



## Marion Utilities

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

## Service Board

Memo To: All Utility Board Members  
From: Bob Logan, Chairman  
Date: January 4, 2022  
Re: Agenda for January 6, 2022 Utility Board Meeting

Dear Board Member:

This is to inform you of our Board Meeting to be held Thursday, January 6, 2022 at 5:30 p.m. in the L.E.A.D Center Building 101 at Marion Utilities, 1540 North Washington Street, Marion, Indiana.

The following will be the agenda:

- I. **ROLL CALL**
- II. **INTRODUCTION OF GUESTS**
- III. **CONSIDERATION OF AGENDA ADDITIONS OR DELETIONS**
- IV. **ELECTION OF 2022 CHAIRMAN & VICE-CHAIRMAN APPOINTMENT**
- V. **APPROVAL OF MINUTES**
  - A. Regular meeting of December 2, 2021
- VI. **FINANCIALS**
  - A. October 2021
- VII. **OLD BUSINESS**
  - A. Update on Projects – P. Pinkerton
  - B. Kem Road & Meridian Street Extension Requests – Wastewater Committee
  - C. COVID-19 Policy Update – C. Binkerd





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### VIII. NEW BUSINESS

- A. Transfers & Pay Requests - Senior Leadership Team
- B. Long Term Control Plan Change Order – R. Shrader
- C. Short-Term Disability Benefit – C. Binkerd
- D. Property Acquisition Resolution #1-2022 – C. Binkerd

### IX. SENIOR LEADERSHIP REPORTS

- A. Assistant Director for Engineering & Solid Waste- P. Pinkerton
- B. Assistant Director for Operations & Maintenance- R. Shrader
- C. Utility Director- C. Binkerd

### X. BOARD MEMBERS' COMMENTS

### XI. CHAIRMAN'S REMARKS

### XII. NEXT MEETING

**Thursday, January 20, 2022**

Robert Logan, Chairman  
Marion Utility Service Board

cc: News Media  
City Administration/Council  
Department Heads





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## Service Board

### **BOARD MINUTES OF THE JANUARY 6, 2022 MEETING**

The Marion Utility Service Board held their meeting on Thursday, January 6, 2022 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: Bob Logan, Chairman; Doug Carl; Bill Dorsey; Mia Erickson; Al Green; Von Jackson; and Herschel Lewis.

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

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

There were no additions or deletions.

#### **ELECTION OF 2022 CHAIRMAN & VICE-CHAIRMAN APPOINTMENT**

Mr. Carl nominated and moved to elect Bob Logan as the 2022 Chairman. Mr. Lewis seconded. All members present voted aye. Motion carried unanimously. Mr. Logan thanked the Board for their confidence and vote. Mr. Logan then appointed Mr. Carl as the 2022 Vice-Chairman. Mr. Lewis said he was in agreement with Mr. Logan's appointment.

#### **APPROVAL OF MINUTES**

Mr. Lewis moved, seconded by Mr. Green, to approve the minutes of the December 2, 2021 regular meeting. All board members voted aye. Motion carried unanimously.

#### **FINANCIALS**

Mrs. Snyder presented the 2021 October Financials. Mrs. Snyder said that there was a slight net loss in all four utilities. The Wastewater loss was due to the Long Term Control Plan payments. Also, contributing to the loss in all four utilities were decreased receipts as well as the payment for a rate study. Mr. Binkerd stated that Mrs. Wilson was engaged in analysis of the financials and developed some graphs and additional data. Mr. Binkerd said that a meeting would be held with Mrs. Wilson to discuss her ideas and theories as to why expenses and revenues fall as they do. Mr. Carl noted that revenue in March particularly fell. Mr. Carl moved, seconded by Mr. Lewis, to approve the October financials. All board members voted aye. Motion carried unanimously.

#### **UPDATE ON PROJECTS**

Mr. Pinkerton reported that at the last meeting crews were waiting on materials to arrive for the Valley Avenue project. Now that the materials are here, the weather is not cooperating. Mr. Pinkerton said that not only was it raining, but crews also had to cross Boots Creek which could not be done when the creek was high. Mr. Pinkerton was hoping that the weather would break soon.



