

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

**SPECIAL BOARD MEETING MINUTES
December 9, 2021**

1. OPENING

The December 9, 2021, Special Board Meeting of the Southwest Licking Community Water and Sewer District was called to order by Mr. Kretzmann at 2:00 p.m. Mr. Kretzmann, Mr. Platte, and Mr. Stepp were present at roll call. Also present were Josephine Carrelli, CJ Gilcher, Kathy Killen, Andrew King and those members of the public who signed the sign in sheet. The meeting was also live streamed for public viewing.

2. ADOPTION OF AGENDA

Mr. Kretzmann made a motion, second by Mr. Stepp, 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 Special Meeting of November 23, 2021, as presented and the minutes of the Regular Meeting of November 23, 2021.

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. Platte seconded. Upon roll call vote, all voted aye. Motion carried.

5. COMMUNICATIONS

There were no communications.

6. PUBLIC COMMENTS

Mr. Steve Holloway was present and wanted to state for the record that he is a member of the Licking County Planning Commission but is not here on their behalf. He stated he was at the meeting to learn a little more about the District's capacity and ability to serve new development mainly in the Etna area. He said he felt it was important to have that information as a member of the planning commission. He will call Mr. Gilcher directly and set up a time to have a conversation.

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Mr. David Hodge stated he has been working with the Langel family and wanted to be at the meeting to make sure the Board knew that he is not the enemy and is actively working with a group of property owners to set up mechanisms to hopefully assist with the financial portion of the relief sewer that Mr. Gilcher worked on with CDM Smith. He stated he would appreciate the opportunity to meet with each member individually to further discuss what he has been working on.

7. GENERAL MANAGER'S REPORT

HOLLOW ROAD WATERLINE EXTENSION PROJECT:

Mr. Gilcher stated they are moving forward with the final pay application for Phase I. Hydrostatic testing was completed in Phase II. They found 2 leaks that they are working to repair. The booster station is substantially complete and in service and they are trying to finalize the punch list items.

PATASKALA CORPORATE PARK SANITARY SEWER PROJECT UPDATE:

Mr. Gilcher stated the surveyors are out on that project and they are moving forward with design.

RESOLUTION TO APPROVE DEVELOPMENT AGREEMENT WITH DMK DEVELOPMENT-PATASKALA LLC:

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

RESOLUTION:

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

R 2021-108

RESOLUTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH DMK DEVELOPMENT – PATASKALA, LLC., FOR THE TRACTOR SUPPLY - PATASKALA PROJECT;

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

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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. 2021-108 WAS APPROVED.

RESOLUTION OF NECESSITY-CONSTRUCTION OF POTABLE WATER FACILITIES FOR THE HOLLOW ROAD WATERLINE EXTENSION PROJECT PHASES I & II:

Mr. Gilcher stated on the Summit and Cable Rd waterline extension project a voluntary 10 year assessment was offered to residents who wished to connect to the system and would like to offer the same option to the residents of the Hollow Rd project. There would be a 6 month time frame for them to choose the assessment option. There would also be an interest rate charged at 1.69% which is the financing fee for the District. The County also has a fee they charge to collect the amount on the taxes. A letter will be sent to those residential customers who would be affected.

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

RESOLUTION:

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

R 2021-109

RESOLUTION OF NECESSITY – CONSTRUCTION OF POTABLE WATER FACILITIES

RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT POTABLE WATER FACILITIES OF THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT, LICKING COUNTY, OHIO, TO BE KNOWN AS THE HOLLOW ROAD WATERLINE EXTENSION PROJECT PHASE 1 AND PHASE 2 (HEREAFTER THE "DISTRICT IMPROVEMENT PROJECT") STATING THE NATURE AND LOCATION OF THE PROJECT AND LOTS TO BE ASSESSED, APPROVING THE PLANS, SPECIFICATIONS, PROFILES AND ESTIMATES OF COST, STATING WHAT PORTION SHALL BE PAID BY ASSESSMENTS, STATING THE MODE OF PAYMENT AND NUMBER OF ANNUAL INSTALLMENTS, STATING WHETHER BONDS SHALL BE ISSUED IN ANTICIPATION OF THE ASSESSMENTS, AND ORDERING THE PREPARATION OF A LIST OF ESTIMATED ASSESSMENTS

