

**ENROLLED MINUTES OF THE  
HIGHLAND WATER WORKS BOARD OF DIRECTORS  
THURSDAY, MAY 26, 2022**

**Study Session:** The Highland Water Works Board of Directors convened in study session immediately before the Regular Plenary Meeting at 6:31 p.m. on Thursday, May 26, 2022 in the lower 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 roll call were Directors George A. Smith, Jason Tharp, Rick Volbrecht, Curt Schroeder, and Larry Kondrat. A quorum was present. Also present were Mark Knesek, Public Works Director; Derek Snyder, NIES Engineering; Robert F. Tweedle, Board Attorney; Tom Black, Town Council; Mark Herak, Clerk Treasurer; Tim Gembala, Operations Director; and Kim Webb, Recording Secretary.

**Regular Meeting:** The Highland Water Works Board of Directors met in its Regular Plenary Session on Thursday, May 26, 2022 in the lower meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana directly following the study session. President Smith opened the meeting at 6:35 p.m. The meeting was opened with the Pledge of Allegiance. The minutes were recorded by Kim Webb, Recording Secretary.

**ROLL CALL:** Present on roll call were Directors George A. Smith, Jason Tharp, Rick Volbrecht, Curt Schroeder, and Larry Kondrat. Also present were Mark Knesek, Public Works Director; Derek Snyder, NIES Engineering; Robert F. Tweedle, Board Attorney; Tom Black, Town Council; Mark Herak, Clerk Treasurer; Tim Gembala, Operations Director; and Kim Webb, Recording Secretary.

**MINUTES:** President Smith asked if there were any corrections to the Minutes of the Regular Meeting of April 28, 2022 as prepared and posted. Director Volbrecht moved to approve the Minutes of the April 28, 2022 meeting. Director Tharp seconded. Upon a voice vote, there were (5) affirmations and no negatives. The motion passed.

**Special Orders:** None.

**Communications:** Discuss and review quotes for a bulk water fill station from Flowpoint Environmental Systems, Inc.

**Comments from the Public or Visitors (Limited to Matters on the Agenda):** None.

**Reports:**

1. Water Works Superintendent – Mark Knesek discussed with the Board that there have been major price increases for many water utility materials.

There was also discussion on blasting and re-painting fire hydrants possibly next year.

2. Water Works Attorney – Robert Tweedle discussed the recent progress on re-calculating the Dyer water transport fee.
3. Water Works Engineer – Derek Snyder explained the bids received for the River Drive Project and the bulk water fill station. Upon a roll call vote, the Directors agreed to add Resolution 2022-10 to the agenda to award the bulk water fill station.
4. Fire Department – none.

### **Unfinished Business and General Orders:**

1. An action to approve Pay Request No. 3 (Final) for the 3500 Block of Jewett Avenue Water Main Replacement and Street Improvement Project in the amount of \$14,317.83 (release of retainage) to Dyer Construction Co., Inc. The project is complete. Director Volbrecht moved to approve the action. Director Tharp seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.
2. Water Works District of Highland  
Board of Directors  
Resolution No. 2022-08

A Joint Resolution of the Board of Works and the Water Works Board of Directors awarding a bid to Gatlin Plumbing & Heating, Inc. for the River Drive Water Main Replacement and Street Improvement Project in the total amount of \$825,000.00 as the lowest responsive and responsible bid. Director Volbrecht moved to approve Resolution No. 2022-08. Director Schroeder seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**BOARD OF WORKS  
ORDER OF THE WORKS BOARD No. 2022-15**

**WATER WORKS DISTRICT OF HIGHLAND  
BOARD OF WATER WORKS DIRECTORS  
RESOLUTION No. 2022-08**

**A JOINT RESOLUTION OF THE BOARD OF WORKS AND THE WATER WORKS BOARD OF DIRECTORS AWARDING A BID TO GATLIN PLUMBING & HEATING, INC. FOR THE RIVER DRIVE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT OF \$825,000.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID**

