be interviewed in a timely and consistent manner, with at least two days' notice of appointment for interview and of any documentation (such as

proof of identity) needed. Questions asked at interviews will be uniform, consistent, non-discriminatory, and for the purpose of collecting job-related information. Care will be taken to ask each applicant the same questions in order to provide a fair evaluation of each.

Physical Examination:

Offer of employment will be conditional upon the applicant submitting to a physical examination by a physician or other medical professional selected or approved by the Board, at the District's cost. The examination will include verification of physical capabilities necessary for performance of the particular position and screening for use of illegal drugs and controlled substances and for improper use of prescribed drugs. The Board may withdraw the offer of employment on account of examination results that indicate inability of the applicant to do the work, use of an illegal drug or controlled substance, or improper use of prescribed drugs.

Limited Criminal Background Check:

Offer of employment will be conditional upon the applicant consenting to a limited criminal background investigation by an appropriate law enforcement agency. Limited criminal background investigation means information with respect to any arrest, indictment, or other formal criminal charge. Information obtained by the law enforcement agency will be edited by that agency to provide only the requested information. The Board may withdraw the offer of employment on account of conviction of a felony or misdemeanor, or on account of an ordinance violation considered to be that of a habitual offender.

Offer of Employment:

Only the Board may tender an offer of employment. In evaluating applicants, the Board will consider ability to do the work, availability, proven responsibility, and dependability.

**5. Hours of Employment**

Regular Hours:

A regular workday consists of 8 hours and a regular workweek consists of 40 hours, including daily lunch breaks and rest breaks. A schedule of days and hours will be set by the Office Manager for office personnel and by the Project Coordinator for maintenance personnel and will be flexible to provide suitable coverage for office operating hours, after-hours meetings, and emergencies.

Lunch Breaks:

Employees may take a 60 minute lunch break each day. Lunch break times are scheduled at the discretion of the Supervisor, in the middle of the workday, and will be staggered if possible to avoid disruption of District business. In determining hourly pay, lunch break time is counted as working time.

**Minutes of Meeting of Board of Directors  
Independence Hill Conservancy District  
Friday, May 24, 2024**

A regular meeting of the Board of Directors of Independence Hill Conservancy District was held on Friday, May 24, 2024, at IHCD office at 8015 Cleveland Place, Merrillville, Indiana. The Chairman David M. Uzelac called the meeting to order at 5:00 p.m. and led the Pledge of Allegiance. The Secretary, Lynn E. Sattler, called the roll, and the following directors, staff and advisors were present or absent as noted:

<b><u>DIRECTORS:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
Michael A. Mirin, Area 1 Director	X	
Christina Williamson, Area 2 Director	X	
George Kymakis, Area 3 Director	X	
James W. Beshears, Area 4 Director	X	
David M Uzelac, Area 5 Director	X	
<b><u>STAFF/ADVISORS:</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
Lynn E. Sattler, Secretary, Office Manager, Clerk	X	
Aravind S. Muzumdar, Engineer		X
Terrence Bronowski, Accountant	X (late)	
Smith Sersic, Attorney by Kristen Hill	X	
 Brian Smolar, Project Manager	 X	

A Quorum existing, the meeting was held.

**Chairman Report:** (Chairman David Uzelac)

- A. Executive Session Statement – Mr. Uzelac states that on Saturday, May 11, 2024 and on Saturday, May 18, 2024, the Board met in Executive Session beginning at 9:00 a.m. Mr. Uzelac, Mr. Mirin, Mr. Beshears, Mr. Kymakis, and Ms. Williamson were present. The subject matter considered was to discuss prospective employees pursuant to I.C. 5-14-1.5-6.1(b) and no other subject matter was discussed.
- B. Redwood Merrillville: Chris Hooker, Development Manager with Redwood Merrillville is present by telephone. He has discussed with Mr. Muzumdar they are requesting conditional approval of first 8 buildings to get building permits with understanding that they will not be permitted to connect to the sewer main until all the technical items are completed and the mains are accepted and dedicated to the District. Mr. Uzelac and Mr. Smolar note this is something the District has done before. Mr. Smolar further indicates that there are still some things remaining to be done: the televising is scheduled for the

week of June 10. Other items pending are 3-year maintenance bond, CAD files of As-Built plans, dedication, recorded plat; however, Mr. Smolar has no objection to conditional approval. Chairman Uzelac notes that Mr. Muzumdar is recommending conditional approval. Motion by Mr. Kymakis for conditional approval for Redwood Merrillville. Seconded by Mr. Mirin. No discussion. Motion carries.

#### **Minutes of Meetings:**

- A. May 8, 2024, Regular Meeting. Mr. Mirin makes a motion to approve. Seconded by Ms. Williamson. No discussion. Motion carries.

#### **Attorney/Legal Report**

Ms. Hill reported that there is no word from NIPSCO.

#### **Committee Reports:**

- A. Maintenance: Brian Smolar, Project Manager:
- Redwood televising is postponed until June 10 because the lines need to be cleaned;
  - Lift Station paving work has started and will be finished by next Wednesday;
  - Wall map has been updated. The lines that are shown in thick blue have been jetted this year;
  - Flows for April were 1.8 MGD which are high due to 4.5 inches of rain;
  - List of deficiencies found on manhole checks was provided to the Board.
- B. Personnel: Director Mirin Chair, No Report. Mr. Uzelac states that there is a meeting tomorrow.

#### **Financial Report:**

Claims: Accounts Payable Voucher Register Summary batch dated May 24, 2024. Motion made by Mr. Kymakis to approve vouchers 33946 through 33994 in the amount of \$177,492.45. Seconded by Ms. Williamson. No discussion. All in favor, motion carries.

#### **Old Business:**

There was no old business before the Board.

#### **New Business:**

- A. Computer Bay: Ms. Sattler indicates that have been some issues with the file server,

which is almost five years old, and the recommendation is to make some upgrades now rather than have bigger, more expensive problems later. Motion by Mr. Kymakis to approve the items from Computer Bay in the amount of \$3,094.00. Seconded by Mr. Beshears. No discussion. All in favor; motion carries.

#### **Accountant Report:**

Mr. Bronowski provides three months of cash reports indicating that the District is in a stable financial situation. In another year and one-half the Bond will be paid off. Motion by Mr. Beshears to accept the Cash Balance Reports for January, February, and March. Seconded by Mr. Mirin. No discussion. All in favor; motion carries.

Two Certificates of Deposit need to be renewed: Motion by Mr. Beshears to renew the CD in the amount of \$2,180,956.87 in the General Fund for 90 days at the best available rate. Seconded by Ms. Williamson. No discussion. All in favor; motion carries. Motion by Ms. Williamson to renew the CD in the amount of \$1,164,605.02 in the Cumulative Improvement Fund for 90 days at the best available rate. Seconded by Mr. Beshears. No discussion. All in favor; motion carries.

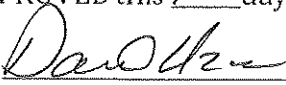
Mr. Mirin questions whether Mr. Bronowski has heard anything about the true ups. Mr. Bronowski has not heard anything concrete but suspects that the process is held up pending settlement with GSD.

#### **Audience Comments:**

There were no audience comments; however, Mr. Kymakis wants a report from Attorney Smith about whether there is an agreement between IHCD and NIPSCO and what the IHCD's legal options are at this point.

#### **Adjourn:**

There being no further business, the meeting was adjourned at 4:59 p.m. Motion by Mr. Kymakis, seconded by Ms. Williamson.

APPROVED this 18<sup>th</sup> day of JUNE  
By:   
Chairman

ATTEST:  
  
Secretary



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