

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

**BOARD MEETING MINUTES
August 31, 2023**

1. OPENING

The August 31, 2023, Regular Board Meeting of the Southwest Licking Community Water and Sewer District was called to order by Mr. Kretzmann at 4:00 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 CJ Gilcher, Josephine Carrelli, Nick Eippert, Kathy Killen, Jim Roberts, 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, seconded by Mrs. Carter to approve the meeting minutes from the August 24, 2023, Special Meeting.

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

4. PAYMENT OF BILLS

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

5. COMMUNICATIONS

There were no communications.

6. PUBLIC COMMENTS

Rob Platte wanted to welcome and congratulate Mr. Roberts on joining the District and looks forward to working with him.

Gary Burkholder wanted to know if there were any updates on the TIF discussions between the District and Etna Township. He said he is aware of a meeting that occurred with Mr.

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Stepp, Mr. Platte, Etna Township President and the administrator from Etna Township and wanted an update on what was discussed in that meeting. He also wanted more information on the cost and financing of the Wagram Wastewater Treatment Center.

Mr. Stepp said he did attend a meeting at Etna Township that was pertaining to the District. Mr. Burkholder asked what was discussed and Mr. Stepp said it would probably be part of Mr. Platte's report.

Mr. Gilcher said he would be discussing financing during his report.

Mark Evans said he thinks the meetings should be archived so the people that are unable to attend or view while it is live can still go back and watch the meetings. He also asked Mr. Stepp about what he has done to update the Board bylaws to not allow elected officials from public subdivisions to appoint themselves to the District. Mr. Evans said Mr. Stepp said this was an initiative he had for 2023 that was presented in a meeting in 2022. He felt this was contradictory to Mr. Stepp asking to be reappointed to the water board early. He mentioned that he feels like Mr. Stepp also running for Etna Township Trustee is a conflict of interest and inappropriate.

Mr. Kretzmann introduced Mr. Jim Roberts as the new Executive Director.

Mr. Roberts thanked Mr. Kretzmann and said he is excited to become a part of the District and looks forward to the opportunity, thanked the Board, and looks forward to working with the team.

7. GENERAL MANAGER'S REPORT

RMP DEVELOPMENT UPDATE:

Mr. Platte said he continues to work with the District's legal counsel and Mr. Gilcher. He said he attended a meeting at Etna Township on August 25 with Ms. Hanson and Mr. Stepp to have an initial discussion on things he was aware of, but he did not have anything to report to the Board at this time. He said the Kirkersville project continues on and will provide updates as they become available. He also attended a Union Township/City of Heath JED meeting. He said this really was an excellent project that showcases to the residents how to get services extended and put revenue mechanisms in place. He said he is always happy to answer questions and thanked the Board for their time.

Mr. Stepp asked if there was a date for Kirkersville to meet again.

Mr. Platte said he is aware of a draft that has been going between their legal counsel and the District's legal counsel and there have been discussions on the project itself. He said it

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has now moved onto Village Council and they will continue to work on it.

Mr. Eippert said he has been working with the legal counsel for the Village of Kirkersville are in the process of reconciling edits and is waiting on a version to come back from him with any changes. He expects it to be presented to Village Council at the October meeting.

WAGRAM WASTEWATER TREATMENT CENTER PROJECT UPDATE:

Mr. Gilcher said it was in 2019 when they applied for the discharge permit for 1.5 million gallons per day. Since the Intel project was announced, the District requested a new amount of 2.5 million gallons per day. In 2022 he was told to wait until the PTI was ready for the NPDES permit modification. He said they just found out on 8/18 that the EPA is proposing new limits. That information was never communicated to the District and the facility as designed cannot meet those limits. He said he is having discussions with the engineer and the construction manager at risk to see what is needed to meet the new proposed limits. Additional treatment equipment will need to be added to consistently meet those limits. He said they are working with the agency to get a draft permit and the PTI agency is aware the District is on an extreme time crunch for this project and they have reached out to the funding agency that we are anticipating utilizing, the Ohio Water Development Authority, letting them know the application is coming and to please work with the District to make sure the project stays on track. He said the OWDA is working with the District. Mr. Gilcher said working with the CMAR and the design consultant, they have come up with a number that they believe is conservative, for the additional equipment needed to meet the proposed limits.

The guaranteed maximum price is now \$84,772,900.00.

Mr. Gilcher said he believes the best option is to move forward with the project and start the early site work and do the design/build on the additional equipment needed as they are doing that to make sure the project stays in line with the timeframe, which is still Spring 2026 for substantial completion.

