

**SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT
P.O. BOX 215, ETNA, OH 43018
(740) 927-0410**

**BOARD MEETING MINUTES
April 28, 2015**

1. OPENING

The April 28, 2015 meeting of the Board of Trustees of the Southwest Licking Community Water and Sewer District was called to order by Mr. Kretzmann at 6:00 pm. Mr. Kretzmann, Mr. Meade and Mr. Carlisle were present at roll call. Mr. Kretzmann led the Pledge of Allegiance. Also present were Mr. Don Rector, Ms. Rhonda Loomis, Mr. Gary Burkholder and Mr. Jim Duffy. Late arrival was Deb Gutman of Meegan Kennels.

2. ADOPTION OF AGENDA

Mr. Kretzmann made a Motion to adopt the Agenda. Mr. Carlisle seconded. Vote, all aye. The Agenda was adopted.

3. APPROVAL OF MINUTES

Mr. Carlisle moved to approve the minutes of the April 14, 2015 meeting with a correction on page 2, changing the wording from 408 Plan to 208 Plan. Mr. Kretzmann seconded. Vote, all aye. The minutes were approved as amended.

4. PAYMENT OF BILLS

Mr. Kretzmann made a Motion, which was seconded by Mr. Meade, to pay the bills as presented. Vote, all aye. The Motion to pay the bills was approved.

5. COMMUNICATIONS/WRITTEN PUBLIC COMMENTS

None.

6. PUBLIC COMMENTS

Deb Gutman, owner of Meegan Kennels at 5177 Watkins Road, states lives on the property as well. Had three items to discuss. 1. Confusing nature of the certified notices when a property is delinquent. Wishes the District to send another notice when the LCA pays the District. She was confused about a credit on her account. Feels the District's procedures are not clear for the consumer. She thought that the county paid it and she paid it. She saw the amount on her tax bill and couldn't understand why it was also there. Called customer service at the District and felt she got a good explanation. Suggests the District sends another letter when payment is received from the County. 2. Contesting the classification of the commercial status

on her property versus the residential status she had been in since she purchased it in 2005. She did receive a letter from the District in 2014 explaining that her status had been changed, however she didn't realize at that time the financial impact of the change in status from residential to commercial. She went from a flat rate to amounts as high as \$180.00 per month. She stated her business is very small, doesn't make a great deal a profit, and every dollar saved makes a big difference. When contacted the office she was told that the entire water/sewer was to be charged commercial. The property is zoned residential, taxed residential, the water line comes into the house and the meter is in the house. Contends the majority of sewer use comes from her home. At the kennel they do a little bit of laundry, only one toilet rarely used, her staff works only in 3 hour shifts. Very little water use at the kennel. At her home she stated they do a lot of laundry, two toilets, and they have a dishwasher. Ms. Gutman contends the majority of water use is from the residence and not the business. No fecal matter is rinsed into the sewer, it is picked up and disposed of off the property. All shampoos, etc. is biodegradable. The majority of water used is rinsing kennels with clean water, which they do twice a day. Feels not being treated equitably because her personal use of toilets and water at the residence is being charged commercial. She is asking for consideration to be returned to residential status. 3. The commercial status causes the need to have her residence entered every month by a District employee to read the meter which feels intrusive. Pataskala had installed the radio read program and she welcomed the change in meters. She has dogs that must be contained to allow the meter reader in. She asks at the very least the District work with Pataskala to retain the reads and stop the un-announced District inspector coming to her home if the Board will not consider the change from commercial to residential. If she were returned to residential this issue would resolve itself. She also felt the District could invest in an automatic reader on her meter.

Mr. Rector introduced himself as the GM and wanted to address the first point on the credit and the account and the certification process and asked the Office Manager to explain the procedure. Ms. Loomis explained that once the delinquent amount is certified to the LCA the amount comes off the account with the District to avoid double billing. The customer may have also paid the bill creating a credit on the account as the District had previously certified that amount to the taxes. The District receives payment from the LC Auditor twice a year, not upon receipt of the resolution certifying the delinquent amount. Ms. Loomis had also contacted the LC Auditor as when she first spoke to Ms. Gutman about her commercial status she stated the Auditor's site also showed a commercial status. Since then the Auditor's office reported to Ms. Loomis that Ms. Gutman had contacted them approximately six weeks prior to be reclassified. They stated to Ms. Loomis that they would be looking into the change more thoroughly. Ms. Loomis stated that the County's status doesn't change the District's stance on the commercial status. The District should be charging the residence as one flat rate sewer bill and the business as a commercial water and sewer bill. This should not be combined.

