

**ENROLLED MINUTES OF THE  
HIGHLAND WATER WORKS BOARD OF DIRECTORS  
THURSDAY, OCTOBER 27, 2022**

**Regular Meeting:** The Highland Water Works Board of Directors met in its Regular Plenary Session on Thursday, October 27, 2022 in the lower meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. President Smith opened the regular plenary meeting at 6:30 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, Jason Tharp, Rick Volbrecht, Curt Schroeder, and Larry Kondrat. A quorum was present. Also present were Tim Gembala, Operations Director; Derek Snyder, NIES Engineering; Robert F. Tweedle, Board Attorney; Tom Black, Town Council; and Kim Webb, Recording Secretary.

**MINUTES:** President Smith asked if there were any corrections to the Minutes of the Special Plenary Meeting of October 13, 2022 as prepared and posted. Director Volbrecht moved to approve the Minutes of the October 13, 2022 meeting. Director Tharp seconded. Upon a voice vote, there were (5) affirmations and no negatives. The motion passed.

**Special Orders:** None.

**Communications:** None.

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

**Reports:**

1. Water Works Superintendent – Tim Gembala informed the Board of a water main break that occurred on Kennedy Avenue due to the failure of a fire hydrant during flushing performed by ME Simpson. The hydrant has been bagged as out of service and will be replaced in a timely matter.
2. Water Works Attorney – Discussed the ongoing Dyer Transport Rate Agreement. All parties are hopeful to have a final agreement in place for the beginning of 2023.
3. Water Works Engineer – The River Drive water main project is complete except for road rehabilitation. Martha Street paving is complete and a change order will be prepared for the next meeting. A proposal for design engineering for next year's Parkway Drive project will also be prepared for the next meeting.
4. Fire Department – none.

**Unfinished Business and General Orders:**

1. An action to approve Pay Request No. 3 for the River Dr. Water Main Replacement and Street Improvement Project in the amount of \$88,776.20 (\$95,046.00 less \$6,269.80 retainage) to Gatlin Plumbing & Heating, Inc. Director Tharp moved to

approve the action. Director Volbrecht 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. 2022-11

A Resolution to Pass and Adopt or Amend the Code of Rules and Regulations of the Water Utility, Amending Rule 2.1 Regarding Rates and Charges. Director Tharp moved to approve Resolution No. 2022-11. Director Volbrecht 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. 2022-11

A RESOLUTION TO PASS AND ADOPT OR AMEND THE CODE OF RULES AND REGULATIONS OF THE WATER UTILITY, AMENDING RULE 2.1 REGARDING RATES AND CHARGES

**Whereas,** The Town Council as Legislative Body of the Municipality passed an Ordinance adopting the provisions of IC 8-1.5-4 for the establishment of a Department of Water Works controlled by a Board of Directors; and

**Whereas,** The aforementioned Chapter incorporates the provisions of IC 8-1.5-3-4 entitled Powers and Duties, making it applicable to the Department of Water Works, indicating that for the purposes set forth in those statutes, the Board of Directors serves as the governing board; and

**Whereas,** The Board of Directors has general supervisory powers over the utilities under its control, in particular to adopt rules for the safe, economical and efficient management of the utility, to make findings and determinations, as well as to establish rates and charges for the operation of the utility; and

**Whereas,** The Board shall recommend to the Town Council reasonable, just and nondiscriminatory rates and charges for services to the patrons of the water utility; and

**Whereas,** Reasonable and just rates means those rates and charges that produce sufficient revenue to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, interest charges on bonds, leases and other obligations and providing a reasonable return for the municipality; and

**Whereas,** The Board of Water Works Directors desires to adopt new rule(s) or amend existing rule(s) to further perfect the Code of Rules and Regulations, to make such changes so as to produce non-discriminatory, reasonable and just rates, as well as to further effect the safe, economical and efficient management of the utility and its operation; and

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

**Section 1.** That having conducted the proper study of rates and charges and the cost of service, the Water Works Rules and Regulations be hereby amended by deleting existing Rule 2.1 in its entirety and adopting its replacement with a successor subdivision to be numbered as Rule 2.1, which shall read as follows:

**Rule 2.1 Schedule of recurrent usage rates and charges**

For the use of and the service rendered by the water utility of the Town of Highland, Indiana, the following rates and charges are established based upon the amount of water supplied by said water utility. Recurrent monthly charges for metered connections shall include a fixed charge, a consumption charge and a hydrant maintenance fee. For users with private fire protection systems, a separate charge based on the fire sprinkler connection size shall be billed monthly. For users purchasing bulk water from the Town's bulk water fill station, located at the south parking lot of 8001 Kennedy Avenue, monthly charges shall include a consumption charge.

