



Marion Utilities
1540 N Washington St.
Marion, IN 46952
www.marionutilities.com

Service Board

BOARD MINUTES OF THE NOVEMBER 16, 2023 MEETING

The Marion Utility Service Board held their meeting on Thursday, November 16, 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; Doug Carl; Bill Dorsey; Al Green; Von Jackson; Herschel Lewis, and Dr. Jayda Monteiro.

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

CONSIDERATION OF AGENDA ADDITIONS OR DELETIONS

Mr. Lewis moved, seconded by Mr. Carl, to add Item E 30th Street Project under New Business. All board members present voted aye. Motion carried unanimously.

APPROVAL OF MINUTES

Mr. Lewis moved, seconded by Mr. Carl, to approve the meeting minutes of October 19, 2023. All board members present voted aye. Motion carried unanimously.

FINANCIALS

Mrs. Snyder presented the September, 2023 financials. She explained that revenues were slightly higher than average for all utilities. Water saw a slight increase of \$12,000 in revenues. Mrs. Snyder reminded the Board that the rate increase took place for the September consumption and would not be reflected at least until the October financials. For the other operating income, for the year to date \$233,000 had been earned in interest income. Mrs. Snyder then called the Board's attention to page 3 where the interest income summarized most of the Total Other Income on the year to date page. Mr. Binkerd added Jim Wallace with Star Financial had been taking great care and reviewing the accounts. Mrs. Snyder continued by stating that unfortunately expenses in all Utilities were also higher. There were five Fridays so payroll was higher. Payroll accounted for most of the increases in Stormwater and Solid Waste. Wastewater had an increase of \$64,000 in payroll and a \$114,000 increase in digester rehab expense. In addition to the increase in payroll, the Water Utility also experienced an increase in contractual services for vehicles of \$16,000 and \$10,000 for electricity. Mr. Lewis moved, seconded by Mr. Dorsey, to approve the September 2023 financials. All board members present voted aye. Motion carried unanimously.





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UPDATE ON PROJECTS

Mr. Pinkerton reported that the 11th and Adams sewer project has been started by Keith Sullivan's group. Mr. Logan and Mr. Carl commented that Kem Road was paved. Mr. Lewis asked what was going on at 10th & the bypass. Mr. Pinkerton said there was another water leak in the middle of the road. Dr. Monteiro asked if there was an issue at Lincoln and Pennsylvania by the old Southeast school. Mrs. Shrader said that one of the trucks could have been stopping by for service or routine maintenance work, but it was nothing major. Mr. Dorsey added that there were several hydrants knocked over by 37th and the bypass. Mr. Binkerd told him that semis tend to cut the corner short and knock the hydrants over.

TRANSFERS & PAY REQUESTS

There were none.

CHEMICAL BIDS

Mrs. Shrader explained that each year during the fall the chemical bids are submitted. The bidding process was advertised broadly, but there were only six bids received and the bids did not cover each chemical. Mrs. Shrader explained that each company bidding along with the chemical and cost that they bid on was listed on the table. Mrs. Shrader explained that chlorine and sulfur dioxide were typically paired together. The sulfur dioxide was a lower price but the chlorine was a higher price for the recommended vendor. Mrs. Shrader explained that when the amount to be used was calculated out, the difference was \$15 for the entire year. Mrs. Shrader said that with Alexander Chemical it was hard to order one cylinder at a time which was sometimes needed. Alexander Chemical also only guaranteed the chlorine price for one quarter. For the reasons aforementioned, Mrs. Shrader recommended JCI Jones for the chlorine and sulfur dioxide along with the other highlighted companies. Mr. Carl asked if the prices were reflected in the new budget. Mrs. Shrader said yes. Mr. Logan asked if JCI Jones had been worked with in the past. Mrs. Shrader answered yes. Mr. Carl moved, seconded by Mr. Lewis, to approve the chemical bids as presented. All board members present voted aye. Motion carried unanimously.

MARION DESIGN CO PROPOSAL

Mr. Binkerd said that Marion Design Co was actually started as an IWU program that offered students the opportunity to gain practical experience. One of the first projects Marion Design Co assisted with was the website for the City. Marion Design Co has worked to establish themselves as a private entity offering its services to businesses throughout the community. Mr. Binkerd explained that it was time for the Utilities' website to be reviewed and updated. With the part-time communications internal staff moving from two to one, some assistance could be used with the website as well as some additional support throughout the coming year. Marion Design Co was contacted and provided a quote of \$1,800