Mr. Stepp asked if the limits were site specific and Mr. Gilcher said yes, each site is different and limits are specific to the site.

**RESOLUTION TO APPROVE AMENDED AGREEMENT WITH AECOM
TECHNICAL SERVICES FOR THE WAGRAM WASTEWATER TREATMENT
CENTER PROJECT:**

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

RESOLUTION:

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

R 2023-093

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WHEREAS: THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT HAS DETERMINED THE NEED TO DESIGN THE WAGRAM WASTEWATER TREATMENT FACILITY WITHIN ITS SERVICE TERRITORY TO SERVICE EXISTING AND FUTURE CUSTOMERS, AND;

WHEREAS: THE ACTING GENERAL MANAGER RECOMMENDS THAT THE DISTRICT AMEND THE ENGINEERING AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. TO PROVIDE DESIGN SERVICES AS DESCRIBED IN THE EXHIBIT A SCOPE OF SERVICES MODIFICATION ATTACHED HERETO; AND

THEREFORE: THE BOARD OF TRUSTEES APPROVES THE AMENDED ENGINEERING AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$3,103,565.00 AND HEREBY AUTHORIZES THE PRESIDENT OF THE BOARD OF TRUSTEES TO SIGN THE CONTRACT PENDING FINAL REVIEW BY DISTRICT LEGAL COUNSEL.

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. 2023-093 WAS APPROVED.

**RESOLUTION TO APPROVE CONSTRUCTION MANAGER AT RISK
GUARANTEED MAXIMUM PRICE AMENDMENT FOR THE WAGRAM
WASTEWATER TREATMENT CENTER PROJECT:**

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

RESOLUTION:

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

R 2023-094

**1. RESOLUTION TO APPROVE THE CONSTRUCTION MANAGER AT RISK'S
GUARANTEED MAXIMUM PRICE AMENDMENT FOR THE WAGRAM
WASTEWATER TREATMENT CENTER PROJECT.**

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2. THE BOARD AUTHORIZES LARRY KRETZMANN, BOARD PRESIDENT, TO EXECUTE THE CMAR'S GUARANTEED MAXIMUM PRICE AMENDMENT, SUBJECT TO APPROVAL OF THE DISTRICT'S DISCHARGE PERMIT AND PERMIT TO INSTALL FROM THE OHIO EPA AND SUBJECT TO APPROVAL OF FINANCING FROM THE OWDA.

3. 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. 2023-094 WAS APPROVED.

RESOLUTION TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR THE CONSTRUCTION OF THE NEW WASTEWATER TREATMENT CENTER-WAGRAM WWTC PROJECT-BETWEEN THE DISTRICT AND THE OHIO WATER DEVELOPMENT AUTHORITY:

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

RESOLUTION:

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

R 2023-095

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 NEW WASTEWATER TREATMENT CENTER – WAGRAM WWTC 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 NEW WASTEWATER TREATMENT CENTER – WAGRAM WWTC PROJECT, 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;

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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 NEW WASTEWATER TREATMENT CENTER – WAGRAM WWTC PROJECT 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 THE NEW WASTEWATER TREATMENT CENTER – WAGRAM WWTC PROJECT 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. 2023-095 WAS APPROVED.

RESOLUTION TO APPROVE DEVELOPMENT AGREEMENT WITH THE SOUTHWEST LICKING LOCAL SCHOOL DISTRICT FOR THE KIRKERSVILLE ELEMENTARY SCHOOL RENOVATION PROJECT:

Mr. Gilcher presented a resolution for the Board’s consideration and approval:
He said this will be adding fire protection services to the facility.

RESOLUTION:

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

R 2023-096

- 1. RESOLUTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH THE SOUTHWEST LICKING LOCAL SCHOOL DISTRICT FOR THE KIRKERSVILLE ELEMENTARY RENOVATION PROJECT;**
- 2. 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. 2023-096 WAS APPROVED.

RESOLUTION TO APPROVE DEVELOPMENT AGREEMENT WITH THE SOUTHWEST LICKING LOCAL SCHOOL DISTRICT FOR THE K-3 PROJECT:

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

RESOLUTION:

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

R 2023-097

RESOLUTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH THE SOUTHWEST LICKING LOCAL SCHOOL DISTRICT FOR THE WATKINS ROAD K-3 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 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. 2023-097 WAS APPROVED.

