

**ENROLLED MINUTES OF THE
HIGHLAND WATER WORKS BOARD OF DIRECTORS
THURSDAY, MAY 25, 2023**

Regular Meeting: The Highland Water Works Board of Directors met in a Regular Plenary Session on Thursday, May 25, 2023 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, Rick Volbrecht, Larry Kondrat, Curt Schroeder, and Jason Tharp. A quorum was present. Also present were Mark Knesek, Public Works Director; Derek Snyder, NIES Engineering; Robert F. Tweedle, Board Attorney; Bernie Zemen, Town Council; Mark Herak, Clerk Treasurer, and Kim Webb, Recording Secretary.

MINUTES: President Smith asked if there were any corrections to the Minutes of the Regular Plenary Meeting of April 27, 2023 as prepared and posted. Director Volbrecht moved to approve the Minutes of the April 27, 2023 meeting. Director Tharp seconded. Upon a voice vote, there were (5) affirmations and no negatives. The motion passed.

Special Orders: None.

Communications: Discussion on a Resolution to amend the reserve balances of the Water Operating and Water Improvement funds. A draft Resolution was reviewed and discussed. A final draft will be on the agenda for the June Water Works Board meeting.

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

Reports:

1. Water Works Superintendent – Mark Knesek informed the Board that the first phase of hydrant painting is complete.
2. Water Works Attorney – Robert Tweedle, Board Attorney, discussed with the Board a draft agreement of the Dyer Transport fee. An amendment to the agreement regarding the amount of water to be drawn from Highland is still in process. A final draft is expected to be ready for approval at the June Water Works Board meeting.
3. Water Works Engineer – None.
4. Fire Department – None.

Unfinished Business and General Orders: None.

1. Water Works District of Highland
Board of Directors
Resolution No. 2023-06

A Joint Resolution of the Board of Works, Water Works Board and Sanitary Board Accepting and Awarding a Bid to Grimmer Construction, Inc. for the Parkway Drive Improvement Project in the Total Base Bid Amount (Contracts 1 and 2 Combined) of \$1,302,719.00 as the Lowest Responsive and Responsible Bid. Director Kondrat moved to approve Resolution No. 2023-06. Director Volbrecht seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2023-14**

**WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION No. 2023-06**

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION No. 2023-11**

A JOINT RESOLUTION OF THE BOARD OF WORKS, WATER WORKS BOARD AND SANITARY BOARD ACCEPTING AND AWARDING A BID TO GRIMMER CONSTRUCTION, INC. FOR THE PARKWAY DRIVE IMPROVEMENT PROJECT IN THE TOTAL BASE BID AMOUNT (CONTRACTS 1 AND 2 COMBINED) OF \$1,302,719.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE BID

Whereas, The Town of Highland, through its Board of Works pursuant to IC 36-1-2-24(3) and IC 36-1-12, has determined the need to make certain public improvements and repairs to roadway infrastructure along the 8600-8800 blocks of Parkway Drive and a 150-ft portion of Kenilworth Avenue directly adjoining Parkway Drive (including pavement, curb and gutter, sidewalk, driveway aprons and parkway trees) and has hereto approved a project to be described as the Parkway Drive Improvement Project (Project); and

Whereas, The Water Works District of Highland (WW District), through its Board of Directors pursuant to IC 8-1.5-4 and IC 36-1-12, has 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; has determined that it would be in the best interest of the Water Works District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, The Sanitary District of Highland (SD District), through its Board of Commissioners pursuant to IC 36-9-25 and IC 36-1-12, has determined the need to replace certain storm sewer infrastructure within the Project boundaries, as described herein; has determined that it would be in the best interest of the Sanitary District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, the Town of Highland has applied for and was successfully awarded a Community Crossings Matching Grant from the State of Indiana in the amount of Three Hundred Eighty-five Thousand Three Hundred Fifty-six Dollars and No Cents (\$385,356.00) to be used toward the cost of street and storm sewer improvements for the Project; and

Whereas, the Town of Highland has applied for and was successfully awarded a Grant from the Council of Lake County, Indiana through its appropriation of County reserve revenue funds in the amount of Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) to be used toward the cost of water main improvements for the Project; and

Whereas, NIES Engineering, Inc. has prepared plans and specifications for the Project, on behalf of the Board of Works, Water Works Board and Sanitary Board; has divided the Project in two Contracts (Contract 1 – Water Main Replacement and Contract 2 – Street Improvements [2023-1 CCMG: Des. No. 2300395]); and has stipulated that both Contracts be awarded together to a single bidder with the lowest overall bid for the project as determined by the Total Base Bid amount (Contracts 1 and 2 combined); and

Whereas, the Project was bid in accordance with IC 36-1-12, with notice published in accordance with IC 5-3-1; and

