

**ENROLLED MINUTES OF THE
HIGHLAND WATERWORKS BOARD OF DIRECTORS
THURSDAY, JANUARY 24, 2019**

Study Session. The Highland Water Works Board of Directors convened in study session immediately before the Regular Meeting at 6:30 p.m. on Thursday, January 24, 2019 in the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana, in order to discuss the final agenda of the regular meeting.

ROLL CALL: Present on silent roll call were Directors George Georgeff, Ed Dabrowski, George A. Smith, Larry Kondrat, and Curt Schroeder. Also present were Derek Snyder, NIES Engineering, Inc.; John Bach, Public Works Director; Mark Knesek, Operations Director; Rhett Tauber, Board Attorney; Michael Griffin, Clerk Treasurer; and Kim Webb, Recording Secretary.

1. Michael Griffin, Clerk Treasurer, discussed with the Board the Year-End Financial Statement.
2. Michael Griffin, Clerk Treasurer, discussed with the Board software that would allow residents to view and pay their utility bill on-line.

Regular Meeting: The Highland Water Works Board of Directors met in its Regular Session on Thursday, January 24, 2019 at 7:00 p.m. in the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland Indiana. Director Georgeff opened the meeting. The minutes were recorded by Kim Webb, Recording Secretary. The session was opened with the Pledge of Allegiance.

ROLL CALL: Present on roll call were Directors George Georgeff, Ed Dabrowski, George A. Smith, Larry Kondrat, and Curt Schroeder. A quorum was attained. Also present were Derek Snyder, NIES Engineering, Inc.; John Bach, Public Works Director; Mark Knesek, Operations Director; Rhett Tauber, Board Attorney; Michael Griffin, Clerk Treasurer; and Kim Webb, Recording Secretary.

MINUTES: President Georgeff asked if there were any corrections to the Minutes of the Special Meeting of December 20, 2018 as prepared and posted. Director Smith moved to approve the minutes of the Special Meeting on December 20, 2018. Director Kondrat seconded. On a vote *viva voce*, the motion passed.

Special Orders:

1. Election of Officers

President – Director Smith moved to nominate Director Dabrowski for President of the Waterworks Board of Directors. With no other nominations, Director Dabrowski will now serve as President of the Waterworks Board of Directors.

Vice President – Director Smith moved to nominate Director Georgeff as Vice President of the Waterworks Board of Directors. With no other nominations, Director Georgeff will now serve as Vice President of the Waterworks Board of Directors.

Secretary – Director Kondrat moved to nominate Director Smith as Secretary of the Waterworks Board of Directors. With no other nominations, Director Smith will continue to serve as Secretary of the Waterworks Board of Directors.

2. Appointments

Director Smith moved to make no changes to the current appointments of the Board as follows:

Water Works Recording Secretary – Kim Webb
Water Works Attorney – Rhett Tauber, Tauber Law Offices
Water Works Engineer – Derek Snyder, NIES Engineering

Director Georgeff seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

Communications: None.

Unfinished Business and General Orders:

1. Highland Waterworks
Board of Directors
Resolution No. 2019-01

A Resolution authorizing and approving an agreement between NIES Engineering, Incorporated and the Water Works District of Highland to perform professional engineering services as District Water Works Engineer for the year 2019. Director Georgeff moved to approve Resolution 2019-01. Director Schroeder seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**WATERWORKS DISTRICT OF HIGHLAND
Board of Directors
Resolution No. 2019-01**

**A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN NIES ENGINEERING,
INCORPORATED AND THE WATER WORKS DISTRICT OF HIGHLAND TO PERFORM PROFESSIONAL
ENGINEERING SERVICES AS DISTRICT WATER WORKS ENGINEER FOR THE YEAR 2019**

Whereas, The Water Works District of Highland, through its Board of Directors, has heretofore determined a need to engage the professional engineering services in order carry out the mission of the District; and

Whereas, NIES Engineering, Incorporated, (Consultant) has offered and presented an Agreement to provide and furnish Professional Engineering Services in consideration for fees to be charged and billed monthly; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Directors for the Water Works District of Highland, Lake County, Indiana, as follows:

Section 1. That the Professional Engineering Agreement (incorporated by reference and made a part of this resolution) between NIES Engineering, Incorporated, and the Water Works District of Highland for District Water Works Engineer for the year 2019 is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for professional engineering services are found to be reasonable and fair;

Section 3. That the Water Works District of Highland, through its Board of Directors, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the President of the Water Works District of Highland be authorized to execute the Agreement with his signature as attested thereto by Secretary of the Water Works District of Highland.

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 24th day of January 2019. Having been passed by a vote of 5 in favor and 0 opposed.

