



Marion Utilities

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

Service Board

BOARD MINUTES OF THE MARCH 21, 2024 MEETING

The Marion Utility Service Board held their meeting on Thursday, March 21, 2024 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; and Jayda Monteiro. Herschel Lewis was absent.

Also present at the meeting were: Pat Pinkerton, Assistant Director for Engineering & Solid Waste; Robin Shrader, Assistant Director for Operations & Maintenance; Mike Conner, Attorney; and Misty Humphries, Secretary.

CONSIDERATION OF AGENDA ADDITIONS OR DELETIONS

Mr. Carl moved, seconded by Dr. Monteiro, to table Item C under Old Business. All board members voted aye. Motion carried unanimously.

APPROVAL OF MINUTES

Mr. Dorsey moved, seconded by Mr. Green, to approve the minutes of the March 7, 2024 meeting. All board members voted aye. Motion carried unanimously.

UPDATE ON PROJECTS

Mr. Pinkerton said that the South Adams Storm Sewer Project was still waiting on some needed easements but was on track for the April advertising of bids. He also reported that the SRF documents were slowly trickling in. Mr. Pinkerton said he anticipated sending out the Notice to Proceed on the five projects in April.

HISTORIC MARION ECLIPSE-A-PALOOZA SPONSORSHIP REQUEST

Mr. Pinkerton reminded the Board that this item was tabled at the last meeting. The Historic Marion is a 501 (c)(3) that is taking the place of Main Street Marion. An email from Anne Kohlmorgen on behalf of the Historic Marion organization was received requesting a sponsorship. Since the last meeting, the City of Marion has partnered with the Historic Marion organization making the event City Sponsored. The information provided stated that funds would help with the cost for the stage and equipment at Ballard Park, the Wabash Trolley, and Commentators. Mr. Dorsey asked the name of the organization was again. Mr. Pinkerton responded that it was Historic Marion. Dr. Monteiro asked if there would be signage. Mrs. Humphries stated that there would be signage as well as announcements made during the event. Mr. Dorsey moved, seconded by Dr. Monteiro, to approve a \$250 sponsorship. All board members voted aye. Motion carried unanimously.



TRANSFERS & PAY REQUESTS

There were no pay requests or transfers.

INDUSTRIAL PASS THRU CHARGES & SURCHARGES

Mrs. Shrader said that the Program Support Coordinator acts as a liaison between the Water & Wastewater plants as well as industries in the community. When an industry has the opportunity to discharge something harmful to the system, even if there was not a discharge, the industry has to be sampled and monitored closely. There were a few of those industries in town that require some additional and specialized testing that cannot be done in-house. Mrs. Shrader presented a listing of the testing types along with the 2023 charges, and proposed 2024 charges. Mrs. Shrader explained that the Quarterly Monitoring Fee went unchanged as the amount still covered the Utility's cost adequately. The charges below the Quarterly Monitoring Fee were changed. The proposed charges were the charges that Element (the Utility's contractor) charges. These are basically pass thru charges. Mr. Carl asked if a lot of this testing was done. Mrs. Shrader answered no, not a lot. There were a few industrial users such as Café Valley, Lien Corporation, GM, and Huhtamaki. Mrs. Shrader said that the industrial customers would be notified. Mr. Carl asked when the 2024 charges would go into effect. Mrs. Shrader explained that Element was going to start charging the new rates in April. Mr. Carl moved, seconded by Mr. Jackson, to approve the proposed changes to the industrial pass thru charges as presented. All board members voted aye. Motion carried unanimously. Mrs. Shrader continued by explaining that the surcharge rates occurred when an industry discharged something to the plant which caused extra resources to be used in order to treat the discharge. There was a slide showing the existing surcharge rate and the proposed surcharge rate. Mrs. Shrader presented examples of items that could be discharged and what had to be done in order to treat them. The first example was CBOD, Carbonaceous Biochemical Oxygen Demand, which was a way to measure the organic pollution load. The second example was TSS, Total Suspended Solids, which have to be removed entirely from the water. The third example was Phosphorus. All of those things are regulated and have to be taken out. Mrs. Shrader said that the increased costs were based upon what it took to treat the various substances. The last adjustment was in 2015. At that time, the price was reduced due to what the industries were doing. This time it would be an increase due to what was now happening with industries. Mrs. Shrader said these charges were a part of the sewer ordinance from 2010 and should probably be given approval. Mr. Jackson moved, seconded by Mr. Dorsey, to approve the 2024 proposed changes to the surcharge rates as presented. All board members voted aye. Motion carried unanimously.

