

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

**BOARD MEETING MINUTES
December 29, 2022**

1. OPENING

The December 29, 2022, Regular Board Meeting of the Southwest Licking Community Water and Sewer District was called to order by Mr. Kretzmann at 2:00 p.m. The Pledge of Allegiance was led by Mr. Kretzmann. Mr. Kretzmann, Mr. Stepp, and Mrs. Carter were present at roll call. Also present were Josephine Carrelli, 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 Mrs. Carter, 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, seconded by Mr. Stepp to approve the meeting minutes from the December 8, 2022, Regular Meeting.

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

4. PAYMENT OF BILLS

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

5. COMMUNICATIONS

There were no communications to report.

6. PUBLIC COMMENTS

Mark Evans, speaking as a resident, requested the Board start to archive the recordings of the meetings. He said that even though the meetings are streamed, there are people who cannot watch them live and it would be nice to have the ability to go back and watch them.

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Mr. Evans also said he is aware that Mr. King, the current Chief Legal Counsel, will be leaving the District soon. Mr. Evans said he feels like it is an important position and hopes the Board will properly hire his replacement.

Mark Evans, speaking as an Etna Township Trustee, stated he has concerns about the expansion plans of the District. Mr. Evans said he is against implanting TIFS and JEDS to pay for the expansions because it takes money away from the schools and puts more pressure on the residents. He also stated the Etna Township Board appointed him to discuss sewer capacity issues and he was meeting with Mr. Platte in the past. He said Mr. Platte stopped meeting with him and he has had no further contact with anyone regarding the capacity issues. He said he thinks it is an important issue and requires everyone's cooperation.

Ryan Davis just wanted to ask if there was going to be a joint meeting scheduled. Mr. Kretzmann stated there is a space reserved for January 23 and the meeting is in the works.

Gary Burkholder welcomed Melissa Carter as the newest Board Member. Mr. Burkholder stated that he shared the same concerns as Mr. Evans regarding the expansion. He feels like there is a lack of transparency and accountability. He said he feels like there was a conflict of interest with Mr. Platte serving on the Board while also being Jersey Township Administrator and has some issues with the District's Chief Legal Counsel. He requests for any communication with the Etna Township Board of Trustees be communicated to the entire Board and not just the President, in executive session if necessary. Mr. Burkholder said it is a misnomer to say development will pay for development when TIFS are implemented because they divert money from the schools and public safety. He requests there to be more transparency, honesty, integrity and communication. He said there is so much being done behind the scenes, and they find out about it in the newspaper, and it is affecting their quality of life. Mr. Burkholder said he wants to see a joint meeting with all involved entities and thinks it is best for the community.

7. GENERAL MANAGER'S REPORT

Mr. Gilcher was not present. Mr. King presented his report.

RESOLUTION TO APPROVE-BILL OF SALE FOR THE WATER LINE FACILITIES IN 70 EAST LOGISTICS, PHASE II PROJECT:

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

RESOLUTION:

Mr. Kretzmann made a motion, second by Mrs. Carter.

R 2022-139

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1. **WHEREAS: THE DISTRICT ENTERED INTO A DEVELOPMENT AGREEMENT WITH AHS ETNA, LLC. FOR THE 70 EAST LOGISTICS – PHASE II PROJECT ON APRIL 8, 2021, AND**
2. **WHEREAS: STAG INDUSTRIAL HOLDINGS, LLC. ON BEHALF OF AHS ETNA, LLC. HAS COMPLETED ALL REMAINING PUNCH LIST ITEMS AND HAS FULLFILLED ITS CONTRACTUAL REQUIREMENTS REGARDING THE CONSTRUCTION OF THE WATER LINE INFRASTRUCTURE, AND**
3. **THEREFORE: THE BOARD OF TRUSTEES APPROVES OF SAID BILL OF SALE FOR THE WATER LINE FACILITIES IN 70 EAST LOGISTICS – PHASE II PROJECT, AND**
4. **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. 2022-139 WAS APPROVED.

RESOLUTION TO APPROVE-BILL OF SALE FOR THE SANITARY SEWER LINE FACILITIES IN 70 EAST LOGISTICS, PHASE II PROJECT:

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

RESOLUTION:

Mr. Kretzmann made a motion, second by Mrs. Carter.

R 2022-140

1. **WHEREAS: THE DISTRICT ENTERED INTO A DEVELOPMENT AGREEMENT WITH AHS ETNA, LLC. FOR THE 70 EAST LOGISTICS – PHASE II PROJECT ON APRIL 8, 2021, AND**
2. **WHEREAS: STAG INDUSTRIAL HOLDINGS, LLC. ON BEHALF OF AHS ETNA, LLC. HAS COMPLETED ALL REMAINING PUNCH LIST ITEMS AND HAS FULLFILLED ITS CONTRACTUAL REQUIREMENTS REGARDING THE CONSTRUCTION OF THE SANITARY SEWER LINE INFRASTRUCTURE, AND**
3. **THEREFORE: THE BOARD OF TRUSTEES APPROVES OF SAID BILL OF SALE FOR THE SANITARY SEWER LINE FACILITIES IN 70 EAST LOGISTICS – PHASE II PROJECT, AND**
4. **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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5. **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. 2022-140 WAS APPROVED.

