

**ENROLLED MINUTES OF THE
HIGHLAND WATER WORKS BOARD OF DIRECTORS
THURSDAY, JANUARY 23, 2025**

Regular Meeting: The Highland Water Works Board of Directors met in a Regular Plenary Session on Thursday, January 23, 2025 in the lower meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. President Smith opened the meeting at 6:31 p.m. with no study session. 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, Rick Volbrecht, Larry Kondrat, and Peggy Phillips. Director Bernie Zemen arrived at 6:43 p.m. A quorum was present. Also present were Mark Knesek, Public Works Director; Robert Tweedle, Board Attorney; Derek Snyder, NIES Engineering; and Kim Webb, Recording Secretary.

MINUTES: President Smith asked if there were any corrections to the Minutes of the Special Plenary Meeting of December 12, 2024 as prepared and posted. Director Volbrecht moved to approve the Minutes of the December 12, 2024 meeting. Director Phillips seconded. Upon a voice vote, there were (4) affirmations and no negatives. The motion passed.

Special Orders:

1. Election of Officers

Director Volbrecht moved to nominate a slate of officers as follows:

President – Director Smith
Vice President – Director Kondrat
Secretary – Director Volbrecht

Director Kondrat seconded. There were no further nominations. Upon a voice vote, there were (4) affirmations and no negatives. The motion passed.

2. Appointments

Director Volbrecht moved to have Kim Webb continue as Water Works Board Recording Secretary for the year 2025. Director Phillips seconded. Upon a voice vote, there were (4) affirmations and no negatives. The motion passed.

Robert F. Tweedle previously submitted a proposal to serve as the Water Works Board Attorney for 2025. Director Volbrecht moved to appoint Robert F. Tweedle as the Water Works Board Attorney for the year 2025. Director Kondrat seconded. Upon a voice vote, there were (4) affirmations and no negatives. The motion passed.

NIES Engineering previously submitted a proposal to serve as the Water Works Board Engineer for the year 2025. The matter will be brought up under Unfinished Business and General Orders (Resolution 2025-01).

Communications: None.

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

Reports:

1. Water Works Superintendent – Mark Knesek informed the Board about several water main breaks occurring over the past week due to the extreme cold temperatures.

Fire hydrants are being purchased to replace aged hydrants around Southridge Elementary School.

2. Water Works Attorney – Robert Tweedle informed the Board that the water transport fee for the Town of Dyer is currently being recalculated per the agreement.

The Town of Munster is still working on an exhibit of the equipment installation on the Indy elevated water tank in order to finalize the lease agreement for the equipment

3. Water Works Engineer – Derek Snyder asked the Board what projects they would be interested in doing for this year. It will be further discussed at the March meeting.

4. Fire Department – None.

Unfinished Business and General Orders:

1. Water Works District of Highland
Board of Directors
Resolution No. 2025-01

A Resolution authorizing and approving an agreement between NIES Engineering, Inc. and the Water Works District of Highland to perform professional engineering services as District Water Works Engineer for the year 2025. Director Volbrecht moved to approve the action. Director Zemen seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**Board of Water Works Directors
Resolution No. 2025-01**

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 2025

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 based upon a lump sum value of the services completed, in an amount not-to-exceed Fifty Thousand Dollars and No Cents (\$50,000.00) for the year 2025; 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:

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 2025 is hereby approved, adopted and ratified in each and every respect;
2. That the terms and charges under the agreement for professional engineering services in the not-to-exceed amount of Fifty Thousand Dollars and No Cents (\$50,000.00) for the year 2025 is found to be reasonable and fair;
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;
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 23rd day of January 2025. 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

2. Water Works District of Highland
Board of Directors
Resolution No. 2025-02

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 Volbrecht moved to approve the action. Director Zemen seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**Water Works District of Highland
Board of Directors
Resolution No. 2025-02**

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.

