

**SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT
P.O. BOX 215, ETNA, OH 43018**

**BOARD MEETING MINUTES
October 29, 2020**

1. OPENING

The October 29, 2020 Regular Board Meeting of the Southwest Licking Community Water and Sewer District was called to order by Mr. Kretzmann at 4:00p.m. The Pledge of Allegiance was led by Mr. Kretzmann. Mr. Kretzmann, Mr. Platte, and Mr. Hagy were present at roll call. Also present were Josephine Carrelli, and CJ Gilcher. The meeting was live streamed for public viewing.

2. ADOPTION OF AGENDA

Mr. Kretzmann made a motion, second by Mr. Platte, to approve the agenda as presented. Upon roll call vote, all voted aye. Motion carried. Agenda adopted.

3. APPROVAL OF MINUTES

Mr. Kretzmann made a motion, second by Mr. Platte to approve the minutes of the Regular Board Meeting of October 8, 2020 as presented. Upon roll call vote, all voted aye. Motion Carried.

Mr. Kretzmann made a motion, second by Mr. Platte to approve the minutes of the Audit Finance Meeting of October 8, 2020 as presented. Upon roll call vote, all voted aye. Motion Carried.

Mr. Kretzmann made a motion, second by Mr. Platte to approve the minutes of the Special Board Meeting of October 22, 2020 as presented. Upon roll call vote, all voted aye. Motion Carried.

4. PAYMENT OF BILLS

Mr. Kretzmann moved to approve payment of the bills as presented. Mr. Hagy seconded. Upon roll call vote, all voted aye. Motion carried.

5. COMMUNICATIONS

Mr. Gilcher stated he received a letter from The Building Industry Association of Central Ohio. They are requesting the District change their requirement that all utilities be installed before any testing is done on the water and sewer lines. The BIA says this delays them and the District is the only entity that requires this. Mr. Gilcher stated he recommends the District continue to follow the rules in place. He stated this

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was put into place because there were issues that were coming up when it was done the way the BIA is requesting. The Board discussed the rules and decided not to make any changes.

6. GENERAL MANAGER'S REPORT

RESOLUTION TO APPROVE ETNA NORTH PHASE 1 USE & HOOK UP:

Mr. Gilcher presented a resolution for the Board's consideration and approval:

RESOLUTION:

Mr. Kretzmann made a motion, second by Mr. Hagy.

R 2020-093

WHEREAS: THE DISTRICT ENTERED INTO A DEVELOPERS AGREEMENT WITH 70 EAST LOGISTICS CENTER, LLC. FOR THE ETNA NORTH, WATER AND SANITARY SEWER PROJECT ON JULY 30, 2019; AND

WHEREAS: 70 EAST LOGISTICS CENTER, LLC. HAS COMPLETED THE REQUIRED WATER AND SANITARY SEWER LINE IMPROVEMENTS TO THE SATISFACTION OF THE DISTRICT; AND

THE BOARD OF TRUSTEES APPROVES THE WATER AND SEWER INFRASTRUCTURE FOR USE AND HOOK UP FOR THE ETNA NORTH, WATER AND SANITARY SEWER PROJECT; AND

THAT IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS BOARD OF TRUSTEES CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD OF TRUSTEES, AND THAT ALL DELIBERATIONS OF THIS BOARD OF TRUSTEES AND OF ANY OF ITS COMMITTEES RESULTING IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH THE LAW, INCLUDING SECTION 121.22 OF THE REVISED CODE OF OHIO.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2020-093 WAS APPROVED.

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RESOLUTION TO APPROVE VARIANCE REQUEST OF THE SWL SCHOOL DISTRICT FOR THE NEW ATHLETIC BUILDING COMPLEX:

Mr. Gilcher presented a resolution for the Board's consideration and approval:

RESOLUTION:

Mr. Platte made a motion, second by Mr. Hagy.