RESOLUTION TO APPROVE- USE & HOOK UP FOR THE HOMESTEAD OF THE BORDERS PLACE, SECTION 3, PART 2 PROJECT:

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

RESOLUTION:

Mr. Kretzmann made a motion, second by Mrs. Carter.

R 2022-141

WHEREAS: THE DISTRICT ENTERED INTO A DEVELOPERS AGREEMENT WITH MARONDA HOMES, LLC. OF OHIO, FOR THE HOMESTEAD OF THE BORDERS PLACE, SECTION 3, PART 2 PROJECT ON MARCH 10, 2022; AND

WHEREAS: MARONDA HOMES, LLC. OF OHIO HAS COMPLETED THE REQUIRED WATER AND SANITARY SEWER LINE IMPROVEMENTS TO THE SATISFACTION OF THE DISTRICT; AND

THEREFORE: THE BOARD OF TRUSTEES GRANTS CONDITIONAL ACCEPTANCE AND HEREBY APPROVES THE WATER AND SEWER INFRASTRUCTURE FOR USE AND HOOK UP IN THE HOMESTEAD OF THE BORDERS PLACE, SECTION 3, PART 2 PROJECT; UPON COMPLIANCE WITH AND PROVISION OF ALL ITEMS REQUIRED IN DISTRICT RULES & REGULATIONS SECTIONS 609 AND 610; 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. 2022-141 WAS APPROVED.

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8. OFFICE MANAGER'S REPORT

ADMINISTRATIVE CLERK POSITION:

Mrs. Carrelli stated this would be discussed in the G1 executive session.

**RESOLUTION TO CERTIFY DELINQUENTS TO THE LICKING COUNTY
AUDITOR:**

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

RESOLUTION:

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

R 2022-142

**RESOLUTION TO CERTIFY DELINQUENTS TO THE LICKING COUNTY
AUDITOR AS ATTACHED.**

**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. 2022-142 WAS APPROVED.

WATER SHUT OFFS:

Mrs. Carrelli stated shut offs would be delayed to the first week of January, after the holidays. There were 142 notices sent out the first of December. She said 29 accounts remain on the list and door tags will be left on January 3, 2023, for those who have not paid. Shut offs will be January 5, 2023.

PARK NATIONAL BANK SIGNATURE FORMS:

Mrs. Carrelli stated she had forms for the Board Members to sign to authorize Melissa Carter to sign checks.

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9. ATTORNEY'S REPORT

Mr. King said he has had some conversations with the Mayor of Pataskala about the annual meeting that has been discussed in public comments. He said the meeting will be treated as an annual informative update. Pataskala has offered the use of the conference room at the police station. Monday, January 23 is being reserved at this time, but the Board can determine if that time and/or day will work. The meeting will be a Special Meeting of the Southwest Licking Community Water and Sewer District. He said there would not be an open question and answer session, but written questions could be submitted ahead of time.

He wanted to provide a brief explanation of the focus and purpose of the meeting.

Mr. King stated RCAP did a rate study in the past and over the course of the last year the District brought in Raftelis to take a more extensive look at the fees and rates and make some recommendations on how the TIFS and other financial mechanisms can help with the funding the expansion of the District. He said one of the big outcomes of that was putting the District on the path to eliminating the DE. He said reducing the DE to \$9.00 is the first step in that process. He said he has attended many meetings over the last year talking about all of this with many different entities and jurisdictions and he hopes the meeting on January 23 will help take all of that information and put it together in a format to help explain what the District is doing and why.

Mr. King wanted them to be aware of the meeting schedule in January as they still need to schedule the organizational meeting.

Mr. King stated the project in Union Township has continued. The JED formation hearings will occur in January. He said a letter was sent out to the businesses asking them what tap sizes they thought they would need so they can be prepared for what they need.

Mr. Stepp wanted clarification that the 2021 RCAP study did not take into consideration any of the financial mechanisms that have been looked at more recently and their recommendation was an immediate increase of 50% to our existing customers in 2021 which the Board did not think that reasonable to do. The 2022 rate study did look at expanding the customer base outside of the traditional geography of the District, using financial mechanisms to bring the infrastructure into place without cost to the existing customers, which is a much more palatable, 2%-5% increase over the next few years opposed to 50% increase immediately. He asked if his recollection of why the District chose to do additional rate studies was accurate.

Mr. King stated that yes, that was broadly and generally true. That was a significant part of Mr. Crea's presentation and when you look at the capital improvements over the next few years, through those revenues models, you have a different outcome then if you were trying to take on all that debt and carry it solely on the rates of the customers.