WHEREAS, this Board of Trustees has heretofore established the Hollow Road Waterline Extension Project Phase 1 and Phase 2; and,

WHEREAS, Plans, Specifications, Profiles showing anticipated grade, and Estimates of Cost were prepared and thereafter construction of the District Improvement Project commenced; and,

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WHEREAS, property owners abutting the District Improvement Project may elect to the connect to the Improvements. Those property owners who elect to connect within six (6) months from the date of notification have the option to complete a Voluntary Assessment, as outlined in this Resolution; and,

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

1. That the Board hereby declares it necessary for the preservation and promotion of the public health, safety and welfare to construct potable water facilities within areas of Hollow Road for the Southwest Licking Community Water and Sewer District (hereafter, the "District Improvement Project"). The lots or parcels of land which are to be assessed as part of said District Improvement Project include all the lots and lands within the Improvement Area (hereafter, the "Improvement Area"), for which owners will sign in the future, a Petition, Statement, and Waiver for Voluntary Participation and Assessment (hereafter "Voluntary Assessment");
2. That this Board hereby approves the Plans, Specifications, Profiles showing anticipated grade, and Estimates of Costs of the proposed District Improvement Project, which are on file with the Secretary of this Board of Trustees at the offices of the District, for the construction of potable water facilities as prepared by the District's engineering consultant;
3. That the entire cost of the Project is presently estimated to be two million eight hundred eleven thousand seven hundred three dollars and fifty cents (\$2,811,703.50) for Phase 1 and one million one hundred eighty thousand three hundred sixty four dollars and sixty cents (\$1,180,364.60) for Phase 2; of said amount the District shall pay all costs associated with the Project and shall be reimbursed for the same from owners who execute Voluntary Assessments and/or pay tap fees for connection to such Project in the future. Owners will pay interest on such Voluntary Assessments at one and sixty-nine hundredths' percent (1.69%) interest, plus a one-time collection charge of three percent (3%) charged by the Licking County Auditors Office for collection of the same. Such Voluntary Assessments shall be collected as special assessments of the properties within the Improvement Area, which are hereby determined to be specially benefited by the Project;
4. That such special assessment shall be levied against such properties in accordance with the following method authorized in R.C. 6119.42.

One hundred percent (100%) of the costs being collected as Voluntary Assessments in the Improvement Area shall be assessed according to R.C. 6119.42(B), in proportion to the benefits which result from the Project, within the Improvement Area. Interest shall also be charged at a rate equivalent to that charged on the bonds, notes or other obligations issued in relation to the Project, currently estimated to be the rate of one and sixty-nine hundredths' percent (1.69%) per annum, for the ten (10) year assessment period.

5. That the mode of payment shall be the levy of Voluntary Assessments by the District against said properties, said assessments to be levied over a period of ten (10) years. The owner of any property within the Improvement Area who, subsequent to the adoption of this Resolution of Necessity wishes to connect such property to the water lines constructed pursuant to this Resolution of Necessity, or the owner of any property not within the area described and identified as the Improvement Area who, subsequent to the adoption of this Resolution, wishes to connect such property to the water lines constructed pursuant to this Resolution of Necessity, shall, prior to making any connection and prior to receipt of an District permit to do so, pay any applicable connection or tap fee or service fees to the

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District as set forth in the District Regulations or Deposit Fee and Charge Schedule, which said sum shall not be less than the amount that would have been assessed if the improved properties were within the Improvement Area, plus interest for the term of the assessment;

6. That bonds, notes in anticipation thereof, or other obligations shall be issued in anticipation of the collection of the Voluntary Assessments.
7. That there shall be prepared a list of Voluntary Assessments in accordance with the method of assessment set forth above showing the amount of the assessment against each lot or parcel of land to be assessed and that such list shall be filed in the office of the Secretary of the Board of Trustees.