**Whereas**, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on River Drive including the replacement of defective curb and sidewalk, pavement, and tree removal and replacement and have hereto approved a project to be described as the River Drive Water Main Replacement and Street Improvement Project (Project); and

**Whereas**, The Town of Highland has procured a Community Development Block Grant, from the U.S. Department of Housing and Urban Development through an application filing with the Lake County Community Development Department in the amount of \$102,130.00, which will offset the costs for the roadway improvements described herein; and

**Whereas**, the Water Works District of Highland (WW District) is governed by its Board of Water Works 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 Water Works Directors shall manage and control all works of the water works and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The WW District, through its Board of Directors, has determined the need to replace and upsize the existing water lines within the Project boundaries, as described herein, in order to improve water flow and water quality; and has determined that it would be in the best interest of the utility to coordinate the work with the Project; and have agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

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

**Whereas**, the following bids were received at 10:00 a.m. on May 26, 2022:

<u>Bidder</u>	<u>Total Base Bid</u>	<u>TBB w/ Optional Deduct</u>
Gatlin Plumbing & Heating, Inc.	\$825,000.00	\$825,000.00
Dyer Construction Co., Inc.	\$884,237.33	\$834,237.33
Grimmer Construction, Inc.	\$1,241,074.00	\$1,121,074.00
Gough, Inc.	\$1,261,065.76	\$1,161,065.76
Engineer's Estimate	\$713,948.00	\$713,948.00

**Whereas**, NIES Engineering, Inc. has reviewed the bids and determined that the bid from Gatlin Plumbing & Heating, Inc. in the Total Base Bid amount of Eight Hundred Twenty-five Thousand Dollars and No Cents (\$825,000.00) is the lowest responsive and responsible bid between the two project award scenarios (Total Base Bid or Total Base Bid with Optional Deduct).

**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 Town of Highland, through its Board of Works, now desires to accept the recommendation of the Public Works Director and Town Engineer to award the bid for the River Drive Water Main Replacement and Street Improvement Project (Town's CDBG Project for FY 2022) to Gatlin Plumbing & Heating, Inc. in the amount of \$353,068.00 for street and right-of-way improvements; and

**Whereas**, The Water Works District of Highland, through its Board of Directors, now desires to accept the recommendation of the Water Works Superintendent and Water Works Engineer to award the bid for the River Drive Water Main Replacement and Street Improvement Project to Gatlin Plumbing & Heating, Inc. in the amount of \$471,932.00 for water works improvements.

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

1. That the Bid of Gatlin Plumbing & Heating, Inc. in the amount of Eight Hundred Twenty-five Thousand Dollars and No Cents (\$825,000.00) for the River Drive Water Main Replacement and Street Improvement Project is hereby accepted as the lowest responsive and responsible bid.
2. That the Town of Highland, through its Board of Works, acknowledges and approves its share of the work for the River Drive Water Main Replacement and Street Improvement Project in the amount of Three Hundred Fifty-three Thousand Sixty-eight Dollars and No Cents \$353,068.00;
3. That the Water Works District of Highland, through its Board of Directors, acknowledges and approves its share of the work for the River Drive Water Main Replacement and Street Improvement Project in the amount of Four Hundred Seventy-one Thousand Nine Hundred Thirty-two Dollars and No Cents \$471,932.00;
4. That the Water Works District Superintendent/Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted, Resolved and Ordered** by the Highland Town Council, Lake County, Indiana, this 13<sup>th</sup> day of June, 2022. Having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

BOARD OF WORKS OF THE TOWN OF  
HIGHLAND, INDIANA

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Bernie Zemen (IC 36-5-2-10) TOWN OF HIGHLAND

Attest:

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Mark Herak, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**Duly Adopted, Resolved and Ordered** by the Water Works Board of Directors of Highland, Lake County, Indiana, this 26<sup>th</sup> day of May, 2022. Having been passed by a vote of 5 in favor and 0 opposed.