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8. OFFICE MANAGER'S REPORT

Mrs. Carrelli presented a copy of the shut off list. She said 54 door tags were left on Monday, 8/28. 11 customers were shut off on Wednesday, 8/30 and 5 of those had been turned back on already.

9. ATTORNEY'S REPORT

RESOLUTION TO AUTHORIZE SUBMISSION OF STAG GRANT AWARD APPLICATION FOR SR 161 WATER TOWER:

Mr. Eippert presented a resolution for the Board's consideration and approval: He said this was a grant that Mr. King applied for and received from Congress and some paperwork is required to be submitted to access those funds.

RESOLUTION:

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

R 2023-098

RESOLUTION TO AUTHORIZE THE SUBMISSION OF THE GRANT APPLICATION DOCUMENTS FOR THE STATE AND TRIBAL ASSISTANCE GRANT (STAG), WHICH WAS AWARDED BY CONGRESS FOR THE STATE ROUTE 161 WATER TOWER PROJECT.

THE BOARD AUTHORIZES THE BOARD PRESIDENT, EXECUTE THE REQUIRED AWARD APPLICATION DOCUMENTS FOR THE SUBMISSION OF THE STAG GRANT AWARD APPLICATION.

THAT 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. 2023-098 WAS APPROVED.

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RESOLUTION TO APPROVE PAYMENT TO RAYMOND AND SUSAN FOOR FOR LANDSCAPING DAMAGE:

Mr. Eippert presented a resolution for the Board's consideration and approval:
Mr. Gilcher said this was part of the Hollow Rd phase 1 project. A heavy rain washed sediment in their yard and Mr. Foor requested payment in lieu of the District attempting to do landscaping work.

RESOLUTION:

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

R 2023-099

RESOLUTION TO APPROVE PAYMENT OF \$500.00 FOR LANDSCAPING DAMAGE TO RAYMOND P. FOOR AND SUSAN P. FOOR AS A RESULT OF THE CONSTRUCTION AND INSTALLATION OF WATER LINE INFRASTRUCTURE.

THE BOARD AUTHORIZES THE PAYMENT OF A SUM OF \$500.00 TO RAYMOND P. FOOR AND SUSAN P. FOOR, FOR LANDSCAPING DAMAGE, SUBJECT TO THE DISTRICT'S RECEIPT OF A SIGNED WAIVER AND RELEASE OF LIABILITY.

THAT 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. 2023-099 WAS APPROVED.

RESOLUTION TO AUTHORIZE NOTICE OF INTENT TO ACQUIRE AND GOOD FAITH OFFER AND TO AUTHORIZE LEGAL COUNSEL TO TAKE NECESSARY STEPS FOR GALE EMERGENCY ACCESS ROAD:

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

Mr. Eippert provided pictures showing significant flooding at the Gale Road Wastewater treatment center. Mr. Eippert and Mr. Gilcher described how heavy rain fall has impacted the facility, driveway, and Gale Road such that access in or out of the facility is obstructed, stranding employees and critical equipment. Not only is the District concerned for its employees, but the District cannot get critical equipment out of the facility during a flooding emergency. This resolution is the first step in an appropriation process for an emergency access road on the adjacent property to the northwest of the facility, which would provide access out to Refugee Road allowing for safe ingress and egress for employees and equipment.

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RESOLUTION:

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

R 2023-100

RESOLUTION TO AUTHORIZE THE INTERIM GENERAL MANAGER TO TRANSMIT THE NOTICE OF INTENT TO ACQUIRE AND GOOD FAITH OFFER TO THE OWNER, AND TO AUTHORIZE LEGAL COUNSEL TO TAKE THE NECESSARY STEPS TO FILE

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AN APPROPRIATION ACTION IF THE DISTRICT IS UNABLE TO REACH AN AGREEMENT WITH THE OWNER.

WHEREAS, THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT (HEREIN, THE "DISTRICT") HAS DETERMINED THE NEED FOR AN EMERGENCY ACCESS ROAD TO THE WASTEWATER TREATMENT FACILITY LOCATED AT 8720 GALE ROAD SW, HEBRON, OHIO 43025, FOR THE PROTECTION OF PUBLIC HEALTH AND WELFARE; AND,

WHEREAS, THE DISTRICT DEEMS IT NECESSARY AS DESCRIBED HEREIN TO APPROPRIATE CERTAIN REAL PROPERTY FOR THE PURPOSE OF EMERGENCY ACCESS TO SAID WASTEWATER TREATMENT PLANT; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:

