



BOARD OF TRUSTEES
Special Meeting Agenda
205 East State Street
November 26, 2024 12:00 Noon

1. Roll Call
2. Approval of Agenda
3. **Decision:** Review and approval of a resolution adopting amendments to the service rules of Marshalltown Water Works
4. **Decision:** Review and approval of Recording at Work Policy to be added to the Marshalltown Water Works Employee Handbook
5. **Decision:** Review and approval of EEO Anti-harassment Policy to be added to the Marshalltown Water Works Employee Handbook
6. **Decision:** Review and approval of Marshalltown Water Works Culture Policy to be added to the Marshalltown Water Works Employee Handbook



Section 102.0

APPLICATION

102.0 APPLICATIONS FOR THE USE OF WATER

102.1 APPLICATION

- A) Application for the use of water shall be made in writing on forms provided by the Water Works and shall be signed by the customer. If a customer has an unpaid balance for water service at a previous location, this balance must be paid, or arrangements made for payment, before service can be turned on.
- B) If there is no water service into the premise, see Parts 103 and

104. 102.2 WATER DEPOSITS

- A) The Water Works will require a deposit equal to the amount of an average 90 day billing period, not to be less than \$30.00. All water deposits will be held for a period not less than two (2) years. If the customer has shown good faith in payments on their account, the deposit will be refunded, if not, the deposit will be held for a length of time necessary to show good faith.
revised 2/20/12
- B) Any customer who has service after filing for bankruptcy will be handled as a new customer to the system.

102.3 CUSTOMER RESPONSIBILITY

- A) The owner or occupant of the premises shall be liable for water consumed until provisions are made for the Water Works to turn off water service or remove the meter.
- B) When a customer is moving out of a premise and orders the water meter read on a certain day, the water must be turned off when the meter is read, unless there is an application already on file from a prospective customer.
- C) The customer shall protect and safeguard water service pipes and fixtures. The owner, at his/her expense, must keep service pipes from the water main and all appurtenances in good working order. The Water Works is not responsible for service pipes and fixtures. No claims shall be made or maintained against the Water Works for damages due to the breakage of any service pipes or appurtenances, nor for accidental failure in the supply of water.
- D) Except as provided in rule 102.7, a customer who takes service from the Water Works is prohibited from taking water service or obtaining source water from any other source, including another public water supply system, and shall not have or maintain such other source of water anywhere on the premises or facility served by the Water Works.
- E) A customer taking service from the Water Works is prohibited from connecting or interconnecting any other source of water to the Water Works' public water supply system anywhere on the customer's premises or facility.

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C) —

| 102.4 RIGHT OF ENTRY AND INSPECTION

- A) The CEO and General Manager or other officer or employee of the Water Works of the city shall be permitted at all times to enter the premises or building of consumers to examine the water pipes and fixtures. In case of fraudulent representation on the part of the consumer, such consumer shall forfeit any deposit and the Water Department may cause the water to be turned off and assess the damages to the premises serviced.

102.5 CUSTOMER SERVICE & FIRE SERVICE LINES

- A) When a property owner asks to discontinue service to a building, which has a fire protection system in it, the Water Works shall notify that person that we will not discontinue the fire service line. The Water Works will forward a written confirmation that the fire service is still operational to the property owner.

If any owner wants the fire service lines shut off due to the building being empty or for any reason, the owner must provide the Water Works with written authorization. The Water Works will forward a copy of that authorization to the Fire Chief.

102.6 RELEASE OF PUBLIC RECORDS

- A) The Marshalltown Water Works will provide access to Public Records pursuant to Chapter 22 of the Code of Iowa and as outlined below.
- 1) Requests will be processed during customary office hours, which are 8:00 am to 5:00 pm excluding weekends and holidays.
 - 2) Routine requests in person or by telephone that do not involve the furnishing of copies of records will be done without charge.
 - 3) Requests that are non-routine in nature or to examine records or obtain copies of records shall be submitted in writing to the Water Works. Such requests shall be specific in nature and will be by appointment only at a time scheduled by the Water Works. The examination and copying of records shall be under the supervision of Water Works personnel.
 - 4) The Water Works will charge a fee for copies and processing of requests as authorized by Section 22.3 of the Code of Iowa.