## **KEM ROAD & MERIDIAN STREET EXTENSION REQUESTS**

Mr. Pinkerton stated that the Wastewater Committee met yesterday to discuss two extension requests. The first request on Kem Road would require approximately 350 feet of 12" water main and would cost approximately \$48,000. The Board would pay the cost to oversize the main from a 6" to a 12" and apply the Six Times Rule which would be approximately \$14,000. This would leave \$34,000 for the petitioner. On the sewer for the two lots, it would require a lift station, approximately 1300' of a forced main, 350 feet of 8" sewer main. The Board would pay for the cost of the lift station and forced main as well as apply the Six Times Rule resulting in total cost of \$65,000 and would leave \$15,000 for the petitioner. Mr. Pinkerton said that everyone should keep in mind that construction costs and materials costs are all over the board right now. The prices could come back down. Mr. Pinkerton said that only approval of the concept was being sought. He said that before anything would move past the concept stage, quotes would be sought and brought back to the Board for review and approval. Mr. Carl asked if it was disclosed what would go in the area. Mr. Pinkerton said originally two homes were discussed. However, at one point, the conversation included a possibility of condos as well. The petitioner was Bob Cannon. Mr. Dorsey clarified that the lots would be for residential purposes. Mr. Pinkerton answered in agreement. Mr. Dorsey asked if this type of sizable investment was usually made for residential lots. Mr. Pinkerton said this was different because there are some houses further west that cannot be tied into the existing sewer now and would not be able to tie into the existing sewer even though they are within City limits. Something more sizable needs to be done because of this, and it would not be fair to put the price of the lift station on the petitioner. Mr. Pinkerton said it would also open up the south for further development. Mr. Logan reiterated that this would only be approval of a concept so that discussions may continue. There are not any expenses being authorized or approved at this time. Mr. Pinkerton added that if more residences were added the Six Times Rule could change the numbers. Mr. Jackson reiterated that this was only the concept and that numbers could change as discussions continued. Mr. Pinkerton said that was correct. If discussions were to continue concrete numbers would be sought and brought back to the Board. Mr. Binkerd stated that only the concept was being presented so that discussions with the petitioner could continue and the territory served could possibly be expanded. Mr. Binkerd stated that as discussions continued, if the numbers were prohibitive, there would be another discussion with the Board. Mr. Lewis added that this was all contingent upon the area being developed.

Mr. Pinkerton presented the second request which was located along Meridian Street south of 38<sup>th</sup> Street. The petitioner seemed to be more interested in sewer service but also wanted information on water services. A water extension would require about 350' of 8" water main and would cost approximately \$65,500. The Board would pay the cost to oversize the main from a 6" to an 8" and apply the Six Times Rule which would be approximately \$11,500. This would leave \$54,000 for the petitioner to cover. A sewer extension would require 380' of 8" sewer main with a total cost of \$55,000. Mr. Pinkerton said in discussing how to make this more affordable, most of the houses were on septic tanks with effluent that goes out to a county farm tile that goes up Meridian and then ties back into the Utilities' storm sewer at 38<sup>th</sup> Street. Mr. Pinkerton said the Utility has an interest in cleaning that up. If the sewer was extended across 38<sup>th</sup> Street, the road was repaired, and the Six Times Rule was applied as there are four houses to connect, the cost would be \$38,500 with \$16,500 to the petitioner. Mr. Jackson as if this was for the homes south of Café Valley. Mr. Pinkerton stated it was for the houses south of 38<sup>th</sup> Street but north of the Idyl Wyld. Mr. Pinkerton said that two to four homes could be hooked on. Mr. Carl asked who the Petitioner was. Mr. Pinkerton said Terry Munday. This was the second or third time that Mr. Munday has discussed this particular area with Mr. Pinkerton. However, it was the first time that he wanted it presented to the Board. Mrs. Erickson said that she thought he may do the sewer but not the water. Mr. Pinkerton agreed. Mr. Logan asked if the concept or an actual project to be approved. Mr. Pinkerton said he was only asking for approval of the concept. Mr. Dorsey moved, Mr. Lewis seconded, to approve the concepts of the two

requests as presented. All board members present, with the exception of Mrs. Erickson who abstained, voted aye. Motion carried.

