

**ENROLLED MINUTES OF THE  
HIGHLAND WATER WORKS BOARD OF DIRECTORS  
THURSDAY, JULY 27, 2023**

**Regular Meeting:** The Highland Water Works Board of Directors met in a Regular Plenary Session on Thursday, July 27, 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 Mark Knesek, Acting Recording Secretary.

**ROLL CALL:** Present on roll call were Directors George A. Smith, Jason Tharp, Rick Volbrecht, Larry Kondrat, and Curt Schroeder. A quorum was present. Also present were Mark Knesek, Public Works Director; Derek Snyder, NIES Engineering; Robert F. Tweedle, Board Attorney; and Mark Herak, Clerk Treasurer.

**MINUTES:** President Smith asked if there were any corrections to the Minutes of the Regular Plenary Meeting of June 22, 2023 as prepared and posted. Director Volbrecht moved to approve the Minutes of the June 22, 2023 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 – Mark Knesek informed the Board of a couple water main breaks that occurred. A large tree had to be removed from one of the locations. Pictures of the tree root cupped around the water main were shared with the Board. The Board inquired about updating the current ordinance to include a fine for tampering with a water meter and theft of water. The policies of neighboring communities will be reviewed, and a draft document will be prepared for the next meeting.
2. Water Works Attorney – None.
3. Water Works Engineer – Derek Snyder reported to the Board that the Parkway Dr. Improvement Project will begin middle to end of August.
4. Fire Department – None.

**Unfinished Business and General Orders:** None.

1. Water Works District of Highland  
Board of Directors  
Resolution No. 2023-12

A Resolution Approving a First Amendment between the Town of Highland Water Works Department, the Town of Dyer Utility Board, and the City of Hammond Water Works Department for the Wholesale Purchase of Potable Water. Attorney Robert Tweedle reviewed the agreement with the Board. Director Tharp moved to approve Resolution No. 2023-12. Director Volbrecht seconded. Upon a roll call vote, there were (5) affirmations and no negatives. The motion passed.

**HIGHLAND DEPARTMENT OF WATER WORKS  
WATER WORKS BOARD OF DIRECTORS  
RESOLUTION No. 2023-12**

**A RESOLUTION APPROVING A FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF HIGHLAND WATERWORKS DEPARTMENT, THE TOWN OF DYER UTILITY BOARD, AND THE CITY OF HAMMOND WATERWORKS DEPARTMENT FOR THE WHOLESALE PURCHASE OF POTABLE WATER.**

**WHEREAS,** The Town Council as Legislative Body of the Municipality passed an Ordinance adopting the provisions of IC 8-1.5-4 establishing a department of waterworks controlled by a board of directors;

**WHEREAS,** The aforementioned Chapter incorporates the provisions of IC 8-1.5-3-4 entitled *Powers and Duties*, making it applicable to departments of waterworks, indicating that for the purposes set forth in those statutes, the board of directors serves as both the governing board and the municipal legislative body;

**WHEREAS,** Section 12.05.060 (A) of the Highland Municipal Code The Board of Directors has general supervisory powers over the waterworks;

**WHEREAS,** Section 12.05.060 (B) of the Highland Municipal Code Authorizes the Board of Waterworks Directors to purchase by contract electricity, water, gas, power, or any other commodity or service, for the purpose of furnishing the commodity or service to the patrons of the municipally owned utility or to the municipality itself;

**WHEREAS,** The Town of Highland through its Department of Water works entered into a water purchase agreement with the City of Hammond Waterworks Department through which the City of Hammond Waterworks Department will provide an adequate supply of Lake Water to serve the Town of Highland's water users, it being understood that water users shall include residential, commercial, and industrial users located within the territorial limits of the Town;

**WHEREAS,** It is understood that Town of Highland through its Department of Water works may also supply Lake Water to the Town of Dyer;

**WHEREAS,** The Town of Dyer, Indiana is an operator of municipal utilities, including of water works, by its duly authorized Utility Board, which is organized and existing under and by virtue of the laws of the State of Indiana;

**WHEREAS,** The City of Hammond Waterworks Department is a municipal utility organized and existing under and by virtue of the laws of the State of Indiana;

**WHEREAS,** The City of Hammond Waterworks Department is authorized by law to enter into contracts for a term of up to twenty (20) years and to resell Lake Water at a point of delivery within its city limits to municipal water users;

**WHEREAS,** The Town of Highland through its Department of Waterworks is authorized by law to enter into contracts for a term of up to twenty (20) years and to resell Lake Water at a point of delivery within its city limits to municipal water users;

**WHEREAS,** on August 26, 2021, the Town of Highland through its Department of Waterworks, The Town of Dyer through its Department of Waterworks and City of Hammond Waterworks Department entered into a water purchase agreement ("Agreement") to supply the Town of Dyer with Lake Water and for the Town of Dyer to obtain transportation of Lake Water from the Town of Highland;

**WHEREAS,** the parties to the Agreement desire to amend certain terms of the Agreement

**NOW, THEREFORE BE IT HEREBY RESOLVED** by the Board of Waterworks Directors of the Waterworks District and the Department of Waterworks of the Town of Highland, Lake County, Indiana as follows:

**Section 1.** That the Board of Waterworks Directors as the governing body of the Waterworks District and the Department of Waterworks of the Town of Highland hereby adopts and approves the First Amendment to the Agreement between the Town of Highland through its Waterworks Department, the Town of Dyer, through its Utility Board and the City of Hammond Waterworks Department, as an exhibit affixed to this resolution, for the wholesale sale of potable water for the benefit of the Town of Dyer;

**Section 2.** That the proper officials, agents and employees of the Town are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Town in accordance with the provisions of the Agreement, provided it is approved by the all the required proper governing authorities;

**Section 3.** That the Board of Waterworks Directors authorizes the Utility Superintendent to retain a copy of this resolution and exhibit for the files of the utility, and to transmit a copy of this resolution as information to the Highland Town Council, the Town Clerk-Treasurer, the Town of Dyer and to the City of Hammond Department of Waterworks to evidence its approval and adoption;

**DULY RESOLVED and ADOPTED** this 27th Day of July 2023 by the Board of Waterworks Directors of the Waterworks District and the Department of Waterworks of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**WATERWORKS BOARD of DIRECTORS  
TOWN of HIGHLAND, INDIANA**

**/s/George A Smith, President**

Attest:

**/s/Richard Volbrecht, Secretary**

**EXHIBIT**

FIRST AMENDMENT TO PURCHASE AGREEMENT WITH TOWN OF DYER AND CITY OF HAMMOND

**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	\$397,899.22
6102	Water Works District	\$168,765.17
6104	Consumer Deposits	\$48.75
6105	Water Improvement	\$123,060.00
6108	Water Capital	\$0.00
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Total		\$689,773.14

Director Volbrecht moved to approve the claims per the July 27, 2023 docket in the amount of \$689,773.14. 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, August 24, 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 7:17 p.m.

Respectfully Submitted,

Kim Webb, Recording Secretary