Revised 11-17-11

102.7 PERMIT TO DRILL WELLS

- A) No person shall drill or have drilled any wells for drinking and non-drinking water within the City limits of Marshalltown without first acquiring a permit from the Marshalltown Water Works as provided in these service rules.

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A)

- B) The Marshalltown Water Works will review the proposed construction in accordance to for compliance with these service rules, the burden the proposed construction would have on the aquifer or surface water that supplies water for the Water Works, the burden the proposed construction would have on the Water Works service to all its customers, materials, construction standards, and locations.

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- C) Geothermal wells or closed systems will also be required to meet the above standards prior to any work commencing.

D) The Water Works CEO or designated official will have the right to stop construction if during inspection the contractor has not followed permitted requirements and methods or other applicable requirements of these service rules.

E) This rule number 102.7 shall not apply to wells drilled on or before April 23, 2003.

D)

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revised 4/23/03

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102.8 NO EXTERNAL WATER SOURCES

A) No person shall interconnect a private well or other source of water to the Water Works public water supply system including anywhere on the customer's premises or facility.

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November 26, 2024

The Board of Trustees of Marshalltown Water Works, met in special session, in the Boardroom, Marshalltown Water Works, 205 East State Street, Marshalltown, Iowa, at 12:00 P.M., on the above date. There were present Board President Laura Eilers, in the chair, and the following named Board Members:

Present:

Absent:

Vacant:

* * * * *

Whereupon, Board Member _____ introduced the Resolution hereinafter set out entitled "RESOLUTION ADOPTING AMENDMENTS TO THE SERVICE RULES OF MARSHALLTOWN WATER WORKS", and moved:

- that the Resolution be adopted.
- to defer action on the Resolution and the proposal to the meeting to be held at _____ .M. on the _____ day of _____, 2024, at this place.

Board Member _____ seconded the motion. The roll was called, and the vote was:

AYES: _____

NAYS: _____

Whereupon, the Board President declared the measure duly adopted.

RESOLUTION NO. _____

RESOLUTION ADOPTING AMENDMENTS TO THE SERVICE
RULES OF MARSHALLTOWN WATER WORKS

WHEREAS, the Board of Trustees of Marshalltown Water Works of the City of Marshalltown, State of Iowa (“the Board”) has all the powers and authorities of the city with respect to the management, control, and operation of the city utility (“the Utility”) and its property, including the exclusive authority to establish all rules and requirements necessary or useful for the provision of service to customers of the Utility; and

WHEREAS, the Board has previously adopted water service rules to provide for the operation and maintenance of the city utility and for the provision of service to its customers; and

WHEREAS, the Utility is committed to providing customers safe, high quality drinking water through its public water supply system; and

WHEREAS, allowing external water sources to enter the public water supply system jeopardizes the ability of the Utility to provide the city with safe, high quality drinking water through its public water system and risks contamination to the public water system; and

WHEREAS, allowing customers to obtain water from sources other than the Utility’s service interferes with demand projections, capacity planning, capital expenditures, revenue financing, and rate stabilization; and

WHEREAS, the Board has reviewed the previously adopted water service rules and found them in need of certain amendments to ensure the water provided to the city through the public water system remains safe and of high quality;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Marshalltown Water Works, City of Marshalltown, State of Iowa, as follows:

Section 1. The service rules attached hereto are hereby approved and adopted, which service rules include changes to the Board’s policies and regulations for connection to and interconnection with the public water supply system, as provided in the documents attached hereto.

Section 2. Repealer Clause. All resolutions, parts of resolutions, or service rules adopted heretofore that conflict with these rules are hereby repealed insofar as such resolutions, parts of resolutions, or service rules conflict with these rules.

Section 3. Severability Clause. If any section, provision, or part of this resolution or the service rules adopted hereby shall be adjudged invalid or unconstitutional, then such adjudication shall not affect the validity of the resolution or service rules as a whole, and any section, provision, or part of the resolution or service rules that is not adjudged invalid or unconstitutional shall remain in full force and effect.

Section 4. Effective Date and Applicability. The service rules adopted hereby and attached hereto, unless otherwise provided by law, shall apply on and after November 26, 2024. This resolution shall be in full force and effect upon its passage unless otherwise provided by law.

Adopted and approved November 26, 2024.