Whereas, the following bids were received at 10:00 a.m. on May 22, 2023:

<u>Contractor</u>	<u>Contract 1</u>	<u>Contract 2</u>	<u>Total Base Bid</u>
Grimmer Construction, Inc.	\$598,368.00	\$704,351.00	\$1,302,719.00
Gatlin Plumbing & Heating, Inc.	\$700,000.00	\$700,000.00	\$1,400,000.00
Rieth-Riley Construction Co., Inc.	\$614,777.90	\$957,753.90	\$1,572,531.80
Dyer Construction Co., Inc.	\$953,692.89	\$763,585.74	\$1,717,278.63
Engineer's Estimate	\$682,252.00	\$812,690.00	\$1,494,942.00

Whereas, NIES Engineering, Inc. and the Public Works Director have reviewed the bids and determined the bid from Grimmer Construction, Inc. in the Total Base Bid amount (Contracts 1 and 2 combined) of One Million Three Hundred Two Thousand Seven Hundred Nineteen Dollars and No Cents (\$1,302,719.00) to be the lowest responsive and responsible bid.

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 recommendations of the Engineer and Public Works Director and award the bid for the Project to Grimmer Construction, Inc. in the amount of \$376,644.00 as the Works Board's share for street improvements; and

Whereas, The WW District, through its Board of Directors, now desires to accept the recommendations of the Engineer and Public Works Director and award the bid for the Project to Grimmer Construction, Inc. in the amount of \$822,053.00 as the Water Works Board's share for water main improvements; and

Whereas, The SD District, through its Board of Commissioners, now desires to accept the recommendations of the Engineer and Public Works Director and award the bid for the Project to Grimmer Construction, Inc. in the amount of \$104,022.00 as the Sanitary Board's share for storm sewer improvements.

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

Section 1. That the Bid of Grimmer Construction, Inc. in the Total Base Bid amount (Contracts 1 and 2 combined) of One Million Three Hundred Two Thousand Seven Hundred Nineteen Dollars and No Cents (\$1,302,719.00) for the Parkway Drive Improvement Project is hereby accepted as the lowest responsive and responsible bid.

Section 2. That the Town of Highland, through its Board of Works, acknowledges and approves its share of the work for the Parkway Drive Improvement Project in the amount of Three Hundred Seventy-six Thousand Six Hundred Forty-four Dollars and No Cents (\$376,644.00);

Section 3. That the Water Works District of Highland, through its Board of Directors, acknowledges and approves its share of the work for the Parkway Drive Improvement Project in the amount of Eight Hundred Twenty-two Thousand Fifty-three Dollars and No Cents (\$822,053.00);

Section 4. That the Sanitary District of Highland, through its Board of Commissioners, acknowledges and approves its share of the work for the Parkway Drive Improvement Project in the amount of One Hundred Four Thousand Twenty-two Dollars and No Cents (\$104,022.00);

Section 5. That the Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Town of Highland, Board of Works, Lake County, Indiana, this 22nd day of May, 2023. Having been passed by a vote of 5 in favor and 0 opposed.

**TOWN OF HIGHLAND, INDIANA
BY ITS BOARD OF WORKS:**

/s/Tom Black, President

Attest:

/s/Mark Herak, Clerk-Treasurer

Duly Adopted, Resolved and Ordered by the Highland Water Works District, Board of Directors, Lake County, Indiana, this 25th day of May, 2023. 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

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 6th day of June, 2023. Having been passed by a vote of ____ in favor and ____ opposed.

**HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:**

Richard J. Garcia, President

Attest:

David Jones, Secretary

2. Water Works District of Highland
Board of Directors
Resolution No. 2023-07

A Joint Resolution of the Board of Works, the Water Works Board of Directors and the Board of Sanitary Commissioners Accepting and Approving a Proposal from NIES Engineering, Inc. for Professional Construction Engineering Services for the Parkway Drive Improvement Project in the Total Amount Not-to-Exceed \$110,000.00, in which the Water Works Board portion is \$69,000.00. Director Volbrecht moved to approve Resolution No. 2023-07. Director Tharp seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2023-17**

**WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION No. 2023-07**

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION No. 2023-12**

A JOINT RESOLUTION OF THE BOARD OF WORKS, THE WATER WORKS BOARD OF DIRECTORS AND THE BOARD OF SANITARY COMMISSIONERS ACCEPTING AND APPROVING A PROPOSAL FROM NIES ENGINEERING, INC. FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE PARKWAY DRIVE IMPROVEMENT PROJECT IN THE TOTAL AMOUNT NOT-TO-EXCEED \$110,000.00