### **COVID-19 POLICY UPDATE**

Mr. Binkerd said that this topic was not going away. Everyone has been aware of the struggles and difficulties. Mr. Binkerd put together some information regarding the Board's authorized leave. The total leave for quarantine was 862 hours; total leave for those with COVID-19 was 746 hours; with the total leave reaching 1,608 hours. Mr. Binkerd said about 35 of the 80 employees were affected. There were four that were quarantined and then had a positive case of COVID; 22 employees were quarantine only; and there were nine COVID positive employees. Mr. Binkerd asked Mrs. Humphries to share the latest CDC guidelines. Mrs. Humphries stated that there have been four major changes. First, those being that vaccinated employees without the booster are to be treated the same as unvaccinated employees for quarantine purposes. Secondly, those that are quarantined and develop symptoms may now be tested immediately instead of having to wait. The third change states that those that are quarantined and do not develop symptoms may now be tested on day five and brought back to work that day with a negative test. The employees would have to wear a mask for an additional five days though. Lastly, if an employee tests positive and has symptoms, they may return to work and wear a mask if they are fever free and their other symptoms are improving. Mrs. Humphries stated that everyone is working hard to limit their exposure and are working hard to stay up to date and comply with the CDC guidelines. Mr. Binkerd asked the Board to approve additional leave due to COVID; however, he recommended shortening the time that employees have to be off. Mr. Binkerd added that one of the new guidelines states that if someone cannot quarantine, they can come to work, wear a mask and social distance. Mr. Binkerd asked the Board to offer employees an additional 40 hours of leave from January 1, 2022 to July 1, 2022 due to COVID. Mr. Binkerd said that he thought 40 hours would be useful and not burdensome. Mr. Binkerd stated that while everyone is not out of the woods, but there are some protocols in place in order to limit the amount of time that people are off work. Mr. Carl asked what kind of documentation is required. Mr. Binkerd said the same as before would be required such as proof of a positive or negative test administered by a healthcare provider. Mr. Dorsey moved, seconded by Mrs. Erickson, to approve an additional 40 hours of leave from January 1, 2022 to July 1, 2022 due to COVID. All board members present voted aye. Motion carried unanimously.

### **TRANSFERS & PAY REQUESTS**

There were none.

### **LONG TERM CONTROL PLAN CHANGE ORDER**

Mrs. Shrader said with a large project like the Long Term Control Plan there were always changes. Mrs. Shrader said that when chlorine tanks were dug into, underground structures were found in other areas than those planned. Some rerouting of chemical piping and the new water line going down the center of the drive had to be done. The rerouting of the chemical piping cost \$862, and the water line rerouting was \$7,254. Mrs. Shrader stated that these were not astronomical prices, and the rerouting was a necessary part of moving forward. Mrs. Erickson asked if the other structures would be left in place. Mrs. Shrader answered yes as the other structures are lines that feed other items into the chlorine tank. Mr. Dorsey moved, seconded by Mr. Lewis, to approve the change order. All board members voted aye. Motion carried unanimously.

### **SHORT-TERM DISABILITY BENEFIT**

Mr. Binkerd said that as renewal of the health insurance and other benefit policies was done, Cindy Hawkins mentioned that the Short Term Disability policy paid a maximum of \$400 each week. This has been the same for 23 years. Mrs. Hawkins was asked to get the cost for doubling that benefit. Mr. Binkerd said that doubling the benefit from \$400 to \$800 would still be less than what most employees brought home, but it would make the benefit more meaningful and manageable for employees. The cost of the benefit at the \$400 level was \$8,160 annually. The cost of the benefit at the \$800 level would be \$12,885.60 annually which is an increase of approximately \$4,700. Mr. Binkerd added that the current budget could accommodate this benefit increase. Mr. Jackson asked if employees have to pay for the Short Term Disability plan. Mr. Binkerd answered no, as it was a part of their benefit package. Mrs. Erickson said that in her experience most employers pay for short term disability policies. Mr. Logan said that this was probably something that should have been looked at in the past. Mr. Carl asked if this was used a lot. Mr. Binkerd said there is usually one claim per year. Mr. Lewis reiterated that the Utility pays the policy. Mr. Lewis moved, seconded by Mr. Green, to approve the increase of the short term disability benefit from \$400 to \$800. All board members voted aye. Motion carried unanimously. Mr. Binkerd reported that the effective date would be February 1<sup>st</sup> with the policy renewal. Mr. Carl asked if the insurance transition was taken care of. Mr. Binkerd said yes, but it was not a fun or easy process.

### **PROPERTY ACQUISITION RESOLUTION #1-2022**

Mr. Binkerd said this was in regards to the railroad property for which Mr. Conner had put in numerous hours. The thought was that the railroad was the owner of the key piece of property. However, no one was definitive. Mr. Conner added that even the title company won't commit. The Utility needs to acquire the property. Attorneys from Bose McKinney and Mr. Conner have worked together to develop a plan to acquire the property and move forward. This work has resulted in Resolution 1-2022. Mr. Binkerd read the Resolution 1-2022 which stated:

WHEREAS, Indiana law authorizes the Utility Service Board of the City of Marion, Indiana ("the Utility"), to purchase or otherwise acquire property as the Utility considers necessary and appropriate for public improvements; and

WHEREAS, Indiana law authorizes the City of Marion, Indiana and its Utility to condemn land, easements, franchise, and other property it considers necessary for the construction of sewage works or for improvements to sewage works; and

WHEREAS, the Utility plans to expand the City's wastewater utility system and make improvements thereto (the "Project"); and

WHEREAS, the Utility has identified certain property located at 2100 BLK Home Avenue, Marion, Indiana 46953 (the "Real Estate") to install certain improvements; and

WHEREAS, the Utility has been unable to acquire the parcel through negotiation to this point; and

WHEREAS, for the foregoing reasons, the Utility considers it necessary and appropriate to acquire the Real Estate for the Project identified above; and

WHEREAS, the Utility Service Board of the City of Marion, Indiana has determined that the acquisition of the Real Estate by any means allowable by law, including but not limited to Indiana Code 32-24-1 et seq., is necessary for the construction of the Project.