Ms. Gutman stated at this time she does not feel comfortable. Her understanding was that she would come to the Board for an open discussion. She then clarified Mr. Rector's name and

position and reiterated that the certification process is not clear to the consumer. Stated Ms. Loomis can take her position and dig in her heels, she is not contesting the bill, but the process which is not consumer friendly. Secondly, she is operating a home based business. She filed a conveyance in February 2005 when she purchased the property. The LC Auditor, per Ms. Gutman, erroneously did not change the classification from commercial to residential. It didn't bother her until recently when she found out that she has also been paying commercial taxes on the property and is in the process of working with council to resolve this. She states that the result of this staying commercial and having to pay commercial sewage would possibly put her out of business. She was hoping that reasonable minds here would look at the fact that 100% of the water usage does not represent commercial. It is not equitable to do so.

Mr. Carlisle said to the Office Manager's point, she was just presenting to the Board the process and Ms. Loomis was afforded the ability to give her side just as Ms. Gutman gave hers. There is open dialog. Mr. Carlisle then clarified that it was Pataskala water and SWLCWS District sewer. He asked for the cost for flat rate residential sewer to which Ms. Loomis advised \$61.96. The commercial properties are billed based on their water usage, for example ARC Fitness is billed on sewage from a meter on their well. He asked for an average of Meegan Kennel's sewer bill and it was narrowed down to approximately \$150.00 per month as an average with water use being between 10,000 – 20,000 gallons. Mr. Carlisle asked what the EPA says an average customer would use (two people in this residence) to which Mr. Rector stated EPA would estimate 5,000 gallons. Mr. Carlisle asked if she is saying that she uses more water at her residence than at the business. Ms. Gutman says it doesn't account for watering seven acres as an example. She says the summer months are higher and the Office Manager went through the month to month usage, which shows somewhat higher through the summer and the holiday times in the winter. Ms. Gutman agreed she is using more water at the kennel. Mr. Carlisle asked where the water goes. It goes down the sanitary sewer Ms. Gutman reported except for watering seven acres, which doesn't go down the sewer. So it was reiterated that the majority of the water is going down the sewer from the commercial property by Mr. Carlisle to Ms. Gutman. Mr. Carlisle asked where is the water going when she is rinsing, is it going down the sewer? She again said she believes it is.

Ms. Gutman understands the argument but states she was billed for nine years at the flat rate. She based her finances on that number, that flat rate.

Mr. Carlisle asked when the status changed, to which Ms. Gutman stated January 2014. Ms. Loomis explained the commercial audit done by the District to ensure equitable charges to all commercial properties.

Mr. Carlisle asked what she proposed. Ms. Gutman said she was hoping the status changed but it appeared it would not be happening so she wants the District to get the reads from Pataskala and not enter her home. Mr. Carlisle said he would not want her to go through the cost of separating

the two properties, however that would fix the situation of needing the read from the home meter.

Ms. Loomis explained the District inspector was just as uncomfortable bothering Ms. Gutman for the read and has offered to allow them to read the meter and bring the card back to him for billing purposes. They denied the District access altogether this month and therefore we are estimating it.

Mr. Carlisle asked if she could read it herself and send it in. Ms. Loomis stated that at some point the District would need to verify it. Ms. Gutman said could we just simply get the reads from Pataskala. Mr. Rector stated that we have worked to make that happen with Pataskala. Ms. Loomis read the email from the Service Director (with the Mayor and Utility Superintendent copied) of Pataskala that they would begin supplying reads on an every other month basis beginning in January 2015. No reads have been provided as of this date. Mr. Carlisle asked if she would like a copy of the correspondence and take it to Pataskala to help initiate the read share. Ms. Gutman said she could and would, but it might be better to go to the commissioners and state that the political entities are not playing well together and it is causing consumer hardship. She does not feel she should be in the middle, she is not a public official, but a consumer. Mr. Rector explained we are working on this issue and have been and hope to have some resolution and cooperation soon. We are no longer having to pay fifteen cents per read, but we are not receiving the reads.