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10. EXECUTIVE SESSION

Mr. Kretzmann made a motion, second by Mr. Stepp, 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. King, and Mrs. Carrelli were included in 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

Pursuant to Ohio Revised Code 121.22 (G)(8) for negotiations with other political subdivisions respecting requests for economic assistance and the information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715 and sections 5709.73 to 5709.75, of the Revised Code and that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project. The 3 Board Members, and Mr. King were included in the executive session.

Upon roll call vote, all voted aye.

Entered executive session at 2:29 p.m.

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

Returned from executive session at 4:08 p.m.

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

11. TRUSTEES' COMMENTS

Mr. Kretzmann made a motion, seconded by Mrs. Carter, to schedule the Organizational Meeting for Thursday, January 5, 2023, at 4:00pm.

Upon roll call vote, all voted aye.

Mr. Kretzmann made a motion to, seconded by Mrs. Carter, to schedule a Special Meeting on January 23, 2023 at 6:30pm at the Pataskala Police Department conference room, for the purpose of an annual informative meeting.

Upon roll call vote, all voted aye.

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

RESOLUTION:

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

R 2022-143

RESOLUTION TO HIRE MICHELLE SHUMAKER FOR THE OFFICE ADMINISTRATIVE CLERK POSITION AT \$22.00 PER HOUR PENDING SUCCESSFUL BACKGROUND CHECK AND PRE-EMPLOYMENT DRUG SCREENING.

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. 2022-143 WAS APPROVED.

Mrs. Carter made a motion, seconded by Mr. Kretzmann, to direct Mr. King to solicit letters of interest for an economic development consultant.

Upon roll call vote, all voted aye.

Mr. Stepp wanted to state that the alternate reality that is out there he will let speak for himself. He said he has made himself available and will continue to do so. He said for the sake of transparency he is available at any time to meet with anyone who has any questions. He is an open book.

Mrs. Carter said she appreciates everyone's continued patience while she gets up to speed on everything and appreciates all the assistance she has received.

Mr., Kretzmann stated that this Board will always make themselves available and wished everyone a Happy New Year.

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12. ADJOURNMENT

Mrs. Carter 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 4:08 p.m.

ATTEST:



Melissa Carter, Secretary

**SWLCWSD
OFFICE REPORT
12/2922**

1) Connection Fees Collected

	2020	2021	1st Qtr. 2022	2nd Qtr. 2022	3rd Qtr. 2022	4th Qtr. 2022	Total 2022
Water	\$1,748,566.72	\$3,302,569.87	\$703,684.76	\$106,164.20	\$420,991.66	\$278,286.25	\$1,509,126.87
Sewer	\$1,351,113.99	\$2,160,023.93	\$396,249.60	\$114,795.20	\$472,264.17	\$144,327.55	\$1,127,636.52
Total	\$3,099,680.71	\$5,462,593.80	\$1,099,934.36	\$220,959.40	\$893,255.83	\$422,613.80	\$2,636,763.39

2) Billing Charges

	2020	2021	1st Qtr 2022	2nd Qtr. 2022	3rd Qtr. 2022	4th Qtr. 2022	Total 2022
Water	\$2,797,884.12	\$3,020,543.16	\$723,798.34	\$768,868.34	\$821,302.98	\$527,122.91	\$2,841,092.57
Sewer	\$6,246,711.20	\$6,596,057.67	\$1,609,156.07	\$1,665,348.79	\$1,718,216.87	\$1,133,302.87	\$6,126,024.60
Total	\$9,044,595.32	\$9,616,600.83	\$2,332,954.41	\$2,434,217.13	\$2,539,519.85	\$1,660,425.78	\$8,967,117.17

3) Capacity Fees

	2020	2021	1st Qtr. 2022	2nd Qtr. 2022	3rd Qtr. 2022	4th Qtr. 2022	Total 2022
Water	\$185,357.50	\$91,740.00	\$52,948.13	\$695.00	\$0.00	\$0.00	\$53,643.13
Sewer	\$196,337.50	\$84,095.00	\$52,948.12	\$695.00	\$0.00	\$0.00	\$53,643.12
Total	\$381,695.00	\$175,835.00	\$105,896.25	\$1,390.00	\$0.00	\$0.00	\$107,286.25

4) Assessment Revenue

	2020	2021	2022	Total 2022
1st Half	\$472,378.86	\$302,195.30	\$164,451.34	\$164,451.34
2nd Half	\$370,687.93	\$249,139.14	\$141,199.87	\$141,199.87
Total	\$843,066.79	\$551,334.44	\$305,651.21	\$305,651.21

Cash in Bank	As of 12/21/22	As of 12/20/21
	\$22,758,918.58	\$22,454,661.00
*Does not allow for future expenses		
Loan Payment Due 07/01/23	\$2,000,000.00	\$3,200,000.00
Balance Available	\$20,758,918.58	\$19,254,661.00