HIGHLAND WATER WORKS  
BY ITS BOARD OF DIRECTORS:

/s/George A. Smith, President

Attest:

/s/Richard E. Volbrecht Jr., Secretary

3. Water Works District of Highland  
Board of Directors  
Resolution No. 2022-09

A Joint Resolution of the Board of Works and the Water Works Board of Directors accepting and approving a proposal from NIES Engineering, Inc. for professional engineering services during construction for the River Drive Water Main Replacement and Street Improvement Project in the total amount not-to-exceed \$61,500.00, of which the Water Works portion is \$36,900.00. Director Volbrecht moved to approve Resolution No. 2022-09. Director Kondrat seconded. Upon a roll call, there were (5) affirmations and no negatives. The motion passed.

TOWN OF HIGHLAND  
BOARD OF WORKS  
ORDER OF THE WORKS BOARD No. 2022-16

WATER WORKS DISTRICT OF HIGHLAND  
BOARD OF WATER WORKS DIRECTORS  
RESOLUTION No. 2022-09

**A JOINT RESOLUTION OF THE BOARD OF WORKS AND THE WATER WORKS BOARD OF DIRECTORS ACCEPTING AND APPROVING A PROPOSAL FROM NIES ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES DURING CONSTRUCTION FOR THE RIVER DRIVE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT NOT-TO-EXCEED \$61,500.00**

**Whereas**, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on River Drive, including the removal and replacement of defective curb and sidewalk, pavement and parkway trees; and

**Whereas**, The Town of Highland has filed an application for Community Development Block Grant funding (FY 2022), with the Lake County Community Development Department, which will offset the costs for the improvements in the amount of \$102,130.00; and

**Whereas,** the Water Works District of Highland (District) is governed by its Board of Water Works 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 Water Works and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas,** The Water Works District of Highland (District), through its Board of Directors, has determined the need to replace and upsize the existing water main within the project boundaries, as described herein, in order to improve water flow and water quality and has determined that it would be in the best interest of the utility to coordinate the work with the street improvement project; and

**Whereas,** The Works Board and Water Works District Board of Directors has heretofore determined a need to engage the professional engineering services during construction in order to implement the Project, and

**Whereas,** NIES Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish Professional Engineering Services during Construction in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in an amount not to exceed Sixty-one Thousand Five Hundred Dollars (\$61,500.00) allocated in the amount of Twenty-four Thousand Six Hundred Dollars and no Cents (\$24,600.00) to the Board of Works and Thirty-six Thousand Nine Hundred Dollars and no Cents (\$36,900.00) to the Water Works District; 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 Town of Highland, through its Board of Works, now desires to accept and approve the agreement for services as herein described; 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 Works for the Town of Highland and the Board of Directors of the Highland Water Works District, Lake County, Indiana, as follows:

1. That the Professional Engineering Services proposal during construction of the River Drive Water Main Replacement and Street Improvement Project (incorporated by reference and made a part of this resolution) from NIES Engineering, Incorporated, be adopted and ratified in each and every respect;
2. That the terms and charges under the agreement for Construction Engineering services in the not to exceed amount of Sixty-one Thousand Five Hundred Dollars (\$61,500.00) allocated in the amount of Twenty-four Thousand Six Hundred Dollars and no Cents (\$24,600.00) to the Board of Works and Thirty-six Thousand Nine Hundred Dollars and no Cents (\$36,900.00) to the Water Works District is found to be reasonable and fair;
3. That the Town Council, which is the Works Board of the municipality, and the Water Works District of Highland, through its Board of Directors, believes that NIES Engineering, Incorporated has demonstrated professional competence and has 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;
4. That the Water Works District Superintendent / Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

**Duly Adopted, Resolved and Ordered** by the Highland Town Council, Lake County, Indiana, this 13<sup>th</sup> day of June, 2022. Having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

**Board of Works of the Town of  
HIGHLAND, INDIANA**

\_\_\_\_\_  
Bernie Zemen (IC 36-5-2-10)

Attest:

\_\_\_\_\_  
Mark Herak, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

**Duly Adopted, Resolved and Ordered** by the Water Works Board of Directors of Highland, Lake County, Indiana, this 26<sup>th</sup> day of May, 2022. Having been passed by a vote of 5 in favor and 0 opposed.