(A) Monthly Charges for Metered Users

- (1) Fixed Charge. Each user shall pay a monthly fixed charge in accordance with the following applicable size of meter installed:

<u>Size of Meter</u>	<u>Monthly Fixed Charge</u>
5/8"	\$ 23.09
1"	48.32
1-1/4"	70.19
1-1/2"	90.37
2"	140.83
3"	258.57
4"	426.77
6"	847.27
8"	1,351.87

- (2) Consumption Charge. Each user shall pay the following metered rates for water consumption, which includes a Cost of Supply Tracker Charge:

<u>Year</u>	<u>Consumption Charge (Per 1,000 Gallons)</u>	<u>Cost of Supply Tracker Charge (Per 1,000 Gallons)</u>
2023	\$ 2.26	\$ 1.10*
2024	2.31	1.15*
2025	2.41	1.25*
2026	2.51	1.35*
2027	2.61	1.45*

\* The Cost of Supply Tracker Charge is included in the listed Consumption Charge as a direct pass-through of wholesale purchased water supply costs. The Cost of Supply Tracker Charge may be adjusted to reflect the change in cost of supply upon notice of one billing cycle and without additional procedures.

- (3) Hydrant Maintenance Fee. Each user shall pay a hydrant maintenance fee, except as otherwise provided in Rule 1.17.3(i) and IC 8-1.5-4-14(b), in accordance with the following applicable size of meter installed:

<u>Size of Meter</u>	<u>Hydrant Maintenance Fee*</u>
5/8"	\$ 3.43
1"	8.58
1-1/4 "	13.03
1-1/2"	17.15
2"	27.44
3"	51.45
4"	85.75
6"	171.50
8"	274.40

\* Non-metered users shall pay a hydrant maintenance fee equivalent to that of a 5/8" size meter as listed in the above rate table.

(B) Monthly Charges for Private Fire Protection Systems

- (1) Private fire protection systems shall be billed the following monthly charge in accordance with the following applicable size of the connection:

<u>Size of Connection</u>	<u>Private Fire Protection Charge</u>
<=2"	\$ 5.84
4"	23.40
6"	52.73
8"	70.37
10"	105.47

12"

175.65

(C) Monthly Charges for Bulk Water Fill Station Usage

- (1) Consumption Charge. Each bulk water user shall pay the following metered rates for water consumption, which includes a Cost of Supply Tracker Charge:

<u>Year</u>	<u>Consumption Charge (Per 1,000 Gallons)</u>	<u>Cost of Supply Tracker Charge (Per 1,000 Gallons)</u>
2023	\$ 10.20	\$ 1.10*
2024	10.25	1.15*
2025	10.35	1.25*
2026	10.45	1.35*
2027	10.55	1.45*

\* The Cost of Supply Tracker Charge is included in the listed Consumption Charge as a direct pass-through of wholesale purchased water supply costs. The Cost of Supply Tracker Charge may be adjusted to reflect the change in cost of supply upon notice of one billing cycle and without additional procedures.

**Section 2.** That this Resolution, along with a companion ordinance providing amendments to Chapter 12.05.120 of the Highland Municipal Code thereby adopting the Code of Rules and Regulations of the Water Utility, be transmitted to the Clerk-Treasurer by the Water Works Superintendent for the consideration and favorable action of the Town Council, following a public hearing, all pursuant to IC 8-1.5-3-8.1 and Chapter 12.05.080(I) of the Highland Municipal Code;

**Section 3.** That these Rules and Regulations shall go into and remain in full force and effect from and after their passage and adoption by the Board of Directors of the Highland Water Works and the approving action of the Highland Town Council in accordance with the procedures set forth in IC 8-1.5-3-8.1 and Chapter 12.05.080(I) of the Highland Municipal Code.

Introduced and filed on the 27th day of October, 2022. Consideration on same day or at the same meeting of introduction was sustained by a vote of 5 in favor and 0 opposed, pursuant to Chapter 12.05.090(F)(2) of the Highland Municipal Code.

**Duly Passed, Adopted and Resolved** by the Water Works Board of Directors of Highland, Lake County, Indiana this 27th day of October, 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 Kondrat asked for clarification of the number of water meters that were currently not functioning in the town and what effect that would have on revenue.

**Claims:**

Per the docket in the amount of:

6101	Water Works Operating	\$389,501.52
6102	Water Works District	\$0.00
6104	Consumer Deposits	\$212.71
6105	Water Improvements	\$133,137.48
6108	Water Capital	\$53,735.00
<hr/>		
Total		\$576,586.71

Director Schroeder moved to approve the claims per the October 27, 2022 docket in the amount of \$576,586.71. Director Volbrecht seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**Next Meeting:** The next Special Plenary Meeting will be held on Thursday, November 10, 2022 at 6:30 p.m. due to the Thanksgiving holiday.

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

Meeting Adjourned at 7:00 p.m.

Respectfully Submitted,

Kim Webb, Recording Secretary