Whereas, The Town of Highland, through its Board of Works pursuant to IC 36-1-2-24(3) and IC 36-1-12, has determined the need to make certain public improvements and repairs to roadway infrastructure along the 8600-8800 blocks of Parkway Drive and a 150-ft portion of Kenilworth Avenue directly adjoining Parkway Drive (including pavement,

curb and gutter, sidewalk, driveway aprons and parkway trees) and has hereto approved a project to be described as the Parkway Drive Improvement Project (Project); and

Whereas, The Water Works District of Highland (WW District), through its Board of Directors pursuant to IC 8-1.5-4 and IC 36-1-12, has 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; has determined that it would be in the best interest of the Water Works District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, The Sanitary District of Highland (SD District), through its Board of Commissioners pursuant to IC 36-9-25 and IC 36-1-12, has determined the need to replace certain storm sewer infrastructure within the Project boundaries, as described herein; has determined that it would be in the best interest of the Sanitary District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, The Works Board, Water Works Board and Sanitary Board have heretofore determined a need to engage professional construction engineering services in order to implement the Project, and

Whereas, NIES Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish Professional Construction Engineering Services 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 One Hundred-Ten Thousand Dollars and No Cents (\$110,000.00), allocated in the amounts of Thirty-two Thousand Dollars and No Cents (\$32,000.00) to the Board of Works, Sixty-nine Thousand Dollars and No Cents (\$69,000.00) to the Water Works Board and Nine Thousand Dollars and No Cents (\$9,000.00) to the Sanitary Board; 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; and

Whereas, The Sanitary District of Highland, through its Board of Commissioners, 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, the Board of Directors of the Highland Water Works and the Board of Commissioners of the Highland Sanitary District, Lake County, Indiana, as follows:

1. That the Professional Construction Engineering Services Proposal (incorporated by reference and made a part of this resolution) from NIES Engineering, Inc. for the Parkway Drive Improvement Project is hereby approved, 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 One Hundred Ten Thousand Dollars and No Cents (\$110,000.00), allocated in the amounts of Thirty-two Thousand Dollars and No Cents (\$32,000.00) to the Board of Works, Sixty-nine Thousand Dollars and No Cents (\$69,000.00) to the Water Works Board and Nine Thousand Dollars and No Cents (\$9,000.00) to the Sanitary Board, is found to be reasonable and fair;
3. That the Town Council, which is the Works Board of the municipality, the Water Works District of Highland, through its Board of Directors, and the Sanitary District of Highland, through its Board of Commissioners, believe that NIES Engineering, Inc. 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 Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Town of Highland, Board of Works, Lake County, Indiana, this 12th day of June, 2023. Having been passed by a vote of ____ in favor and ____ opposed.

**TOWN OF HIGHLAND, INDIANA
BY ITS BOARD OF WORKS:**

Tom Black, President

Attest:

Mark Herak, Clerk-Treasurer

Duly Adopted, Resolved and Ordered by the Highland Water Works District, Board of Directors, Lake County, Indiana, this 25th day of May, 2023. 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

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 6th day of June, 2023. Having been passed by a vote of ____ in favor and ____ opposed.

**Highland Sanitary District
By Its Board of Commissioners:**

Richard Garcia, President

Attest:

David Jones, Secretary

3. Water Works District of Highland
Board of Directors
Resolution No. 2023-08

A Resolution Amending the 2023 Capital Project Budget of the Water Works to be Paid from its Water Works Improvement Fund. Director Volbrecht moved to approve Resolution No. 2023-08. 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
CAPITAL BUDGET RESOLUTION NO. 2023-08**

**A RESOLUTION AMENDING THE 2023 CAPITAL PROJECT BUDGET OF THE WATER WORKS TO BE PAID FROM ITS WATER
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 amending the 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 Improvement Fund:

6105-0000-XXXXX	Parkway Drive Improvement Project (CN)	\$822,053.00
6105-0000-XXXXX	Parkway Drive Improvement Project (CE)	\$69,000.00
Total		\$891,053.00

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 25th day of May, 2023. 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

4. Discussion of Dyer Water Transport Rate. The matter was discussed under reports.

New Business: None.

Business from the Floor: None.

Comments from the Directors on any Item of Interest to the Directors: None.

Claims:

Per the docket in the amount of:

6101	Water Operating	\$282,446.72
6102	Water Works District	\$0.00
6104	Consumer Deposits	\$82.15
6105	Water Improvement	\$38,472.05
<u>6108</u>	<u>Water Capital</u>	<u>\$0.00</u>

Total

\$321,000.92

Director Volbrecht moved to approve the claims per the May 25, 2023 docket in the amount of \$321,000.92. 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 22, 2023 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 7:10 p.m.

Respectfully Submitted,

Kim Webb, Recording Secretary