**HIGHLAND WATER WORKS  
BY ITS BOARD OF DIRECTORS:**

/s/George A. Smith, President

Attest:

/s/Richard E. Volbrecht Jr., Secretary

4. Water Works District of Highland  
Board of Directors  
Resolution No. 2022-10

A Resolution accepting and approving a quote from Flowpoint Environmental Systems, Inc. for the purchase of a Bulk Water Fill Station at a cost of \$48,348.29. Director Volbrecht moved to approve Resolution No. 2022-10. Director Tharp seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**WATER WORKS DISTRICT OF HIGHLAND  
Board of Water Works Directors  
Resolution No. 2022-10**

**A RESOLUTION ACCEPTING AND APPROVING A QUOTE FROM FLOWPOINT ENVIRONMENTAL SYSTEMS, INC. FOR THE PURCHASE OF A BULK WATER FILL STATION AT A COST OF \$48,348.29**

**Whereas**, the Water Works District of Highland (District) is governed by its Board of Water Works 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 water works and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

**Whereas**, The Water Works Superintendent has determined a need for and recommended the purchase of a bulk water fill station for future benefit and efficiency of bulk water transactions; and

**Whereas**, Pursuant to §3.05.050 (D) (6) of the Highland Municipal Code (HMC), the Public Works Director as Water Works Superintendent serves as the purchasing agent for the Highland Water Works Department; and

**Whereas**, Pursuant to §3.05.060 (G) (2) of the HMC, the purchase is valued at less than \$50,000.00 and the purchasing agent may make the purchase in the open market; and

**Whereas**, Flowpoint Environmental Systems, Inc. has submitted a quote for a Bulk Water Fill Station, attached hereto and made part of this Resolution, that details the terms and conditions for product purchased and services to be performed; and

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

**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

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

**Section 1.** That the quote for the Bulk Water Fill Station (incorporated by reference and made a part of this resolution) from Flowpoint Environmental Systems, Inc. is hereby accepted and approved in each and every respect;

**Section 2.** That the Water Works District Superintendent be authorized to execute the quote with his signature.

**Duly Adopted, Resolved and Ordered** by the Water Works Board of Directors of Highland, Lake County, Indiana, this 26th day of May, 2022. Having been passed by a vote of 5 in favor and 0 opposed.

**HIGHLAND WATER WORKS  
BY ITS BOARD OF DIRECTORS:**

/s/George A. Smith, President

Attest:

/s/Richard E. Volbrecht, Jr., Secretary

**New Business:** None.

**Business from the Floor:** None.

**Comments from the Directors on any Item of Interest to the Directors:** Director Volbrecht stated that he appreciated the information presented by the Board's Attorney. Director Kondrat inquired about the status of the Clerk-Treasurer's financial report for the Water Works District.

**Claims:**

Per the docket in the amount of:

061	Water Works District	\$0.00
062	Consumer Deposits	\$75.04
064	Water Works Operating	\$245,809.64
066	Water Improvements	\$20,093.63
068	Water Capital	\$10,000.00
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Total		\$275,978.31

Director Volbrecht moved to approve the claims per the May 26, 2022 docket in the amount of \$275,978.31. Director Tharp seconded. Upon a voice vote, there were (5) affirmations and no negatives. The motion passed.

**Next Meeting:**

The next Plenary Meeting will be held in-person at Town Hall on Thursday, June 23, 2022 at 6:30 p.m.

**ADJOURNMENT:** With no other business to come before the Board of Water Works Directors, the meeting was adjourned.

Meeting Adjourned at 7:36 p.m.

Respectfully Submitted,

Kim Webb, Recording Secretary