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to assist with the website. This was with the understanding that a lot of the work would be done by our internal staff. Marion Design Co also provided a quote to assist with special projects that might occur during the year. Marion Design Co has proposed 30 hours at \$90 an hour or \$1,350 per month. Mr. Binkerd said this was slightly higher than what a second person would have been paid but not by much. Mr. Dorsey asked if this would be a one year agreement. Mr. Binkerd said yes and that this would start the first of December since November was almost over. Mr. Jackson asked if this would be for various projects or certain items. Mr. Binkerd answered that the proposal would cover various tasks and projects. Mr. Jackson asked if Marion Design Co would help with educating the community about what each division does or developing an app where customers could access their account or pay their bills. Mr. Binkerd said yes, Marion Design Co would certainly be able to help with those projects. One item to be developed was a virtual tour of the Utilities that could be accessed through the website and provide a greater understanding of the work and services provided by the Utilities. Mr. Lewis moved, seconded by Mr. Carl, to approve the proposal submitted by Marion Design Co. All board members present voted aye. Motion carried unanimously.

PERSONAL VEHICLE USE WAIVER

Mr. Binkerd said that there were times when employees preferred to use their own vehicles versus company vehicles. There were some liability issues that came along with employees using their personal vehicles. Mr. Conner was asked to develop a waiver and a policy to negate the liability issue. Mr. Conner said that this was low risk, but there was some liability. Mr. Conner said that nothing was iron clad, but the waiver was a pretty good document. Mr. Binkerd asked if the document addressed an additional automobile policy to be required. Mr. Conner said it did not, but that language requiring additional insurance coverage could be added. Dr. Monteiro asked what would be a reason for employees to use their own vehicle. Mr. Binkerd said to be honest, the Utility vehicles were smoke free and some employees want to smoke while they go to the bank. Mr. Dorsey said his concern was that community members might see a truck at the bank or the post office and begin to wonder why Utility vehicles were at the various businesses during the day prompting more conversations and phone calls. Dr. Monteiro asked if mileage was being reimbursed. Mr. Binkerd said it had not because company vehicles had been offered. However, if an employee drives their vehicle to an out of town conference, then mileage was reimbursed. Dr. Monteiro asked if employees were required to show proof of insurance when driving their personal vehicle. Mr. Binkerd said that driver's license checks were ran and that the handbook addressed vehicle use. Dr. Monteiro said this could become a very sticky issue. Mr. Binkerd said that the really complicated issues would occur if, heaven forbid, there was an accident with injury or a death. Mr. Conner said that the first two questions that would be asked if there was an accident was what were you doing and where were you going. Mr. Conner said that the waiver might not be enforceable. Mr. Conner said that this was a good start and that every little bit helped. This would be a good defense. Mr. Binkerd said that we do want people to use our company vehicles. Mr. Binkerd said that there was room for discussion and if the Board wanted to say, "you must use our vehicles" he was certainly open for





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discussion. Mr. Lewis said that it should be that employees have to use a company vehicle while on company business. Mr. Binkerd reiterated that this would at least be a good start and certainly there could be more conversation. The policy would mostly affect administrative employees going on a daily run for mail or to the bank. Mr. Carl asked how this came up. Mr. Binkerd said that it was an issue that would come up from time to time. He knew there was some potential liability with employees using their personal vehicles so Mr. Conner was asked to develop some protection for the Utility. Mr. Conner added that the waiver would not hurt for employees to sign. Mrs. Humphries added that an administrative employee was traveling to the bank, a female within the community known to have mental health issues, tried to open the employee's door. Mr. Conner said that this was an example of a situation where the waiver would help with a defense. Mr. Binkerd said that more conversation should happen and a further policy could be solidified as to whether the rule should be employees must drive our vehicles. This waiver would encourage employees to drive our vehicles when available. Mr. Binkerd said that another thing to consider was that sometimes utility vehicles were not available. Mr. Logan said that employee familiarity and comfortability probably played into the desire to drive one's own vehicle. Dr. Monteiro said that if an employee was being required to drive a utility vehicle, then a policy that a vehicle needed to be available should be in place. Mr. Carl asked how much money was being driven to the bank. Mr. Binkerd said Mr. Carl would be surprised. Mr. Binkerd added that the contract with Brinks was entered into in order to develop safety precautions for staff. However, the relationship with Brinks had not worked out as planned, and Mr. Conner had to get involved. There has been a daily run due to the Brinks issues. Mr. Binkerd said if the board agrees that this was at least a good start, he would ask for their approval. Mr. Conner stated that if the employee handbook did not require employees to present copies of their insurance policies the language could be added to the waiver. However, if the employee handbook requires employees to present copies of their insurance policies, the language would not need to be added to the waiver. Mr. Jackson moved, seconded by Mr. Lewis, to approve the Personal Vehicle Use Waiver. All board members present voted aye. Motion carried unanimously. Mr. Logan thanked everyone for their work on this. Bring back with additional language.

