



**Marion Utilities**  
1540 N Washington St.  
Marion, IN 46952  
[www.marionutilities.com](http://www.marionutilities.com)

## Service Board

### **BOARD MINUTES OF THE SEPTEMBER 7, 2023 MEETING**

The Marion Utility Service Board held their meeting on Thursday, September 7, 2023 at 5:30 p.m. in the L.E.A.D. Center, Building 101, at Marion Utilities, 1540 N. Washington Street, Marion, Indiana.

Roll was called and those board members present were: Robert Logan, Chairman; Al Green; Von Jackson, Herschel Lewis, and Dr. Jayda Monteiro. Those absent were: Doug Carl and Bill Dorsey.

Also present at the meeting were: Chuck Binkerd, Director; Robin Shrader, Assistant Director for Operations and Maintenance; Tiffany Snyder, Accounting/Billing Coordinator; Mike Conner, attorney; and Misty Humphries, Secretary.

#### **CONSIDERATION OF AGENDA ADDITIONS OR DELETIONS**

There were no additions or deletions to the agenda.

#### **APPROVAL OF MINUTES**

Mr. Lewis moved, seconded by Mr. Green, to approve the minutes of the August 17, 2023 meeting. All board members present voted aye. Motion carried unanimously.

#### **FINANCIALS**

Mrs. Snyder presented the July, 2023 financials. Mrs. Snyder happily reported that revenues were above the prior year monthly average for all four Utilities. Mrs. Snyder stated that a big jump in expenses was seen in July for Wastewater and Solid Waste due to an increase in contractual services. Mrs. Snyder explained that Wastewater's significant expense was due to the \$92,640 Crane Rental to remove digester lid as well as a \$71,550 expense for removing the digester lid and cutting it up. Solid Waste contractual services had two landfill services invoices. Employee benefits' expenses were higher in July for Wastewater and Stormwater for the \$36,000 Impact Strategy expense that was split between the two utilities. Mr. Binkerd clarified that the document in front of the board showing Wastewater in the black was correct versus the slide which showed Wastewater in the red by \$10,000. Mr. Binkerd added that the June financials showed that Solid Waste was in the black by about \$34,000. The \$54,000 deficit was not as bad as it looked. Mr. Binkerd stated that he had been in contact with Council about a rate increase, and those conversations would continue after the new year. Mr. Lewis moved, seconded by Mr. Green, to approve the July financials. All board members present voted aye. Motion carried unanimously.

#### **UPDATE ON PROJECTS**

Mr. Binkerd gave an update on projects as Mr. Pinkerton was out of town. Mr. Binkerd reported that things were just being finished up on the water rate increase. Mr. Binkerd said the process was in a





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holding pattern until SRF and IFA completed some financing paperwork. Once the financing piece was in place, the projects on the board could move forward.

### **TRANSFERS & PAY REQUESTS**

There was no transfer or pay requests.

### **419-421 WASHINGTON STREET REQUEST**

Mr. Binkerd presented the request from 419-421 N Washington Street. A request for an adjustment was submitted by the property manager. A leak was found at this residence in January and repaired. An adjustment was completed in the amount of \$770.51. Since that adjustment, another leak has been found in the same spot as the leak from January. Mr. Binkerd said that the piping was plastic and there could be some reasons for the second leak. The adjustment request was over \$1,000. Mr. Binkerd request that the request be reviewed by the Water Committee. Mr. Logan assigned the request to the Water Committee.

### **DIGESTER GAS PIPING QUOTE**

Mrs. Shrader reported that there had been some upgrades and work being done on the digester lids. One of the next steps was to upgrade the flare which the Board recently approved. The quote for gas piping was a quote to install natural gas and digester piping from a building over to the digester. The installation would involve the need for specialized welding as well. Mrs. Shrader said Utility staff would take care of the excavation, concrete, and electrical needs. Maddox Industrial Group quoted \$59,350 for the material and labor for the installation of natural gas piping from the building to the new gas burner, the specialized welding needed, and a stainless steel flare frame. Mrs. Shrader added that Maddox was the only responsive vendor. Mr. Binkerd said that Maddox was a trusted contractor in the industry. Mr. Lewis asked if they were an Indiana company. Mrs. Shrader answered yes. Mr. Green asked if we had been satisfied with them and their work in the past. Mrs. Shrader answered yes. Mr. Lewis moved, seconded by Mr. Jackson, to approve the quote of Maddox Industrial Group. All board members present voted aye. Motion carried unanimously.

### **BOSE MCKINNEY CONTRACT APPROVAL**

Mr. Binkerd said there were some potential legal concerns around an environmental issue. There was an executive meeting prior to the start of this regular meeting Mr. Binkerd said. Mr. Conner then suggested a motion to retain Bose McKinney and Evans for evaluation of joining a potential class action suit against certain chemical companies over an environmental issue they have created. Mr. Green made the motion which was seconded by Mr. Lewis. All board members present voted aye. Motion carried unanimously.