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. 2021-109 WAS APPROVED.

8. OFFICE MANAGER'S REPORT

GENERAL LIABILITY INSURANCE RENEWAL:

Mrs. Carrelli stated there was a new piece of equipment added to the policy after the premium was determined and approved causing the premium to increase by \$184.00

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

RESOLUTION:

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

R 2021-110

1. **RESOLUTION TO ACCEPT AN INCREASE IN THE PREMIUM OF THE GENERAL LIABILITY INSURANCE PROPOSAL PRESENTED BY WICHERT INSURANCE FOR THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT FOR THE YEAR 2021, EFFECTIVE DECEMBER 25, 2021, IN THE AMOUNT OF \$184.00 DUE TO THE ADDITION OF A NEW PIECE OF EQUIPMENT TO THE POLICY MAKING THE TOTAL PREMIUM FOR 2022 \$75,701.00.**

THAT IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS BOARD OF TRUSTEES CONCERNING AND RELATING TO THE ADOPTION OF

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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. 2021-110 WAS APPROVED.

9. ATTORNEY'S REPORT

Mr. King stated he received a letter from an attorney representing Johnathan Wilcox in reference to the Smoke Creek area. He has reached out to that attorney and is now waiting to hear back again but there is a desire to move forward on the project.

He stated he has also continued conversations with Mr. Hodge regarding a possible TIF for about 6 properties in that area. He will continue to have those conversations as well.

He also continues to talk to the County regarding the funding that is available that the District is applying for. Mr. King also stated that the Timmons closing happened today.

10. EXECUTIVE SESSION

Mr. Kretzmann made a motion, second by Mr. Platte, to enter into executive session Pursuant to Ohio Revised Code 121.22 (G)(1) To consider the appointment, employment, dismissal, promotion, demotion or compensation of a public employee or official. The 3 board members, Mr. Gilcher, Mrs. Killen and were invited into the executive session.
AND

Pursuant to Ohio Revised Code 121.22 (G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. The 3 board members and Mr. King were included in the executive session and the District's attorney Matt Teetor joined via telephone.

Upon roll call vote, all voted aye.

Entered executive session at 2:27 p.m.

Mr. Kretzmann made a motion, second by Mr. Stepp to return from executive session. Upon roll call vote, all voted aye.

Returned from executive session at 3:12pm

Mr. Platte stated No resolution, rule, or formal action was taken during the executive sessions.

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11. TRUSTEES' COMMENTS

RESOLUTION:

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

R 2021-111

RESOLUTION TO PROMOTE JOSH HOLTON TO THE WASTEWATER TREATMENT SUPERVISOR POSITION AT \$42.00 PER HOUR, EFFECTIVE ON DECEMBER 20, 2021, AND SUBJECT TO A 180-DAY PROBATIONARY PERIOD.

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.

Mr. Gilcher stated that Mr. Holton is definitely deserving of the position, puts forth a lot of effort and always assists Mr. Gilcher as needed. He feels like this is a good thing for the District.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2021-111 WAS APPROVED.

Mr. Platte stated the Lt. Governor's office recently announced round 3 of the HB 168 funding. The District had submitted a request for the Pataskala JRS site and it was awarded grant funding in the amount of \$4.175 million. The total project is \$8 million. Mr. Platte congratulated Mr. Gilcher as he submitted the application on behalf of the District.