BIO-SOLIDS CHARGES

Mrs. Shrader said there were a handful of residual products that were collected, repurposed, and redistributed agriculturally. In the past, items picked up were free, and those delivered were charged delivery fees with additional charges for spreading the products. The value of the dewatered biosolids was now less to the farmers. Mrs. Shrader said that crews would be on farmers' fields with less than ideal conditions, and farmers would actually be doing the Utility a favor. Mrs. Shrader proposed for a period of time in 2024 that there not be a charge for dewatered biosolids since it would be to the Utility's advantage. Mrs. Shrader clarified that all of the other charges would stay exactly the same. Mr. Jackson asked if this would only be a temporary change or if this would be a longer term change. Mrs. Shrader said that she would have to see if we could provide a better product in the future in order to resume charging for

the product. Mr. Carl asked if there was a list of farmers that participated in the biosolids program. Mrs. Shrader answered yes and explained that there was a lot of paperwork and red tape in order to distribute biosolids. Mrs. Shrader said that there were a lot of variations and regulations especially since there were different types of biosolids. Dr. Monteiro moved, seconded by Mr. Jackson, to approve the changes to the bio-solids charges as recommended. All board members voted aye. Motion carried unanimously.

RESOLUTION 1-2024 RECOMMENDING A SOLID WASTE RATE INCREASE

Mr. Pinkerton explained that Resolution 1-2024 was the first step in getting the ball rolling on a Solid Waste rate increase. He stated that Jennifer Wilson with Crowe did a rate study. The rate study revealed a \$4.00 increase was needed in 2024; a \$4.00 increase in 2025; and a \$1.00 increase in 2026 was needed. This should provide the funds needed to buy new equipment as well as repay a \$250,000 loan to Wastewater from last year and a \$260,000 loan to Stormwater that was borrowed to stay operating. The question was asked when the Council would need a signed resolution and proposed ordinance in order to get on the Council agenda. Mr. Cline said in order to be on the agenda, proposed business was to be submitted to the Clerk by the Wednesday before the Council meeting. Mr. Pinkerton said he didn't think it would be any earlier than the second meeting in April or May before this would be presented to the Council. Mr. Cline said he would provide a brief report to the Council so they would know that this was coming. Mr. Carl asked if the presentation to the Council would include a cost comparison to what the cost would be if Republic picked up the Solid Waste. Mr. Pinkerton said that the proposal from Republic given seven years ago showed what their rates would be at this time. Dr. Monteiro clarified that there would be a comparison for the Council and public. Mr. Pinkerton said yes. Mr. Green moved, seconded by Mr. Carl, to approve Resolution 1-2024. All board members voted aye. Motion carried unanimously.

RESOLUTION 2-2024 RECOMMENDING LEAF COLLECTION SERVICES PENDING ADEQUATE RATE SUPPORT

Mr. Pinkerton said that leaf collection affects the Stormwater Utility. Jennifer Wilson was working on a rate study for this item. It would probably be the second week of April before the study was completed. The resolution doesn't specify a particular rate; it just recommends taking over the leaf collection pending a rate increase. Mr. Pinkerton said that he wasn't sure if this Resolution was needed at this time or if the Board should wait until the rate study was completed because a resolution would be needed for an established rate increase. Dr. Monteiro said as written this resolution gives permission for the Utilities to take over the leaf collection. Mr. Pinkerton said that was correct pending a rate increase which would allow the Utility provide leaf collection services. Dr. Monteiro asked what that meant. Mr. Pinkerton said the number was undefined at this time. Mr. Pinkerton said this was why he wasn't sure if this resolution was needed at this time since one with a defined rate would be needed later. Mr. Logan asked Mr. Conner if a resolution was needed at this time. Mr. Conner said it sounded as though the cart was being put before the horse since the needed rate increase in order to provide and sustain leaf collection services was not known. Mr. Carl said that in his opinion there was still a lot of work to do on this subject nor was this something that the Board necessarily wanted to do. Dr. Monteiro noted that the resolution states that the Board recommends that Council transfers the leaf collection to the Board. Mr. Pinkerton said that he believes the resolution arose out of a desire to get the subject to the Council by the second meeting in April. Mr. Logan said that he thought more information was needed before moving

forward. Mr. Carl asked Mr. Cline what Council's thoughts were on this subject. Mr. Cline said he thought that getting back to the vacuum truck was the goal. However, passing the resolution as written would raise more questions than the Board had answers for. Mr. Carl said historically the Board has had their ducks in a row before taking action and the ducks were not in a row. The resolution was tabled. Mr. Logan said in his opinion a rate study would be needed before the subject could move forward. Mr. Pinkerton said that if this moves forward and there was a rate increase, the necessary equipment may be ordered but may not be delivered by this fall. Mr. Logan said that if a resolution and ordinance were passed, the ordinance could be made effective for 2025 and the City could pick up leaves in fall 2024.