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

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 Water Works, its Water Works District and those employees of the municipality performing duties for the utility;
2. That wages and salaries are hereby established for the employees and certain professional appointments of the Department of Water Works, to be effective January 5, 2025, as set forth below:

Attorney	\$108.00 per month retainer \$205.00/hr.
Recording Secretary	\$150 per month
Laborer (Part-Time)	\$10.85 - \$14.03/hr.
Temporary (Summer help)	\$11.33 - \$14.83/hr.

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.
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 Water Works Department.
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 23rd day of January, 2025 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. 2025-03

A Resolution establishing the 2025 Capital Project Budget of the Water Works to be paid from its Water Works Improvement and Water Works Capital funds. Director Volbrecht moved to approve the action. Director Phillips seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**Water Works District of Highland
Board of Directors
Capital Budget Resolution No. 2025-03**

A Resolution Establishing the 2025 Capital Project Budget of the Water Works to be Paid from its Water Works Improvement Fund

Whereas, The Highland Water Works is governed by its Board of 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 Board of Directors in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 8-1.5-4 et seq. including repealing or amending them consistent with the Water Works Law; and

Whereas, The Board of Directors in performing its duties, now determines that passage and adoption of a Capital Budget Resolution establishing a Capital Budget to be paid from funds of the Water Works to be necessary for the sound management and control of the Water Works and performing its duty to construct, reconstruct, repair, and maintain all water works.

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

1. That for the Capital expenses as hereinafter identified of said Water Works, the following allowances for the identified sums of money are hereby fixed and ordered set apart for the purposes herein specified to be paid from Water Works Improvement Fund:

6105-0000-34301	Water Meters	\$240,000.00
6105-0000-34302	Hydrants/Valves/Fittings	\$40,000.00
Total		\$280,000.00

2. That the Municipal Fiscal Officer is instructed and authorized to assign such accounts and establish such financial reporting methodology as to permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;

3. That the Superintendent of the Water Works is instructed and authorized to prepare accounts payable for projects identified herein in such a manner as to support and permit the regular review of the Capital expenses herein identified as compared to the budgeted amounts and to otherwise carry out the objects and purposes of this resolution;
4. That there shall be no capital expenditure for the identified projects in excess of the amounts fixed by this resolution without express action by the Board of Directors, revising the amount fixed and authorizing the additional allowance amount;
5. That this Resolution shall be effective immediately upon its passage and adoption by the Board of Directors and may be amended or repealed by subsequent resolution duly passed and adopted.

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 23rd day of January, 2025. 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. 2025-04

A Resolution approving and authorizing change order No. 1 to the construction contract between the Highland Water Works Board of Directors and Grimmer Construction, Inc. for the Johnston Street Backyard Water Main Replacement Project. Director Volbrecht moved to approve the action. Discussion ensued. Director Phillips 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. 2025-04**

A Resolution Approving and Authorizing Change Order No. 1 To the Construction Contract Between the Highland Water Works Board of Directors and Grimmer Construction, Inc. For the Johnston Street Backyard Water Main Replacement Project

Whereas, The Highland Water Works is governed by its Board of 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 Board of Directors in performing its duties, may adopt resolutions, rules and by-laws that are necessary to carry out the provisions of IC 8-1.5-4 et seq. including repealing or amending them consistent with the Water Works Law; and

Whereas, The District had determined the need to replace and upsize the existing water mains within the Project boundaries, as described herein, in order to improve water flow and water quality; and

Whereas, NIES Engineering, Incorporated had prepared plans and specifications for the Project on behalf of the 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, On July 11, 2024, the Water Works District adopted Resolution No. 2024-08, awarding the Project to Grimmer Construction, Inc. in the total amount of One Million Three Hundred Nine Thousand Forty-nine Dollars and No Cents (\$1,309,049.00), to be the lowest responsive and responsible bid; and

Whereas, during the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities; and

Whereas, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which has an overall net decrease in the total contract amount of One Hundred Forty-one Thousand Seven Hundred Eight Dollars and No Cents (\$141,708.00); and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described; and

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

Section 1. That the First Addendum to the Construction Contract with Grimmer Construction, Inc. for the Johnston Street Backyard Water Main Replacement Project, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

Section 2. That this addendum is hereby ordered to be known as Change Order No. 1, issued to overall decrease net changes to the original agreement in the amount of One Hundred Forty-one Thousand Seven Hundred Eight Dollars and No Cents (\$141,708.00), bringing the total value of the entire agreement with any and all change orders approved to date to One Million One Hundred Sixty-seven Thousand Three Hundred Forty-one Dollars and No Cents (\$1,167,341.00);

Section 3. That the proper officers are hereby authorized to execute the necessary documents with their signatures.