Mr. Stepp stated he is at least the second appointee from Etna to ask Etna Township to partner with the District in regards to financial contribution to the District. He stated Etna Township can divert taxes and pay trash bills but does not help the District in regards to infrastructure and that falls on the backs of the customers of the District. He is very supportive of development and wants to connect every customer and business who wants to connect as long as the District has the capacity to serve them but is not supportive of the current customers having to pay for that development. He stated most of the development we

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see is in Etna Township and he feels Etna Township has to partner in that infrastructure development in order for the development to proceed. He stated the Board needs to work with the incoming Trustees and Mr. Johnson to make that happen.

Mr. Kretzmann stated the rate study needs to be discussed in the near future to determine what rate adjustments need to be made. He asked if the other trustees wanted to have a special meeting to discuss this or just do it in a regular meeting.

Mr. Platte stated he has no preference either way. Mr. Platte also stated the tap and capacity fees need to be looked at as well to get the whole picture before the decision is made. The rate study just focused on the monthly billing revenue. Mr. Gilcher stated he is waiting on a scope of services to look at the tap and capacity fees and hopes to have it at the next meeting. This will be addressed after the first of the year when all the pertinent information is obtained.

12. ADJOURNMENT

Mr. Platte made a motion, second by Mr. Stepp that the meeting would be adjourned. Upon Roll Call vote, all voted aye. The meeting was adjourned at 3:21 p.m.

ATTEST:



TRENT STEPP, SECRETARY

**SWLCWSD
OFFICE REPORT
12/09/21**

1) Connection Fees Collected

	2019	2020	1st Qtr. 2021	2nd Qtr. 2021	3rd Qtr. 2021	4th Qtr. 2021	Total 2021
Water	\$1,475,649.52	\$1,748,566.72	\$693,098.50	\$1,135,495.70	\$637,879.93	\$562,191.44	\$3,028,665.57
Sewer	\$1,320,917.88	\$1,351,113.99	\$473,988.22	\$853,707.00	\$504,981.84	\$194,445.87	\$2,027,122.93
Total	\$2,796,567.40	\$3,099,680.71	\$1,167,086.72	\$1,989,202.70	\$1,142,861.77	\$756,637.31	\$5,055,788.50

2) Billing Charges

	2019	2020	1st Qtr 2021	2nd Qtr. 2021	3rd Qtr. 2021	4th Qtr. 2021	Total 2021
Water	\$2,723,072.58	\$2,797,884.12	\$692,733.08	\$757,185.18	\$807,024.43	\$524,113.91	\$2,781,056.60
Sewer	\$6,085,751.09	\$6,246,711.20	\$1,556,968.03	\$1,693,913.31	\$1,695,684.28	\$1,120,531.11	\$6,067,096.73
Total	\$8,808,823.67	\$9,044,595.32	\$2,249,701.11	\$2,451,098.49	\$2,502,708.71	\$1,644,645.02	\$8,848,153.33

3) Capacity Fees

	2019	2020	1st Qtr. 2021	2nd Qtr. 2021	3rd Qtr. 2021	4th Qtr. 2021	Total 2021
Water	\$99,555.30	\$185,357.50	\$17,722.50	\$62,897.50	\$36,280.00	\$0.00	\$116,900.00
Sewer	\$109,980.30	\$196,337.50	\$14,247.50	\$60,117.50	\$53,515.00	\$0.00	\$127,880.00
Total	\$209,535.60	\$381,695.00	\$31,970.00	\$123,015.00	\$89,795.00	\$0.00	\$244,780.00

4) Assessment Revenue

	2019	2020	2021	Total 2021
1st Half	\$695,562.52	\$472,378.86	\$302,195.30	\$302,195.30
2nd Half	\$547,574.19	\$370,687.93	\$249,139.14	\$249,139.14
	\$1,243,136.71	\$843,066.79	\$551,334.44	\$551,334.44

Cash in Bank	As of 12/07/21	As of 12/06/20
	\$22,910,908.41	\$17,535,728.47
*Does not allow for future expenses		
Loan Payment Due 07/01/22	\$3,000,000.00	\$3,200,000.00
Balance Available	\$19,910,908.41	\$14,335,728.47