R 2020-094

WHEREAS, the Southwest Licking School District (hereafter the "School District") is constructing a new athletic building (hereafter the "New Building") on parcel no. 010- 016700-00.00; and

WHEREAS, the School District has filed a variance request (hereafter "Variance Application") with respect to the provision of water services to the New Building as set forth on Exhibit "A" attached, whereby the School District seeks to vary from the requirements of the District Deposit, Fee and Charge Schedule Part III(D)(b) which requires that each new building constructed shall be metered and billed separately as delineated and described on Exhibit "A", which Variance Application, if granted, would permit the School District to avoid construction of approximately five hundred (500) lineal feet of water line as well as install a new water meter and meter pit, and allow the School District to connect into an existing water line extending from Watkins High School, thereafter reducing to a two (2) inch line pursuant to Option A set forth in said Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees as follows:

DUE TO THE UNIQUE SITE CONDITIONS AT PARCEL NUMBER 010-016700-00.00, CONDITIONAL APPROVAL OF VARIANCE APPLICATION OPTION A IS HEREBY GRANTED, CONTINGENT UPON PAYMENT BY THE SCHOOL DISTRICT OF ALL APPLICABLE CHARGES FOR A TWO (2) INCH METER NEW WATER SERVICE AND APPLICABLE SEWER CONNECTION CHARGES IN ACCORDANCE WITH THE DISTRICT'S DEPOSIT, FEE AND CHARGE SCHEDULE, PROVIDED, HOWEVER, THAT IN THE FUTURE EVENT THAT SAID NEW BUILDING IS EVER TRANSFERRED TO A NEW PARCEL OR IS TRANSFERRED TO ANY OWNER OTHER THAN THE SOUTHWEST LICKING SCHOOL DISTRICT, OR THE DISTRICT DETERMINES THAT OPTION A IS NO LONGER ACCEPTABLE DUE TO OPERATIONAL OR MAINTENANCE CONSIDERATIONS, THEN, AND IN THAT EVENT, THE SCHOOL DISTRICT SHALL BE OBLIGATED, UPON NOTICE BY THE DISTRICT, TO CONSTRUCT AND INSTALL SEPARATE FACILITIES AS PROVIDED FOR IN OPTION B OF SAID VARIANCE APPLICATION, AND TERMINATE THE PROVISION OF

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WATER SERVICES PURSUANT TO OPTION A.

IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE PASSAGE OF THIS ORDINANCE WERE PASSED IN AN OPEN MEETING OF THIS BOARD AND THAT ALL DELIBERATIONS OF THIS BOARD AND OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2020-094 AS APPROVED.

RESOLUTION TO APPROVE OWDA LOAN APPLICATION FOR THE HOLLOW ROAD PHASE I AND LEXINGTON WOODS BOOSTER STATION PROJECTS

Mr. Gilcher presented a resolution for the Board's consideration and approval:

RESOLUTION:

R 2020-095

Mr. Kretzmann made a motion, second by Mr. Platte.

A RESOLUTION AUTHORIZING LAWRENCE KRETZMANN, PRESIDENT, BOARD OF TRUSTEES, SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF THE HOLLOW ROAD WATERLINE EXTENSION, PHASE I AND LEXINGTON WOODS BOOSTER STATION PROJECTS BETWEEN THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY.

WHEREAS, the SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT (hereinafter referred to as the "LGA") desires to construct the Hollow Road Waterline Extension, Phase I and Lexington Woods Booster Station, and

WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as "OWDA") to finance the costs of the planning of such facilities in the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms;

NOW, THEREFORE, BE IT ORDAINED by the Board of the Southwest Licking Community Water and Sewer District:

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- Section 1. That the LGA hereby approves the construction of the aforesaid Hollow Road Waterline Extension, Phase I and Lexington Woods Booster Station in cooperation with the OWDA under the provisions, terms and conditions set forth in the “Cooperative Agreement For State Construction Project” as set forth in Exhibit A (the “Cooperative Agreement”) and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute such the Cooperative Agreement with the OWDA substantially in the form set forth in the Exhibit A.
- Section 2 That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution was passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.
- Section 3 That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Southwest Licking Community Water and Sewer District for the reason that the immediate construction of Hollow Road Waterline Extension, Phase I and Lexington Woods Booster Station at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing water; wherefore, this Resolution shall be in full force and effect from immediately after its passage.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2020-095 WAS APPROVED.

RESOLUTION TO APPROVE OWDA LOAN APPLICATION FOR THE HOLLOW ROAD PHASE 2 PROJECT:

Mr. Gilcher presented a resolution for the Board’s consideration and approval:

RESOLUTION:

R 2020-096

Mr. Platte made a motion, second by Mr. Hagy

A RESOLUTION AUTHORIZING LAWRENCE KRETZMANN, PRESIDENT, BOARD OF TRUSTEES, SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF THE HOLLOW ROAD WATERLINE EXTENSION, PHASE II PROJECT BETWEEN THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY.