**WATER WORKS DISTRICT OF HIGHLAND, INDIANA
BY ITS WATER WORKS BOARD OF DIRECTORS:**

/s/Ed Dabrowski, President

Attest:

/s/George A. Smith, Secretary

2. Highland Waterworks
Board of Directors
Resolution No. 2019-02

A Resolution authorizing compensation for certain employees to be derived from the proper fund of the Water Works Utility of the Town of Highland Water Works Department, Lake County, Indiana. Director Smith moved to approve Resolution 2019-02. Director Kondrat seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**HIGHLAND DEPARTMENT of WATERWORKS
BOARD of WATERWORKS DIRECTORS
RESOLUTION No. 2019-02**

A RESOLUTION AUTHORIZING COMPENSATION FOR CERTAIN EMPLOYEES TO BE DERIVED FROM THE PROPER FUND OF THE WATER WORKS UTILITY OF THE TOWN OF HIGHLAND WATER WORKS DEPARTMENT, LAKE COUNTY, INDIANA

Whereas, The Highland Town Council, as legislative body of the municipality, **adopted Chapter 12.05 of the Highland Municipal Code**, establishing the Highland Water Works Board and the Department of Water Works, pursuant to provisions of I.C. 8-1.5-4-1 through 8-1.5-4-19;and,

Whereas, Those provisions incorporate by reference provisions of I.C. 8-1.5-3-4, outlining for and conferring upon the Water Works Board of Directors certain responsibilities relative to the management of the utility's human and physical resources;

BE IT HEREBY RESOLVED BY the Board of Directors of the Water Works Department of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the compensation and other provisions set forth in the wage and salary and the compensation and benefits ordinances as passed by the Town Council are hereby adopted and ratified for the Directors and officers of the Department of Waterworks, its Waterworks District and those employees of the municipality performing duties for the utility.

Section 2. That wages and salaries are hereby established for the employees and certain professional appointments of the Department of Waterworks, to be effective **January 13, 2019**, at 12:01 A.M. as set forth below:

Attorney	\$ 1,200 per year (\$ 300 per quarter) \$190.00/hr
Recording Secretary	\$ 65 per month
Utility Consulting Engineer(s) (retainer)	\$ 330 per month
Utility Services Field Representative	\$10.56/hr (start) (part-time) \$11.69/hr (after one year) (part-time)
Part-time help (Laborer)	\$ 7.25 - \$ 11.14 hr.
CDL Driver (Part-time)	\$ 15.86/hr
Temporary (Summer help)	\$ 7.25/hr. (first year) \$ 7.60/hr. (2nd year) \$ 7.95/hr. (3 years or more)

Section 3. That the Highland Water Works Board authorizes and approves that a share of the compensation of the deputies and employees in the Office of the Clerk-Treasurer as well as a share of the compensation of the Clerk-Treasurer may be paid from the proper utility fund of the Water Works, for services connected with the operation of the utility, subject to the laws governing same;

a. That such pay shall be a part of and not in addition to the compensation as fixed by the Town Council in its most recently adopted wage and salary ordinances; and,

b. That the compensation set forth in the wage and salary ordinance as most recently passed by the Town Council is hereby adopted and ratified.

Section 4. That the Highland Water Works Board of Directors authorizes and approves that a share of the compensation of the employees in the Public Works Department may *be* paid from the proper utility fund of the Water Works, for services connected with the operation of the utility, subject to the laws governing same;

a. That such pay shall be a part of and not in addition to the compensation as fixed by the Town Council in its most recently adopted wage and salary ordinance; and,

b. That the compensation set forth in the wage and salary ordinance most recently passed by the Town Council for utility employees is hereby adopted and ratified for utility employees of the Waterworks Department.

Section 5. That the compensation and benefits policies as adopted and are in effect in the most recently adopted Compensation and Benefits ordinance is hereby adopted and ratified for employees of the utility and its officers;

Duly Approved and Adopted by the Board of Directors of the Highland Water Works, Lake County, Indiana this 24th day of January, 2019 by a vote of 5 in favor and 0 opposed.

**THE DEPARTMENT of WATER WORKS
BY ITS BOARD of DIRECTORS:**

/s/Ed Dabrowski, President

Attest:

/s/George A. Smith, Secretary of the Water Works Board of Directors

3. Highland Waterworks
Board of Directors
Resolution No. 2019-03

A Resolution accepting the recommendation of NIES Engineering, Inc. and authorize the release of retainage to Gough, Inc. for the 5th Street Water Main Replacement Project – 98th Street to 45th Street. Director Schroeder moved to approve Resolution 2019-03. Director Georgeff seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**WATERWORKS DISTRICT OF HIGHLAND
Board of Directors
Resolution No. 2019-03**

A Resolution Accepting the Recommendation of NIES Engineering, Inc. and Authorize the Release of Retainage to Gough, Inc. for the 5th Street Water Main Replacement Project – 98th Street to 45th Street

Whereas, the Waterworks District of Highland (District) is governed by its Board of Waterworks Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the waterworks and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

Whereas, The Town of Highland, Board of Works, had determined to make certain improvements to the intersection of 45th Avenue and 5th Street and has implemented the 45th Avenue and 5th Street Intersection Project; and

Whereas, the District had heretofore determined a need to replace the existing water main on 5th Street from approximately 100 feet north of 45th Avenue to 98th Street and on 45th Avenue from approximately 250 feet west of 5th Street to approximately 250 feet east of 5th Street, due to its condition, in conjunction with the intersection improvement project and had engaged NIES Engineering, Incorporated to prepare plans and specifications for the water works improvements, to be known as 45th Avenue and 5th Street Water Main Replacement Project (Project); and