Marshalltown Water Works,
Marshalltown, Iowa

(Seal)

Laura Eilers, Board Chair

Attest:

Board Secretary

BOARD SECRETARY'S CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF MARSHALL)

I, the undersigned Board Secretary of the Board of Trustees of Marshalltown Water Works, City of Marshalltown, State of Iowa, do hereby certify that attached is a true, correct and complete copy of the portion of the corporate records of the Board of Trustees showing proceedings of the Board, and the same is a true and complete copy of the action taken by the Board of said municipal utility with respect to said matter at the meeting held on the date indicated in the attachment; that said proceedings remain in full force and effect and have not been amended or rescinded in any way; that said meeting and all action thereat was duly and publicly held, with members of the public in attendance, in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Board of Trustees and the provisions of Chapter 21, Iowa Code, and upon reasonable advance notice to the public and media at least 24 hours prior to the commencement of the meeting as required by said law; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective municipal utility offices as indicated therein, that no Board vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City of Marshalltown or the right of the individuals named therein as officers to their respective positions.

Witness my hand and the Seal of Board of Trustees of Marshalltown Water Works hereto affixed this 26th day of November, 2024.

(Seal)

Board Secretary

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Recording at Work

Purpose

Marshalltown Water Works (MWW) is committed to providing a work environment that is open to the free expression of views and ideas. The purpose of this policy is to respect the privacy of other individuals in the workplace and to eliminate a chilling effect on the expression of views that may exist when one person is concerned that his or her conversation with another is being recorded. This concern can inhibit an open exchange of ideas and cultivate an atmosphere of distrust in the workplace. Unauthorized electronic surveillance of employees is disruptive to employee morale and inconsistent with the respectful treatment required of our employees.

Scope

This policy applies to all employees.

Policy

Marshalltown Water Works prohibits employee use of audio and video recording in the workplace, including camera-equipped phones, tablets and other devices. It is a violation of this policy to record conversations, phone calls, images, or organizational meetings with any recording device (including but not limited to a cellular telephone, PDA, digital recording device, digital camera, etc.) unless all parties to the conversation give their consent in advance of each recording instance or if it is approved by management for Water Works purposes. A violation of this policy will result in corrective action, up to and including termination of employment.

Additionally, in order to protect the confidentiality of our trade secrets, the sensitive consumer financial information in our possession, and our confidential business information (i.e., our confidential processes, techniques, and systems, our strategic business plans, and our non-public sales and profit data), employees are prohibited from taking photographs or making recordings in working areas at any time unless approved by management for Water Works purposes.

Marshalltown Water Works Monitoring

Marshalltown Water Works reserves the right to install security cameras in work areas for specific business reasons, such as security, theft protection or protection of proprietary information.

Marshalltown Water Works may find it necessary to monitor work areas with security cameras when there is a specific job- or business-related reason to do so. The Water Works will do so only after first ensuring that such action is in compliance with state and federal laws.

Employees should not have any expectation of privacy in work-related areas.

Employee privacy in nonwork areas will be respected to the extent possible. Marshalltown Water Works' reasonable suspicion of onsite drug use, physical abuse, theft or similar circumstances would be possible exceptions. Legal advice will be sought in advance in such rare cases where nonwork-area privacy must be compromised.

Employees should contact their supervisor or management if they have questions about this policy.

Nothing in this policy is intended to, nor should be construed to limit or interfere with employee rights as set forth under all applicable provisions of the National Labor Relations Act, including Section 7 and 8(a)(1) rights to organize and engage in protected, concerted activities regarding the terms and conditions of employment.

Nothing in this policy is intended to prohibit MWW or the public from their right to record open meetings as allowed by law.

EEO Statement and Non-Discrimination and Harassment Policy

Equal Opportunity Statement

Marshalltown Water Works (MWW) is committed to the principles of equal employment. We are committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment that is free of harassment, discrimination, or retaliation because of age, race, color, national origin, ancestry, religion, creed, sex, sexual orientation (including transgender status), gender identity or expression, pregnancy (including childbirth, lactation, and related medical conditions), physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws. MWW is dedicated to the fulfillment of this policy in regard to all aspects of employment, including but not limited to recruiting, hiring, placement, transfer, training, promotion, rates of pay, and other compensation, termination, and all other terms, conditions, and privileges of employment. As a matter of policy, MWW also prohibits inappropriate behavior regarding such legally protected classes or activities, even if such conduct does not rise to the level of unlawful harassment.