RESOLUTION 3-2024 RECOMMENDING AN INCREASE TO MUSB SALARIES

Mrs. Shrader said that in 1996 the compensation for the Utility Service Board chairperson and the members was set at \$2,500 and \$2,000 respectively. Mrs. Shrader recommended increasing the salaries to \$3,500 for the Chairman and \$3,000 for members. Mr. Logan asked what the effective date would be. Mrs. Humphries explained that if the resolution were passed, a draft ordinance would have to be prepared and presented to the Council. The ordinance and its effective date would depend upon the Council's passage. Mr. Carl said he thought that a salary increase was needed but he wasn't sure this was the appropriate time considering that rate increases were being brought before the Council. Mr. Logan said that he would agree, however it had been 28 years since this subject was discussed and several other Boards have had increases in more recent years. Mr. Cline agreed and said that the Board had a good track record. Mr. Dorsey moved, seconded by Mr. Green, to approve Resolution 3-2024. A roll call vote was held. The votes were as follows: Mr. Carl, aye; Mr. Dorsey, aye; Mr. Green, aye; Mr. Jackson, abstain; Mr. Logan, aye; and Dr. Monteiro, abstain. Motion carried by a majority of votes.

SENIOR LEADERSHIP REPORTS

P. Pinkerton, Assistant Director for Engineering & Solid Waste

Mr. Pinkerton said he wanted to discuss the Long Term Control Plan (LTCP) and Combined Sewer Outfalls. The LTCP approved by IDEM was nearing its end. The number of overflows and outfalls were to be at eight or below by 2025. IDEM allowed eight because getting to five would have been a financial hardship on the community. Commonwealth Engineers have been contacted and would reach out to IDEM regarding an extension. Long and short of it, according to the latest figures, it was no longer considered a financial hardship on the City. Mr. Pinkerton said we were now required to meet the five CSOs. Costs may be \$45 million to complete the plan. Mr. Pinkerton said that a 10 year extension was going to be requested. He hoped at least an get eight year extension would be provided. Mr. Logan asked if another rate increase would be needed for Wastewater. Mr. Pinkerton said Jennifer Wilson was looking at this, and it would also depend on IDEM. Any potential rate increase could be substantial. It could be \$2 each year for 10 years. Mr. Pinkerton reminded the Board that this was all very preliminary and would depend on how IDEM looked at it. Mr. Pinkerton stated that the LTCP would not be done in 2025. Mrs. Shrader said that there were six points in the City where CSOs may occur and if several went off this would be considered an event or if only one went off it would be an event. Mr. Dorsey asked if the removal of the dam had any impact on the number of events. Mrs. Shrader said no. Mr. Pinkerton said it might have affected how quickly a CSO would have to be fought. Mr. Carl commented that this was another federal mandate that the local Utility gets to pay for. Mr. Pinkerton said when this started, he was a part-time employee in college. Mr. Pinkerton said that at one time the cost was \$32 million. Now we need to review the last few projects again because they weren't expected to be so large. Due to the

amount of the flow, 66% of the flow comes through the Spencer area, there isn't a lot of room to put a large storage tank there so things have to be reconsidered and reworked. Mr. Carl asked how long the LTCP had been worked on. Mr. Pinkerton said this was the third revision of the LTCP. The first official plan was in 1999. There had been plenty of work done on this subject before then though. At one point, there was 17 CSO points in the City. There was now six points. Mr. Pinkerton stated that the further the plan we get, the harder and more expensive the projects get. Mrs. Shrader said some of the delay was due to the tank across the street as well.

R. Shrader, Assistant Director for Operations & Maintenance

Mrs. Shrader congratulated Drew Hileman on getting his CDL this week. There were two others working on theirs as well. Mrs. Shrader also commended Brian Bishir for taking on the responsibility of training all employees which was a huge cost savings. Mr. Bishir was 18 out of 18 on the folks he has trained. Mr. Logan said let him know that the Board appreciates his excellent service.

BOARD MEMBERS' COMMENTS

There were no comments.

CHAIRMAN'S REMARKS

Mr. Logan thanked everyone for coming early to the executive session.

The next meeting was scheduled for 5:30 p.m. on Thursday, April 4, 2024.

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

Meeting adjourned at 6:20 p.m.

Robert Logan, Chairman
Marion Utilities Service Board

ATTEST



Misty Humphries
Its Secretary