

# AUSTIN UTILITIES

## MINUTES OF MEETING

4:00 pm, January 17, 2023  
Date

Regular Meeting

Jeanne Sheehan/Kristin Johnson  
President

**Members Present:**

Kristin Johnson, President  
Jeanne Sheehan, Commissioner  
Jay Lutz, Commissioner  
Steve Greenman, Commissioner

**Others Present:**

Mark Nibaur, General Manager  
Alex Bumgardner, Utility Operations Director  
Dan Ulland, Employee Relations Director  
Ann Christianson, Finance Manager  
Kelly Lady, Marketing & Energy Services Manager

**Members Absent:**

Tom Baudler, Commissioner

Tom Dankert, City of Austin  
Craig Clark, City Administrator  
Jeff Austin, City Council & Port Authority

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President Jeanne Sheehan called the meeting to order.

Moved by Jay Lutz, seconded by Steve Greenman, to approve the meeting agenda. Approved unanimously.

Moved by Kristin Johnson, seconded by Jay Lutz, to approve the regular meeting minutes of December 14th, 2022 and the special meeting minutes of December 28th, 2022. Approved unanimously.

Moved by Steve Greenman, seconded by Jay Lutz, to approve the disbursements summary, accounts payable list, additional bills and expenses, and authorize warrants to be drawn for their payment. Approved unanimously.

Moved by Jay Lutz, seconded by Kristin Johnson, to adjourn the 2022 Board of Commissioners of the Austin Utilities. Sine Die. Approved unanimously.

The Secretary convened the 2023 Board of Commissioners of the Austin Utilities.

Austin City Recorder, Tom Dankert, performed the swearing in of Commissioners Jeanne Sheehan, and Steve Greenman. Both were reelected to serve a 4-year term as Commissioner.

Kristin Johnson was nominated as President and Jay Lutz as Vice President from among the Commission, for the ensuing year. (In accordance with Chapter XI, Section I, Austin City Charter). Vote taken and approved unanimously.

The Secretary stated the Board's nomination and election of the President and Vice President for 2023, after which, the new President of the Commission continued with the remaining business of the Commission.

Moved by Steve Greenman, seconded by Jeanne Sheehan, to appoint Mark Nibaur as Secretary to the Board for the ensuing year (in accordance with Chapter XI, Section 1, Austin City Charter). Approved unanimously.

President, Kristin Johnson, stated the Board's appointment of Mark Nibaur as Secretary to the Board, and directed the Secretary to note the members of the 2023 Board of Commissioners of the Austin Utilities. President Kristin Johnson, and Secretary Mark Nibaur will be official signers on all Austin Utilities checking accounts for 2023.

The Board renewed all appointments of Committee Members to the Personnel Committee: Jeanne Sheehan and Tom Baudler. The Budget Committee representatives will continue to be Kristin Johnson and Steve Greenman and the Mower County Water Management Committee representative will be Jay Lutz.

Mark Nibaur, General Manager, introduced Craig Clark, Austin City Administrator, and Jeff Austin, City Council and Port Authority Representative. Both joined the meeting to answer questions about the Creekside Business Park and the City of Austin's request to assist in recouping infrastructure costs. The 10 acre lot was sold to an existing Austin business that is planning to build and expand operations with the addition of 5 new employees. Discussion was held on setting precedent for future developments, the business mix intended for the park, and whether or not their would be an increase in electric load. Staff will continue to discuss the issue with the Port Authority. The matter was tabled.

Mark Nibaur, General Manager, presented the fourth quarter 2022 charge offs. A discussion was had about possibly increasing deposit amounts for new customers. Staff will collect more information for a future meeting. Moved by Jay Lutz, seconded by Jeanne Sheehan, to approved the charge offs as presented. Approved unanimously.

Ann Christianson, Finance Manager, presented Resolution No. 326, Designating Depositories for 2023. Moved by Jeanne Sheehan, seconded by Steve Greenman to approve Resolution No. 326 as presented. Roll call vote taken and approved 4 yeas to 0 nays.

Ann Christianson, Finance Manager, presented the annual insurance liability waiver stating AU does not waive the statutory limit. Moved by Jay Lutz, seconded by Jeanne Sheehan to approve the waiver at presented. Approved unanimously.

Ann Christianson also noted that AU's 2022 audit will be performed by CLA at a cost of \$21,300.

Dan Ulland, Employee Relations Director, presented AU policy changes. Due to the UAW and UFCW labor contract agreement, updates are needed to the policies on medical plan deductibles, health savings account matches, long term disability insurance, funeral leave, premium pay, vacations, retirement notices, and the BPS for 2023 reflecting the 6% salary increase. Moved by Jeanne Sheehan, seconded by Jay Lutz, to approve the policy changes as presented. Approved unanimously.

Mark Nibaur, General Manager, also updated the Board on the following:

- SMMPA
- Safety committee minutes
- Lady retirement
- Donovan retirement
- Maloney retirement

*Continued*

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The next regular Board meeting was scheduled for 4:00 pm, February 21st, 2023.

Moved by Steve Greenman, seconded by Jay Lutz, to enter a closed meeting to receive attorney-client privileged information pertaining to threatened litigation regarding a former employee and their separation from employment, pursuant to Minnesota Statute 13D.05 subdivision 3(b). Approved unanimously. Closed session begins at 5:20 pm.

Returned to open meeting at 6:20 pm.

Moved by Jeanne Sheehan, seconded by Jay Lutz, to adjourn. Approved unanimously. Adjourned 6:21 pm.

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President

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Secretary