IT IS THEREBY RESOLVED by the Utility Service Board of the City of Marion, Indiana, as follows:

1. The Utility Service Board hereby resolves that the Utility is interested in purchasing the Real Estate located at 2100 BLK Home Avenue, Marion, Indiana 46953, to install certain improvements for the expansion of the City's wastewater utility systems and improvements thereto.
2. The Director of the Utility is requested to work with any third party consultants (including, but not limited to, engineers, appraisers, surveyors, attorneys, title companies, and realtors) to value and purchase the real estate; to authorize the issuance of an offer to purchase the Real Estate; and to initiate acquisition of the Real Estate, including but not limited to acquisition pursuant to Indiana Code 32-24, and Indiana Code 36-9-23-14 if necessary.

Mr. Conner added that Jonathan Hughes, with Bose McKinney, said that the railroad would frequently just give up. The hope up was that if eminent domain has to be undertaken that the railroad will just give up. Mr. Dorsey asked if the eminent domain by the city would be faster. Mr. Binkerd said that this resolution was the first step in that process. Mr. Lewis moved, seconded by Mr. Green, to approve Resolution #1-2022. A roll call vote was held and the votes were as follows. Mr. Carl, aye; Mr. Dorsey, aye; Mrs. Erickson, aye; Mr. Green, aye; Mr. Jackson, aye; Mr. Lewis, aye; and Mr. Logan, aye. Motion carried unanimously.

### **SENIOR LEADERSHIP REPORTS**

#### **P. Pinkerton, Assistant Director for Engineering and Solid Waste**

Mr. Pinkerton said he hoped to have more detail at the next meeting, but he wanted to report that 11,186 tons of solid waste was hauled from the Transfer Station in 2021. This was 800 tons more than the year before. The Recycling Center sent out over 100 tons of material for recycling. Mr. Pinkerton said he would compare those numbers with the numbers from the blue bags and present that at the next meeting.

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

Mrs. Shrader shared that there are four drivers preparing to take their CDL test within the next week. The rules for CDL drivers will change at the beginning of February. The Long Term Control Plan project was moving along and was on schedule. Mrs. Shrader said there was a lot of rebar going up and a lot of concrete to come in. Lastly, Mrs. Shrader shared that everyone was trying to keep. An entire work crew was quarantined right before Christmas. Thankfully not everyone was positive. Mr. Logan said it was nice to see the work on the Long Term Control Plan progressing.

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

Mr. Binkerd reported that the health insurance transition was a challenge. He said that he would be looking early this year to see how that could be prevented in the future. The transition always seems to run up to the end of the year and unfortunately, someone had to do an ER run at the beginning of the year. Mr. Binkerd reminded the board that the annual increase for sewer would be taking place. There was an issue with how the software was calculating the rate. However, Jennifer Wilson and the Utility IT Team have been working to correct the situation. Mr. Binkerd also reported that staff had been working

for several months in 2021 to put together a fitness center. Several employees use the YMCA or other fitness centers around town. Some employees don't like to go there but expressed a desire to have something here. Mr. Binkerd said that the fitness center would be up and running soon. There was a space that could be retrofitted. Mrs. Loshnowsky has been working on some campaign material to help people focus on their physical and mental health to coincide with the fitness center opening. Mr. Binkerd also reported that 2021 budget reconciliations would be presented at the next meeting. The financials should also be up to date within the next couple of meetings. In closing, Mr. Binkerd said thank you to the Board for supporting the employees as they do so well. There have been a lot of very nice comments regarding the market adjustments and appreciation bonuses.

### **BOARD MEMBERS' COMMENTS**

Mr. Jackson said Happy New Year to everyone.

### **CHAIRMAN'S REMARKS**

Mr. Logan thanked everyone for their attendance. He also remarked that there were several hugs and great remarks that came from employees at the Christmas party.

The next meeting was scheduled for 5:30 p.m. on Thursday, January 20, 2022.

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

Meeting adjourned at 6:22 p.m.

Robert Logan, Chairman  
Marion Utilities Service Board

ATTEST



Misty Humphries  
Its Secretary