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### **EMPLOYEE HANDBOOK UPDATE**

Mr. Binkerd explained that once a year the employee handbook was reviewed and from time to time there were some small tweaks needed. Mr. Binkerd said that he was presenting some of those small tweaks that were needed. The first change effected Section 2.07 and the hiring of relatives. The current language stated that “we discourage relatives of employees from applying for open positions”. Mr. Binkerd explained that the “discouraging” language would be removed, but the language stating that an employee may not supervise a relative would remain intact. Mr. Binkerd stated that sometimes a relative of a current employee was the best choice. He pointed out Mrs. Snyder as an example of this. The second change was Section 3.02 and the annual leave accrual chart. The chart would now reflect the approval of part time employees earning annual leave as previously approved by the Board. The third change was the addition of Juneteenth being listed as an observed holiday. Mr. Binkerd reminded the board that they had previously approved this at a board meeting. The fourth change involved the same holiday section. The change reflected that those employees working four 10 hour shifts would have their normal shift rescheduled so they would receive 40 hours during a holiday. The fifth change was to Section 3.09 entitled No Call/No Show. The current language stated that an employee had to no call/no show for two consecutive days before disciplinary action would take place. The proposed language was to remove the two consecutive days stipulation. The sixth and last change involved Section 4.04. The proposed action was to add language that three tardies in a six month policy may result in termination. Dr. Monteiro asked about the No Call/No Show change and the tardiness policy. Dr. Monteiro asked who would determine what would constitute an emergency or exigence circumstance. Mr. Binkerd stated that the Director would. However, an employee who felt as though the Director made the wrong decision may petition the Board as part of the grievance process. Mr. Jackson asked if Mr. Conner had reviewed the language regarding the hiring of relatives to see if there were any issues that might arise. Mr. Binkerd said Mr. Conner had not been contacted. Mr. Conner said that he had written employee handbooks in the past and would be sure to speak up if he had seen anything that might cause issues to arise. Dr. Montiero mentioned that the current handbook stated that if one employee was put into a position where they might supervise a relative, the two related employees may decide who would resign or whether to accept the promotion to supervisor. Mr. Lewis asked if the board was always the last stop. Mr. Binkerd answered yes. Mr. Logan noted that he had been on the board for some time and hadn’t seen this issue arise. Mr. Conner stated that having the Board as the last step was a good and protective policy to have in place. Mr. Binkerd said he agreed and it was always nice to have a final layer in place. Mr. Lewis moved, seconded by Dr. Montiero, to approve the changes to the employee handbook as presented. Mr. Logan thanked everyone for their work on the employee handbook.





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### **SENIOR LEADERSHIP REPORTS**

#### **R. Shrader, Assistant Director for Operations & Maintenance**

Mrs. Shrader reported that it had been very busy time with the water rate increase and SRF funding. Mrs. Shrader then shared that the IWEA conference was held last week, and it went very well. There were three more employees who participated in the Leadership & Development Institute (LDI) which brought the total to nine employees who had completed the program. The IWEA conference would be held in Indianapolis next year. In closing, Mrs. Shrader said that the Lab earned the Lab Excellence and Safety Excellence awards. Mr. Binkerd added that there were rigorous requirements that had to be met in order to achieve those awards. Mr. Logan thanked those employees on behalf of the entire Board for working so diligently to meet and most like exceed those requirements.

#### **C. Binkerd, Utility Director**

Mr. Binkerd stated that the water rate increase case had been an ongoing issue. As of September 1<sup>st</sup>, the new rates were in effect. The bills going out in October would reflect the new rates. The bills would be due in November so hopefully, some change in the financials would be seen at that time. Mr. Binkerd also said that the new rate structure had been broadcasted to customers over several media methods. Lastly, Mr. Binkerd thanked everyone for making the Open House a huge success.

### **BOARD MEMBERS' COMMENTS**

Mr. Jackson thanked the Leadership Team for their diligence and hard work on the various legal issues. Mr. Jackson said that was not an easy task, and he appreciated the time and effort.

### **CHAIRMAN'S REMARKS**

Mr. Logan thanked everyone for their attendance.

The next meeting was scheduled for 5:30 p.m. on Thursday, September 21, 2023.

There being no further business before the Board, Mr. Lewis moved, seconded by Mr. Jackson, to adjourn the meeting. All board members present voted aye. Motion carried unanimously.

Meeting adjourned 6:44 p.m.

Robert Logan, Chairman  
Marion Utilities Service Board

ATTEST

Misty Humphries  
Its Secretary