30TH STREET PROJECT

Mr. Pinkerton explained three quotes were sought for this smaller project. There was one answer. Keith Sullivan quoted \$23,598.45 and the work was to add a couple of inlets to take care of a drainage issue. Mr. Pinkerton recommended approving Keith Sullivan's quote. Mr. Lewis moved, seconded by Dr. Monteiro, to approve the quote of Keith Sullivan. All board members present voted aye. Motion carried unanimously.

SENIOR LEADERSHIP REPORTS

P. Pinkerton, Assistant Director for Engineering & Solid Waste

Mr. Pinkerton reported that the weather was about to break and street sweeping was being finished. The September Transfer Station activity totaled 920 tons. There were no records set at only 51 tons a





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day. Mr. Pinkerton said as far as drop offs, things may have leveled off. Drop off totals in 2021 totaled 581 tons of C&D; 2022 totaled 901 tons of C&D; 2023 end of the third quarter totaled 1,007 tons of C&D. Mr. Pinkerton said the Transfer Station was definitely being used.

R. Shrader, Assistant Director for Operations & Maintenance

Mrs. Shrader said sludge pudding was a horrible topic. In one of the digesters, there was four feet of sludge pudding that cannot be moved in its current form. Assistance has been requested from three companies. Mrs. Shrader said she did not have the quotes yet, but when they were received there would be a need to move forward quickly. All three companies had been here to look at the issue. In the past \$0.25 per gallon had been charged by Merrill Brothers. Mrs. Shrader said liquid to total double the weight will have to be added to thin the pudding out. The second item Mrs. Shrader shared was that IWEA was pursuing a grant opportunity. They were asking for a letter of support from those that attend the conferences. The purpose was for Indiana residents to look at careers and training opportunities that are available. Mrs. Shrader shared that Marion Utilities were actually a little ahead because of the internship and work based learning programs. Mrs. Shrader asked for approval to send a letter of support. A consensus to approve the letter of support was reached.

C. Binkerd, Utility Director

Mr. Binkerd reported that the 2024 budgets would be presented at the next meeting for approval. Mr. Binkerd asked the Board to please let him know if they had any questions. Mr. Binkerd gave a reminder that the water revenue scenario was not as healthy as it was hoped it would be. There would not be large amounts of money suddenly appearing. There would be some delay and the amount of revenue we thought would be seen would not be at the same level. The accountants tell us that they were not allowed to take cost of living adjustments or economic scenarios into account when making the projections. Mr. Binkerd said that we would make it through but some operational programs would have to be cut. Mr. Binkerd said that water quality, safety, or positions would not be sacrificed. Mr. Binkerd asked the Board to please make sure to look over the budgets for 2024.

BOARD MEMBERS' COMMENTS

Mr. Carl said that he has some real concerns over the bank runs and money moving. Mr. Carl asked if the same people took the money at the same time each day using the same route. Mr. Binkerd said that Mrs. Humphries could probably speak to the issue. Mrs. Humphries said that different individuals take the run each week. However, they do usually leave around the same time and most likely use the same routes. Mr. Dorsey asked if a police escort could be provided. Mr. Binkerd said that if the Brinks safe would keep working then a lot of the issue would be resolved because employees would no longer transport cash. Mr. Conner stated that he could write a letter to Brinks letting them know that there was potential liability for them since employees were having to courier cash since their equipment was failing. Mr. Lewis asked if employees travel by themselves. Mrs. Humphries said that employees do go on the daily run by themselves currently. However, at the last Administrative Group meeting, there was





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discussion about changing the route, time, and who makes the run. Mr. Dorsey asked if two people could make the run. Mr. Binkerd said yes, absolutely. Dr. Montiero agreed that multiple people should be sent.

Mr. Conner reported that the case brought against the Utility was dismissed and attorney's fees were awarded by the Court. Mr. Conner said that there was a need for a short executive session before or after next board meeting to determine what to do about the attorney fees awarded. Mr. Dorsey asked if there were some security measures that could be taken. Mr. Binkerd said that the doors could not be locked at a public meeting but that there were perhaps other measures that could be looked into or taken. Mr. Binkerd said that some additional security measures were just installed at the Administration Building entrance doors because of issues that were becoming all too common. Mr. Conner stated that pictures of those individuals causing concern could be provided to the staff and the Board especially if they were on Facebook.

CHAIRMAN'S REMARKS

Mr. Logan thanked for everyone attending and wished everyone a good evening.

The next meeting was scheduled for 5:30 p.m. on Thursday, December 7, 2023.

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

Meeting adjourned at 6:35 p.m.

Robert Logan, Chairman
Marion Utilities Service Board

ATTEST

Misty Humphries

Its Secretary

