



Marion Utilities
1540 N Washington St.
Marion, IN 46952
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Service Board

BOARD MINUTES OF THE OCTOBER 21, 2021 MEETING

The Marion Utility Service Board held their meeting on Thursday, October 21, 2021 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; Al Green; and Von Jackson. Mia Erickson and Herschel Lewis were absent.

Also present at the meeting were: Chuck Binkerd, Director; Pat Pinkerton, Assistant Director for Engineering; Robin Shrader, Assistant Director for Operations and Maintenance; Mike Conner, Attorney; Tiffany Snyder, Accounting/Billing Coordinator; and Mark Theel, Marion Utilities.

CONSIDERATION OF AGENDA ADDITIONS OR DELETIONS

There were none.

APPROVAL OF MINUTES

Mr. Carl moved, seconded by Mr. Dorsey, to approve the minutes of the September 16, 2021 regular meeting. All board members in attendance voted aye. Motion carried unanimously.

FINANCIALS

Mrs. Snyder presented the June and July financials. Mrs. Snyder said that all four utilities had a gain in June. The Water Utility received a \$75,000 farm rent payment that had not been collected from the April accounts receivables. The Wastewater Utility received the bond proceeds. The gains were also attributed to payments on old accounts collected by Atlas Collection Service. In July, the Water Utility experienced a loss while the other three Utilities show minimal gains due to the annual Workers' Compensation Insurance Policy payment. The Water Utility's loss was due to the Workers' Compensation Insurance payment along with an unexpected \$61,000 equipment bill for the replacement of an essential switch gear. Mr. Binkerd added that Mrs. Snyder had been working diligently on the financials and the goal was to present current monthly financials by the end of the year. Mr. Carl moved, seconded by Mr. Jackson, to approve the financials as presented. All board members present voted aye. Motion carried unanimously. Mr. Logan thanked the team for their dedication to financials.

UPDATE ON PROJECTS

Mr. Pinkerton reported that the directional drilling in Brinker Heights had been completed. Mr. Pinkerton also said that storm drains and inlets were installed behind some houses to assist with



drainage for areas that had filled in over the years.

1532 W. 38TH STREET REQUEST

Mr. Binkerd stated that Megan Brubaker Armstrong rents a house at 1532 W. 38th Street. Ms. Armstrong called in earlier to request a refund for all sewer and storm water charges from April, 2017 thru 2021. After reviewing the request, a refund for one year was issued as Ms. Armstrong's property has a septic tank and is just outside of the city limits. Mr. Binkerd explained that the Utility is required to refund a year of charges; however, anything more than one year would have to be approved by the Board. The Wastewater/Storm Water Committee had reviewed this item and recommended that a full refund would be appropriate. A similar issue had arisen in the past and the Board had approved a full refund then as well so the Board would be keeping with precedent. Mr. Binkerd stated that the refund would be \$969.88 in Wastewater and \$165 in Storm Water for a total of \$1,134.88. Mrs. Dorsey moved, seconded by Mr. Carl, to approve the refund request as presented. All board members in attendance voted aye. Motion carried unanimously.

TRANSFERS & PAY REQUESTS

Mrs. Shrader presented a pay request to James S Jackson Company in the amount of \$392,444.95 for work on the Long Term Control Plan. Mr. Jackson moved, seconded by Mr. Dorsey, to approve the pay request. All board members in attendance voted aye. Motion carried unanimously.

2020 S. CLARK STREET REQUEST

Mr. Pinkerton stated that this issue was discussed with the Wastewater/Storm Water Committee as well. A letter was received from the owner of 2020 S. Clark Street which was the former Boys & Girls' Club. The owner asked to be exempted from Storm Water fees from November, 2017 through July, 2019 because he felt he did not have storm water service available. Mr. Pinkerton stated that there seems to be a perception that if an inlet is not present in front of a property, then storm water service is not provided. As discussed with the Committee, the Storm Water Utility was formed in 1995, not specifically for storm drainage, but to start addressing the Long Term Control Plan and to gain funds for Combined Sewer Overflow projects to be completed. The Storm Water Utility funds all three sewer systems: sanitary, combined, and storm. In reality, there is a combined sewer that is under the north end of the parking lot at 2020 S. Clark Street so access has been available. In 2018 and half of 2019, there was a large \$3.5 million sewer separation project in that area to put new sanitary and new storm services in. Mr. Pinkerton stated, at that point, it was preferred that the parking lot not run into the combined sewer but it was still available for him to do so. The owner would have had to reduce it somehow or meter it into the sewer. Mr. Pinkerton said that is allowable in order to protect the system in place. The owner did call and speak with Assistant Engineer, Bill Glessner, in 2019. A storm sewer was scheduled and ran from 20th Street and an inlet was set at the northeast corner of the property. Staff never saw any flooding in the street or in the right of way. Mr. Pinkerton stated that he wasn't sure the drainage issue wasn't on the 2020 Clark Street property itself since it was mostly asphalt. Mr. Pinkerton reiterated that the property owner did have access to the sewer system to work on drainage all along. Mr. Carl asked what was located on the property now. Mr. Pinkerton answered nothing that he knew of. To the best of Mr. Pinkerton's knowledge, services were not on at the location. Mr. Binkerd added that the