Duly Adopted, Resolved and Ordered by the Highland Water Works District, Board of Directors, Lake County, Indiana, this 23rd day of January, 2025. Having been passed by a vote of 5 in favor and 0 opposed.

**Highland Water Works District
By Its Board of Directors:**

/s/George A. Smith, President

Attest:

/s/Richard E. Volbrecht Jr., Secretary

5. Water Works District of Highland
Board of Directors
Resolution No. 2025-05

A Resolution declaring a special purchase and accepting a quote from Utility Supply Company for the purchase of 10 Mueller fire hydrants at a total cost of \$34,250.00. Director Volbrecht moved to approve the action. Director Phillips seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**Water Works District of Highland
Board of Directors
Resolution No. 2025-05**

A Resolution declaring a special purchase and accepting a quote from Utility Supply Company for the purchase of 10 Mueller fire hydrants at a total cost of \$34,250.00

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 District has determined the need to replace aging fire hydrants in order to provide reliable fire protection and maintenance flushing for the water system; 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 §3.05.065 (I) of the HMC, the purchasing agent may make a special purchase of fire hydrants considering that (1) the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase of fire hydrants; and (2) only one source meets the agency's reasonable requirements; and

Whereas, The Water Works Superintendent has procured a quote from Utility Supply Company for the purchase of 10 Mueller fire hydrants at a total cost of \$34,250.00; and

Whereas, Pursuant to §3.05.030 (B) of the HMC, the purchase exceeds \$15,000.00, which requires the additional approval of the purchasing agency; and

Whereas, Pursuant to §3.05.050 (B) of the HMC, the Board of Water Works Directors serves as the purchasing agent for the water works department; 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 District, through its Board of Directors, now desires to accept the quote for 10 Mueller fire hydrants from Utility Supply Company.

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

1. That the District has determined that the purchase of 10 Mueller fire hydrants constitutes a special purchase, pursuant to §3.05.065 (I);
2. That the quote from Utility Supply Company, attached hereto and made a part of this Resolution, in the amount of Thirty-four Thousand Two Hundred Fifty Dollars and No Cents (\$34,250.00) for the purchase of 10 Mueller fire hydrants is hereby accepted;
3. That the Water Works Superintendent is authorized to execute the agreement and all documents necessary to implement the purchase.

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 23rd day of January, 2025. 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: The Board discussed possible changes to meeting requirements. All meetings held in a principal meeting room at a government facility will need to be live streamed at a future date.

Comments from the Directors on any Item of Interest to the Directors: Director Volbrecht commented on the lead service line mailing that was sent to Highland residents. A quote for a larger mailing with an increased font was received and the cost is approximately 28% more than the cost of the mailer that went out. Director Volbrecht feels that the cost is reasonable and would like to see the larger form and the enlarged font size used for the next mailing.

Claims:

Per the docket in the amount of:

6101	Water Operating	\$389,393.88
6102	Water Works District	\$0.00
6104	Consumer Deposits	\$99.79
6105	Water Improvement	\$3,310.35
6108	Water Capital	\$0.00
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Total		\$392,804.02

Director Volbrecht moved to approve the claims per the January 23, 2025 docket in the amount of \$392,804.02. Director Phillips seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

Next Meeting:

The next Regular Plenary Meeting will be held in-person at Town Hall on Thursday, February 27, 2025 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 7:22 p.m.

Respectfully Submitted,

Kim Webb, Recording Secretary