1. THAT THE BOARD DECLARES IT NECESSARY FOR THE PRESERVATION AND PROMOTION OF PUBLIC HEALTH, SAFETY AND WELFARE TO OWN REAL PROPERTY ABUTTING REFUGEE ROAD FOR EMERGENCY INGRESS AND EGRESS TO THE DISTRICT'S GALE ROAD WASTEWATER TREATMENT FACILITY. DUE TO FLOODING AND OTHER ADVERSE CONDITIONS, THE CURRENT GALE ROAD INGRESS AND EGRESS TO THE DISTRICT'S GALE ROAD WASTEWATER TREATMENT FACILITY CANNOT BE RELIED UPON TO PROVIDE ACCESS AT ALL TIMES.

2. IT IS THE INTENT OF THE DISTRICT TO APPROPRIATE, IN FEE, FOR SUCH PURPOSES, THE PROPERTY DESCRIBED IN THE ATTACHED EXHIBIT A, ATTACHED HERETO AND INCORPORATED HEREIN, WHICH IS A PORTION OF LICKING COUNTY PERMANENT PARCEL NUMBER 025-068964-00.004, THE OWNER OF SUCH PARCEL BEING C10 INVESTMENTS LLC, STATUTORY AGENT LORI ANDERSON, 2952 HELENA DRIVE NW, CARROLL, OHIO 43112 ("OWNER").

3. THAT THE BOARD HEREBY AUTHORIZES THE INTERIM GENERAL MANAGER TO TRANSMIT THE NOTICE OF INTENT TO ACQUIRE AND GOOD FAITH OFFER TO THE OWNER.

4. THAT THE BOARD HEREBY AUTHORIZES LEGAL COUNSEL TO FILE SUCH APPROPRIATION ACTION IN THE LICKING COUNTY COURT OF COMMON PLEAS, IF NECESSARY, IF THE DISTRICT IS UNABLE TO REACH AN PAGE 2 OF 2 AGREEMENT WITH THE OWNER FOLLOWING THE OWNER'S RECEIPT OF THE DISTRICT'S NOTICE OF INTENT TO ACQUIRE AND GOOD FAITH OFFER.

5. THAT THE BOARD HEREBY DECLARES SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$7,700.00) TO BE THE VALUE OF THE PROPERTY IT SEEKS TO APPROPRIATE AND ORDERS THAT SUCH AMOUNT BE DEPOSITED WITH THE COURT OF COMMON PLEAS UPON THE FILING OF THE APPROPRIATION ACTION.

6. 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.

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UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2023-100 WAS APPROVED.

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, promotion, demotion, or compensation of a public employee or official.

For this executive session, Chief Legal Counsel Nick Eippert, Mr. Gilcher, Mr. Roberts and the 3 board members were included. AND

Pursuant to Ohio Revised Code 121.22 (G)(8) for the purpose of considering confidential information related to negotiations with a political subdivision.

The information is directly related to a request for development assistance that is to be provided or administered under Chapter 715 of the Revised Code or involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

The board hereby determines that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

For this executive session, Interim General Manager, CJ Gilcher, and Chief Legal Counsel, Nick Eippert, Mr. Jim Roberts, and representatives from Jersey Township were requested to attend.

This Resolution must be approved by a unanimous vote of the quorum present, by roll call vote.

Upon roll call vote, all voted aye.

Entered executive session at 4:34 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 6:41 p.m.

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

11. TRUSTEES' COMMENTS

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RESOLUTION:

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

R 2023-101

RESOLUTION TO HIRE KYLE BRADY FOR THE WATER SYSTEM OPERATOR POSITION AT \$27.00 PER HOUR PENDING SUCCESSFUL BACKGROUND CHECK AND PRE-EMPLOYMENT DRUG SCREENING.

THAT 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. 2023-101 WAS APPROVED.

RESOLUTION:

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

R 2023-102

RESOLUTION TO HIRE TYLER DARR FOR THE WATER SYSTEM OPERATOR POSITION AT \$30.00 PER HOUR PENDING SUCCESSFUL BACKGROUND CHECK AND PRE-EMPLOYMENT DRUG SCREENING.

THAT 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. 2023-102 WAS APPROVED.

RESOLUTION:

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

R 2023-103

RESOLUTION TO DECLARE THE DISTRICT'S INTENT TO DELIVER JERSEY TOWNSHIP THREE HUNDRED AND FIFTY THOUSAND GALLONS OF WATER PER DAY ON OR BEFORE JULY 1, 2025.