asphalt seems to be graded towards his building from the street instead of vice versa. This would not be the Utility's responsibility or charge to correct drainage on private property. Had the grading of the asphalt been from the building to the street, the water would have found a natural path from the property to the nearest drainage basin. Mr. Binkerd stated that other parties have argued that their property with standing water should be free from storm water charges and that has never been approved. Mr. Binkerd continued that it was never the intention of the Storm Water Utility to drain every single lot. The Storm Water Utility takes care of a city-wide and regional issue. Mr. Dorsey asked for clarification of the issue. Mr. Binkerd stated that the storm water fees on the property have not been paid and the owner is asking for those to be taken off by arguing that he did not have service to the 2020 S. Clark Street property. In July 2019 a catch basin was set at the property, but again, services were available to the owner well before that as there is a 48" sewer that runs under the parking lot of his property. Mr. Carl asked what the balance was and what repercussion were if a payment was not made. Mr. Binkerd stated the balance was \$686 and the repercussion would be a collections action. Mr. Conner stated that could be likened to everyone being charged taxes for I-69 and those that don't travel on it arguing that they should not be charged for those taxes. Mr. Binkerd said to solve the issue, the asphalt needs to be graded away from the building towards the drain which is a private property issue. Mr. Jackson asked if there was a flooding issue. Mr. Binkerd stated no, there are puddles but there has never been an issue of flooding reported. Mr. Dorsey asked that the reasons for the denial be communicated to Mr. Morrell. Mr. Binkerd said that the Board's reasoning would be shared. Mr. Green moved, seconded by Mr. Jackson, to deny the request to be exempted from Storm Water charges at 2020 S. Clark Street. All board members in attendance voted aye. Motion carried unanimously.

APPROVAL OF FARM CASH RENT QUOTES

Mrs. Shrader explained that every five years the farm ground rental contract was up for renewal. The total acreage was 111 acres. There were two quotes submitted. Jason Updike quoted \$200 per acre and Mark Glessner quoted \$270.27 per acre. Mrs. Shrader reminded the Board that normally the low bid/quote would be taken; however, here the highest quote would be recommended. Mrs. Shrader recommended the highest quote submitted by Mark Glessner. Mr. Glessner has had the contract for the last five years. Mr. Dorsey moved, seconded by Mr. Carl, to approve the quote of Mark Glessner in the amount of \$270.27 per acre. All board members in attendance voted aye. Motion carried unanimously.

APPROVAL OF VALLEY & JACKSON WATER MAIN QUOTES

Mr. Pinkerton indicated that the quote was for 360 feet of 6" water line in Valley Avenue in the Jackson Street area. The main purpose is to tie in a dead end that comes up from Valley Avenue on the south side which will improve pressure. Three quotes were sought. Bragg Excavating didn't submit a quote; Dave's Excavating quoted \$84,515; and Keith Sullivan quoted \$76,917.60. Mr. Dorsey asked if this would help to improve water quality as well. Mr. Pinkerton said hopefully, yes. Mrs. Shrader said the area had also been lined and tying the area in would also help. Mr. Green moved, seconded by Mr. Dorsey, to approve the quote of Keith Sullivan in the amount of \$76,917.60. All board members in attendance voted aye. Motion carried unanimously.