MWW will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy. MWW will take appropriate corrective action, if and where warranted. MWW prohibits retaliation against employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with any member of management.

Policy Against Workplace Harassment

Marshalltown Water Works has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age, race, color, national origin, ancestry, religion, creed, sex, sexual orientation (including transgender status), gender identity or expression, pregnancy (including childbirth, lactation, and related medical conditions), physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws. All forms of harassment of, or by, employees, management, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as business trips, business meetings, and business-related social events.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting

such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors
- Lewd or derogatory comments or jokes
- Comments regarding sexual behavior or the body of another
- Sexual innuendo and other vocal activity such as catcalls or whistles
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature
- Repeated requests for dates after being informed that interest is unwelcome
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to management or any government agency
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors
- Any unwanted physical touching or assaults, or blocking or impeding movements

Other Harassment

Other workplace harassment is verbal or physical conduct that creates a hostile work environment because of the individual's age, race, color, national origin, ancestry, religion, creed, sex, sexual orientation (including transgender status), gender identity or expression, pregnancy (including childbirth, lactation, and related medical conditions), physical or mental disability, genetic information (including testing and characteristics), veteran status, uniformed servicemember status, or any other status protected by federal, state, or local laws.

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories
- Written or graphic material that insults, stereotypes, or shows aversion or hostility towards an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace
- A display of symbols, slogans, or items that are associated with hate or intolerance towards any select group

Marshalltown Water Works Culture Policy

We all deserve to work in an environment where we are treated with dignity and respect. Marshalltown Water Works (MWW) is committed to creating such an environment because it brings out the full potential in each of us, which, in turn, contributes directly to our business success. We cannot afford to let anyone's talents go to waste.

Marshalltown Water Works is an equal employment/affirmative action employer and is committed to providing a workplace that is free of discrimination of all types from abusive, offensive or harassing behavior. Any employee who feels harassed or discriminated against should report the incident to his or her manager or any other manager.

All Marshalltown Water Works employees are also expected to support an inclusive workplace by adhering to the following conduct standards:

- Treat others with dignity and respect at all times.
- Report inappropriate behavior and comments that are discriminatory, harassing, abusive, offensive or unwelcome.
- Foster teamwork and employee participation, encouraging the representation of different employee perspectives.
- Seek out insights from employees with different experiences, perspectives and backgrounds.
- Avoid slang or idioms that might not translate across cultures.
- Support flexible work arrangements for co-workers with different needs, abilities and/or obligations.
- Be open-minded and listen when given constructive feedback regarding others' perception of your conduct.

Marshalltown Water Works will not tolerate discrimination, harassment or any behavior or language that is abusive, offensive or unwelcome.

Reporting Discrimination and Harassment

Employees are expected to report incidents that violate this policy. If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify any member of management. Early reporting is the key to preventing, resolving, and eliminating discrimination and harassment. Your complaint should be as detailed as possible, including names of all people involved and any witnesses.

MWW prohibits retaliation against employees who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination. Retaliation in violation of this policy by any employee, regardless of title or position, will be grounds for immediate discipline, up to and including termination.

We will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, we will retain the confidentiality of those who report suspected or alleged violations of the harassment policy; however, in order to conduct a complete

and fair investigation, and take appropriate corrective action(s), anonymity of the complainant or others cannot be guaranteed.

If the investigation concludes there has been a violation of MWW policy, MWW will take appropriate corrective action (including appropriate steps against any non-employees). Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and termination. If MWW determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, MWW may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped.

If any improper behavior continues after a complaint has been made under this policy, any member of management should be notified as soon as possible. In all cases, management will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

Initial complaints or reports of recurring activity may be made verbally or in writing and may be made outside regular work hours. Time spent reporting a complaint or participating in an investigation should be recorded as work time by non-exempt employees.

Nothing in this policy is intended to, nor should be construed to limit or interfere with employee rights as set forth under all applicable provisions of the National Labor Relations Act, including Section 7 and 8(a)(1) rights to organize and engage in protected, concerted activities regarding the terms and conditions of employment.