

**Berne Storm Water Utility Management Board**  
**Special Meeting**  
**Wednesday, December 4, 2019**  
**Berne City Hall 12:00 noon**  
**Minutes**

Present: Board members Ron Sprunger and Ernie Steiner and Kent Liechty, along with Storm Water Director Shannon Smitley, City attorney Dave Baumgartner and Recording secretary Becky Sprunger. An agenda was posted on the door prior to the meeting and notice was given according to state statute.

Others present, Clint Anderson with the Berne Witness, Ben Adams with Commonwealth Engineering, Mayor McKean and Clerk-Treasurer Gwen Maller.

Ernie called the meeting to order and verified a quorum.

**Public Hearing**

The regular meeting was recessed for public comments on the storm water project (the “Project”) proposed by the Board in Declaratory Resolution No. SWMB2019-11-1 (the “Declaratory Resolution”) adopted by the Board on November 12, 2019. There were no objections or concerns received from the public.

The public hearing was closed, and the regular storm water meeting was reconvened.

**Approval of November 12, 2019 Minutes** On a motion by Ernie Steiner and a second by Ron Sprunger, the minutes of November 12, 2019 were unanimously approve. 3-0

**Resolutions** City attorney Dave Baumgartner presented the board with the first of two resolutions.

**Resolution SWMB2019-12-1:** A Resolution of the Board of Directors of the Department of Storm Water Management of the City of Berne, Indiana confirming a Declaratory Resolution No. SWMB2019-11-1 adopted by the Board on November 12, 2019.

Ron Sprunger made a motion to approve Resolution SWMB 2019-12-1. Kent Liechty made the second. The motion was unanimously approved on a vote of 3-0.

**Resolution SWMB2019-12-2:** A Resolution of the Board of Directors of the Department of Storm Water Management of the City of Berne, Indiana, concerning the construction of additions and improvements to the storm water system of the City, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said storm water system, the safeguarding of the interests of the owners of said revenue bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing resolutions inconsistent herewith. On a motion by Kent Liechty and a second by Ron Sprunger, resolution SWMB 2019-12-2 was unanimously approved on a vote of 3-0.

Both signed resolutions are on file in the office of the City of Berne Clerk-Treasurer.

Ben Adams, Commonwealth Engineers, gave an overview of bids for Phase 1 LTCP Improvements that were opened and read aloud on November 11, 2019 in a public meeting. The engineering estimate was \$ 4,000,000.00 Seven bids in total were received and all bids were competitive as follows:

Brackney, Inc. Brookville, In	\$3,117,134.00
VTF Excavation LLC, Celina Oh	\$3,190,444.00
API Construction, LaOtto In	\$3,584,690.00
Watson Excavating, Redkey, In	\$ 3,889,270.00
Flemming Excavation, Decatur,In	\$ 4,560,325.29
Dunigan Brothers, Lafayette, In	\$ 4,871,406.50
Atlas Services, W. Lafayette, In	\$ 5,357,800.00

When asked, Ben stated that Commonwealth has worked with the lowest bidder Brackney, Inc. and have not had any issues with them. Brackney is currently doing a large project for Commonwealth in Richmond. Ben said that have had no issues with them on this project. Kent Liechty asked why there was an additional bid to be opened on December 5<sup>th</sup>. Ben stated that the additional bid is for a chopper pump and a screen and neither are part of IDEM requirements in Phase 1 of the LTCP. It was done separately in case the Phase 1 bids came in low enough that they could be done alongside the large project. Ben stated that the additions would be very helpful to the staff at the WWTP and is a small part of the total cost.

City attorney Dave Baumgartner advised the board that there will be a resolution to introduce and adopt the bonds at the next regular council meeting on Monday December 9<sup>th</sup>. Dave added that he has started obtaining the easements that will be needed for the project.

**Superintendent Report:** Shannon informed the board that he has been working with Ben to identify several smaller but needed storm water projects. Ben then shared maps of areas that citizens complain of water standing after heavier rains.

Shannon described these projects as action items for a later date, but wanted the board to be aware of them.

With nothing further to come before the board and on a motion by Kent Liechty and a second by Ron Sprunger, adjournment followed.