LONG TERM CONTROL PLAN CHANGE ORDER

Mrs. Shrader presented two change orders for the Long Term Control Plan. The first consisted of \$331 for heavy duty door hinges that were needed instead of regular duty hinges and adjusting VFD starters to motor starters. Mrs. Shrader said the starters would be on the water pumps in the chlorine tanks and would be consistent with the motors that were there now. The first change order totaled \$2,432. The second change order consisted of an increase of \$5,273 to adjust the CSO wet well hoist assembly and \$1,587 to adjust the CSO wet well louver opening. The total for the second change order was \$6,860. The increases were needed due to a miscalculation early on. Mr. Jackson moved, seconded by Mr. Carl, to approve the two change orders as presented. All board members in attendance voted aye. Motion carried unanimously.

APPROVAL OF CHEMICAL BIDS

Mr. Shrader said chemical bids were opened last Friday. Three bids were received for lime. Mississippi Lime was the low bidder at \$245.38 per ton. This would be a 10% increase. PVS Technologies was the only bid received on alum. Mrs. Shrader noted that the two numbers represented were for the same item; however, one was a dry measurement and one was a wet measurement. Again, this would be a 10% increase. Air Products (EPCO) was the only bidder on Carbon Dioxide at \$100 per ton. This would be a 4% increase. Mrs. Shrader said that Hexagon Technologies was the low bid on Polymer. She noted that the two numbers represented two different items; but this was the recommended bid. This would reflect a 2% increase. Mrs. Shrader said that the chlorine and sulfur dioxide bids went together. There was an issue with the Brenntag bid as the bids were requested for ton cylinders which everyone else realized. Since Brenntag did not present a quote on ton cylinders for sulfur dioxide, their bid was not considered. Mrs. Shrader said that she spoke with Mr. Conner regarding Alexander and JCI Jones. The prices have gone through the roof due to transportation and market issues. The chlorine price would equate to an increase of 182% as the companies can't get the product from those producing it any cheaper. Mrs. Shrader stated that both companies offered the price quoted for 90 days and no longer due to supply issues. Rather than rebidding the whole thing, Mrs. Shrader said it would be fair to go with the numbers presented which would mean JCI Jones was the low bid when both numbers were considered. The price increase after the 90 days would be based on raw materials increases issued by the producers with documentation and a 30 day notice provided. Mr. Jackson clarified that the price presented was locked in for January, February, and March. Mr. Conner explained that by locking them in for a year at the price presented would not in fact be locking them in due to market conditions. Mr. Binkerd added that staff would watch the market to verify that any increases in the future were done in line with market prices. Mr. Jackson moved, seconded by Mr. Carl, to approve the chemical bids as presented. All board members in attendance voted aye. Motion carried unanimously.

SENIOR LEADERSHIP REPORTS

P. Pinkerton, Assistant Director for Engineering

Mr. Pinkerton said that IDEM completed a MS4 audit. He reminded the board that the permit was shared with the City and Indiana Wesleyan. The inspector visited Indiana Wesleyan and the City which didn't go as

well as the first half of the meeting. There were a few things noted that have to be followed up on with IDEM. The illicit discharge portion was solely the responsibility of the Utility and went well.

R. Shrader, Assistant Director for Operations & Maintenance

Mrs. Shrader gave an update on the Long Term Control Plan. Blasting would take place in the upcoming weeks to address bedrock issues. The event will not be as exciting as some had hoped. Neighbors have been notified and information has been posted on social media as well. Work is progressing at the Wastewater Plant. In another week, disinfection season will be over after October 31st which will allow for some serious progress to be made. Mrs. Shrader said that there are some new faces again. She believes that the Utility will be at full staff for now. Mr. Binkerd added that since 2011, there have been 140 movements whether transfers, retirements, terminations, or resignations. He said that new staff have made great strides in getting trained and getting to know everyone.

C. Binkerd, Utility Director

Mr. Binkerd said that Mrs. Snyder and Mrs. Wilson continue to work hard on financials. Once those are caught up though, discussions regarding rates would continue. Mr. Binkerd said that budget committee meetings will be scheduled so that those can be presented to the full board. Mr. Binkerd also noted that a wage study has been underway, and the results will be brought to the board in the coming weeks.

BOARD MEMBERS' COMMENTS

There were no comments at this time.

CHAIRMAN'S REMARKS

Mr. Logan thanked everyone for their attendance and involvement in the meeting. He also expressed appreciate for the work on the reports and financials.

The next meeting was scheduled for Thursday, November 4, 2021.

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

Meeting adjourned at 6:23 p.m.

Robert Logan, Chairman
Marion Utilities Service Board

ATTEST



Misty Humphries
Its Secretary