WHEREAS, the SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT (hereinafter referred to as the “LGA”) desires to construct the Hollow Road Waterline Extension, Phase II, and

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WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as "OWDA") to finance the costs of the planning of such facilities in the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms;

NOW, THEREFORE, BE IT ORDAINED by the Board of the Southwest Licking Community Water and Sewer District:

- Section 1. That the LGA hereby approves the construction of the aforesaid Hollow Road Waterline Extension, Phase II in cooperation with the OWDA under the provisions, terms and conditions set forth in the "Cooperative Agreement For State Construction Project" as set forth in Exhibit A (the "Cooperative Agreement") and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute such the Cooperative Agreement with the OWDA substantially in the form set forth in the Exhibit A.
- Section 2 That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution was passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.
- Section 3 That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Southwest Licking Community Water and Sewer District for the reason that the immediate construction of Hollow Road Waterline Extension, Phase II at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing water; wherefore, this Resolution shall be in full force and effect from immediately after its passage.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2020-096 WAS APPROVED.

7. OFFICE MANAGER'S REPORT

Mrs. Carrelli presented a resolution for the Board's consideration and approval:

RESOLUTION:

Mr. Kretzmann made a motion, second by Mr. Hagy.

R 2020-097

RESOLUTION TO CERTIFY DELINQUENTS TO LICKING COUNTY AUDITOR

THAT IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS

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BOARD OF TRUSTEES CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THIS BOARD OF TRUSTEES, AND THAT ALL DELIBERATIONS OF THIS BOARD OF TRUSTEES AND OF ANY OF ITS COMMITTEES RESULTING IN SUCH FORMAL ACTION, WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH THE LAW, INCLUDING SECTION 121.22 OF THE REVISED CODE OF OHIO.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2020-097 WAS APPROVED.

Mrs. Carrelli presented a resolution for the Board's consideration and approval:

RESOLUTION:

Mr. Kretzmann made a motion, second by Mr. Hagy.

R 2020-098

BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:

- 1. THAT THE BOARD HEREBY REMOVED THE DEFERRED SEWER ASSESSMENT, AS IT HAS BEEN PAID IN FULL, AS TO THE FOLLOWING PROPERTY: PARCEL #010-017970-00.000, PROJECT #8008.**

**CHECK #20212239 DEFERRED ASSESSMENT: \$12,709.81
INTEREST: \$22,484.89
TOTAL: \$35,194.70**

- 2. THAT THE BOARD HEREBY REMOVED THE DEFERRED WATER ASSESSMENT, AS IT HAS BEEN PAID IN FULL, AS TO THE FOLLOWING PROPERTY: PARCEL #010-017970-00.000, PROJECT #8017.**

**CHECK #20212237 DEFERRED ASSESSMENT: \$7,903.06
INTEREST: \$13,286.66
TOTAL: \$21,189.72**

- 3. THAT THE BOARD HEREBY AUTHORIZES ALBERS & ALBERS TO RECORD AN UPDATED AFFIDAVIT OF FACT WITH THE LICKING COUNTY RECORDER'S OFFICE INDICATING THAT THE ASSESSMENT HAS BEEN PAID IN FULL.**
- 4. IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE PASSAGE OF THIS ORDINANCE WERE PASSED IN AN OPEN MEETING OF THIS BOARD AND**
- 5. THAT ALL DELIBERATIONS OF THIS BOARD AND OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTION WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL**

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6. REQUIREMENTS, INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

**UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2020-098
WAS APPROVED.**

Mrs. Carrelli stated there were 45 door tags left on Monday. 22 accounts were shut off for non-payment on Wednesday. She stated that only 5 of those remain off at this time.

8. ATTORNEY'S REPORT

Mr. Albers was not present at this meeting.

9. EXECUTIVE SESSION

There was no executive session.

10. TRUSTEES' COMMENTS

Mr. Platte received an email from Mr. Tom Fredericks. He stated that the District is working with Jersey Township and St. Albans on trying to extend service to their area. He stated that Mr. Albers is working on final agreements. Mr. Platte stated that Mr. Fredericks is requesting an explanation regarding changes that he wants. Mr. Platte stated that he has no interest in responding to Mr. Frederick's email as he feels that his request is out of line.

11. ADJOURNMENT

Mr. Platte made a motion, second by Mr. Hagy that the meeting would be adjourned. Upon Roll Call vote, all voted aye. The meeting was adjourned at 4:30p.m.

ATTEST:



CHARLES HAGY, SECRETARY

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BOARD MEETING

October 29, 2020 4:00pm (Streamed online for public viewing)

SIGN BELOW:

NAME

ADDRESS

PHONE