Whereas, NIES Engineering, Inc. (NIES) had prepared plans and specifications for both Phase 1 and Phase 2 of the Project on behalf of the Water Works District and Phase 2 of the Project was bid in accordance with IC 36-1-12 et seq. with notice being published in accordance with IC 5-3-1; and

Whereas, on April 26, 2018, the Waterworks District adopted Resolution No. 2018-07, Declaring an Emergency, Accepting a Proposal and awarding a Construction Contract to Gough Construction, Incorporated for the 45th Avenue and 5th Street Water Main Replacement Project – Phase 1 in the amount of One Hundred Thirty-seven Thousand Six Hundred Thirty-five Dollars and 43/100 (\$137,635.43) to be the lowest responsive and responsible bid; and

Whereas, on April 26, 2018, the Waterworks District adopted Resolution No. 2018-08 and awarded the Project to Gough Incorporated for the 45th Avenue and 5th Street Water Main Replacement Project – Phase 2 in the amount of **Gough, Incorporated in the amount of One Hundred Sixty-nine Thousand Six Hundred Seventy-two Dollars and 98/100 (\$169,672.98)** to be the lowest responsive and responsible bid; and

Whereas, NIES had also been engaged to perform professional engineering services during construction; and

Whereas, The District has heretofore approved Change Order No. 1 to the construction contract for Phase 1 on November 29, 2018 which had a net increase in the contract amount of Five Thousand Eight Hundred Thirty-six Dollars and 32/100 Cents (\$5,836.32) bringing the total value of the agreement to One Hundred Forty-three Thousand Four Hundred Seventy-one Dollars and 75/100 (\$143,471.75); and

Whereas, The District has heretofore approved Change Order No. 1 to the construction contract for Phase 2 on November 29, 2018 which had a net increase in the contract amount of Three Thousand Eight Hundred Thirty-two Dollars and 64/100 Cents (\$3,832.64) bringing the total value of the agreement to One Hundred Seventy-three Thousand Five Hundred Nineteen Dollars and 02/100 (\$173,519.02); and

Whereas, NIES has heretofore determined that the Project, Phase 1 and Phase 2, is complete pursuant to the terms of contract specifications, and has recommended that the Project be accepted and that the retainage held in the amount of Fourteen Thousand Three Hundred Forty-seven Dollars and 17/100 Cents (\$14,347.17) for Phase 1 and Seventeen Thousand Three Hundred Fifty-one Dollars and 88/100 Cents (\$17,351.88) for Phase 2, be released to Gough, Inc.; and

Whereas, The Waterworks District of Highland, through its Board of Waterworks Directors, now desires to accept the recommendation of NIES and authorize and approve the release of retainage held in the amount stated herein.

Now, Therefore Be it Resolved by the Board of Directors for the Waterworks District of Highland, Lake County, Indiana, as follows:

Section 1. That construction work performed by Gough, Incorporated for the 5th Street Water Main Replacement Project – 98th Street to 45th Street t is hereby accepted and approved in each and every respect; and

Section 2. That the recommendation from NIES to release retainage held in the amount of Fourteen Thousand Three Hundred Forty-seven Dollars and 17/100 Cents (\$14,347.17) for Phase 1 and Seventeen Thousand Three Hundred Fifty-one Dollars and 88/100 Cents (\$17,351.88) for Phase 2 is hereby accepted; and

Section 3. That the Office of the Clerk Treasurer is authorized and instructed to release retainage held in the total amount of Thirty-one Thousand Six Hundred Ninety-nine Dollars and 05/100 Cents (\$31,699.05) to Gough, Incorporated.

Duly Adopted, Resolved and Ordered by the Waterworks Board of Directors, Highland, Lake County, Indiana, this 24th day of January, 2019. Having been passed by a vote of 5 in favor and 0 opposed.

**THE WATERWORKS DISTRICT OF HIGHLAND
BY ITS BOARD OF DIRECTORS:**

/s/Ed Dabrowski, President

Attest:

/s/George A. Smith, Secretary

New Business: None.

Reports:

1. Waterworks Superintendent – No Report.
2. Waterworks Attorney – No Report.
3. Waterworks Engineer –No Report
4. Fire Department – No Report.

Business from the Floor: None.

Claims:

Per the docket in the amount of:

061	Water Works District	\$0.00
062	Consumer Deposits	\$159.56
064	Waterworks Operating	\$231,834.18
066	Water Improvements	\$9,108.04
068	Water Capital	\$0.00
<hr/>		
Total		\$241,101.78

Director Smith moved to approve the claims per the January 24, 2019 docket in the amount of \$241,101.78. Director Schroeder seconded. On a vote *viva voce*, the motion passed.

Next Meeting:

The next Public Meeting will be held on Thursday, February 28, 2019 at 7:00 p.m. following a regular study session at 6:30 p.m. at the Town Hall.

ADJOURNMENT: With no other business to come before the Board of Waterworks Directors, Director Dabrowski moved to adjourn.

Meeting Adjourned at 7:13 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kim Webb", written in a cursive style.

Kim Webb, Recording Secretary