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THE BOARD DECLARES INTENT TO DESIGN AND CONSTRUCT THE WATER SYSTEM IMPROVEMENTS NECESSARY TO PROVIDE JERSEY TOWNSHIP WITH THREE HUNDRED AND FIFTY THOUSAND GALLONS OF WATER PER DAY BY JULY 1, 2025, AND THEREAFTER, UPON COMPLETION OF ALL REQUISITE WATER SYSTEM IMPROVEMENTS, UP TO A MILLION GALLONS OF WATER PER DAY OF WATER CAPACITY.

THE BOARD AUTHORIZES THE CHIEF LEGAL COUNSEL TO NEGOTIATE AN AMENDMENT TO THE 2022 CONSTRUCTION, DEVELOPMENT, AND COMPENSATION AGREEMENT TO CLARIFY THE ECONOMIC DEVELOPMENT MECHANISMS FOR REPAYMENT TO THE DISTRICT OF PROJECT EXPENSES, AND TO PERMIT THE PARTIES TO EXECUTE THREE-PARTY DEVELOPMENT AGREEMENTS WITH PROSPECTIVE DEVELOPERS.

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.

DISCUSSION:

Mr. Kretzmann said this was a big commitment and is essential that we do our best for the District.

Mrs. Carter said she is concerned about the time constraints in the resolution. She believes that they put an enormous burden on the District and there is a large concern that we cannot meet the commitment and she does not think it is realistic.

UPON ROLL CALL VOTE, MR. STEPP AND MR. KRETZMANN VOTED AYE. MRS. CARTER VOTED NO. RESOLUTION NO. 2023-103 WAS APPROVED.

12. ADJOURNMENT

Mr. Stepp made a motion, second by Mrs. Carter that the meeting would be adjourned.

Upon Roll Call vote, all voted aye. The meeting was adjourned at 6:46 p.m.

ATTEST:



Melissa Carter, Secretary

**SWLCWSD
OFFICE REPORT
08/31/23**

1) Connection Fees Collected

	2021	2022	1st Qtr. 2023	2nd Qtr. 2023	3rd Qtr. 2023	4th Qtr. 2023	Total 2023
Water	\$3,302,569.87	\$1,509,126.87	\$57,750.97	\$636,596.80	\$195,070.10		\$889,417.87
Sewer	\$2,160,023.93	\$1,127,636.52	\$28,712.00	\$304,699.36	\$61,125.00		\$394,536.36
Total	\$5,462,593.80	\$2,636,763.39	\$86,462.97	\$941,296.16	\$256,195.10	\$0.00	\$1,283,954.23

2) Billing Charges

	2021	2022	1st Qtr. 2023	2nd Qtr. 2023	3rd Qtr. 2023	4th Qtr. 2023	Total 2023
Water	\$3,020,543.16	\$3,083,747.26	\$796,260.94	\$899,147.47	\$307,080.34		\$2,002,488.75
Sewer	\$6,596,057.67	\$6,661,980.99	\$1,645,164.51	\$1,745,700.12	\$587,297.41		\$3,978,162.04
Total	\$9,616,600.83	\$9,745,728.25	\$2,441,425.45	\$2,644,847.59	\$894,377.75	\$0.00	\$5,980,650.79

3) Capacity Fees

	2021	2022	1st Qtr. 2023	2nd Qtr. 2023	3rd Qtr. 2023	4th Qtr. 2023	Total 2023
Water	\$91,740.00	\$41,133.13	\$0.00	\$18,765.00	\$4,170.00		\$22,935.00
Sewer	\$84,095.00	\$40,438.12	\$0.00	\$96,075.50	\$4,170.00		\$100,245.50
Total	\$175,835.00	\$81,571.25	\$0.00	\$114,840.50	\$8,340.00	\$0.00	\$123,180.50

4) Assessment Revenue

	2021	2022	2023	Total 2023
1st Half	\$302,195.30	\$164,451.34	\$109,578.58	\$109,578.58
2nd Half	\$249,139.14	\$141,199.87	\$84,707.87	\$84,707.87
	\$551,334.44	\$305,651.21	\$194,286.45	\$194,286.45

Cash in Bank	As of 08/30/23	As of 08/29/22
	\$20,755,411.12	\$24,973,361.10
*Does not allow for future expenses		
Loan Payment Due 01/01/24	\$2,000,000.00	\$3,200,000.00
Balance Available	\$18,755,411.12	\$21,773,361.10