Mr. Kretzmann stated that he understood Ms. Gutman's frustration with the certification process however the District is following the policies and procedures and until he became a trustee he too needed an education on what happens. Mr. Kretzmann explained that for nine years the kennel had been getting a heck of a bargain, but once the audit was complete and the correction made the District began following the policies and procedures in place for commercial properties.

Mr. Carlisle asked if a possible solution would be to allow her to call in or email the read on the months Pataskala did not supply it. Ms. Loomis said that would work. Ms. Gutman stated that would be a good first step. Mr. Carlisle stated it also helps with the District's stance with Pataskala to receive the reads. Ms. Gutman still wants the certification issue to be more customer friendly. Mr. Rector stated he will follow up with her on the certified process and its clarity, as well as Pataskala sending the reads as they stated.

Ms. Gutman stated she will continue to work with the county on her back taxes paid at a commercial rate she claims the county made in error in February 2005. Many home based businesses are billed residential. She appreciated the time with the Board and would like at minimum the privacy of her home back. She gave the Office Manager her email address to collect reads on the off months.

Gary Burkholder had a question as it pertained to the reads that Pataskala should be giving to the District as per the written agreement, resolution and email correspondence with the District. Has

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Mr. Meade ever questioned the City of Pataskala on why they have not provided the reads or has it been addressed at the Pataskala Utility Committee or full council. Mr. Meade stated he does not. Mr. Burkholder finds it ridiculous that Pataskala has not cooperated and caused extra staff time and a customer to have such a concern. This is the kind of thing that frustrates tax payers.

Mr. Duffy questioned the comment about getting Ms. Gutman getting a change to her tax status when operating a business, when he can't operate a business from his home. Mr. Duffy also questioned the General Manager about EPA making statements about lower the fluoride requirements to the drinking water and would that lead the District to stop adding fluoride. Mr. Rector stated the District will not be changing its procedures for fluoride. The fluoride standard is only reducing by 1/10 of a milligram.

7. GENERAL MANAGER'S REPORT

a. Presented a resolution for pay estimate #3 and OPWC disbursement request #3 for the drinking water well number 6 project. Pay estimate in the amount of \$44,880.62 to Layne Christensen Company. Mr. Carlisle made a motion, Mr. Kretzmann seconded the motion to approve Resolution #2015-024. Vote taken, all aye, resolution passes.

b. Mr. Rector stated Well #6 is moving along. The electric is being run and the water line in. The well is testing at 1100 gpm out of the new well.

c. Mr. Rector reported that the WWTP would be working extra hours the rest of the week to press sludge. They will be running that operation 24/7, the bin is full from the winter and needs dealt with now. Mr. Kretzmann asked if there were customers/fields. Mr. Rector stated we are looking for fields.

8. OFFICE MANAGER'S REPORT

a. Ms. Loomis presented Resolution #2015-025 to certify delinquent services to the Licking County Auditor's office. Mr. Kretzmann made the motion, Mr. Meade seconded it. Vote taken, all ayes. Resolution passed.

b. Ms. Loomis presented the shut off list for the Trustee's review. She reported 41 tags delivered Monday, April 27 for shut off slated on Wednesday, April 29th.

9. ATTORNEY'S REPORT

None.

10. EXECUTIVE SESSION

None.

11. ADDITIONAL PUBLIC COMMENTS

Mr. Burkholder had a question for the Etna Township representative, Mr. Carlisle. If Etna township implements a new JEDD or JEDZ would he be in support of sharing funds with the District, to which Mr. Carlisle replied not intending to. Mr. Burkholder asked why and Mr. Carlisle replied they had not had the discussion yet. Mr. Burkholder recalled when he was District Trustee that Etna was adamant the township would not share the revenue and wanted to clarify that would still be intent. Mr. Burkholder asked Mr. Carlisle if Etna was going to be pursuing another JEDD or JEDZ and Mr. Carlisle replied in the affirmative. Mr. Burkholder asked if this would be done in a public meeting versus executive session, Mr. Carlisle replied in the affirmative. Mr. Burkholder asked if he knew when Etna would pursue the possibility, Mr. Carlisle he did not know the timing. Mr. Burkholder asked for justification for not sharing with the District and Mr. Carlisle replied that was his opinion. Mr. Burkholder stated that satisfied his questions.

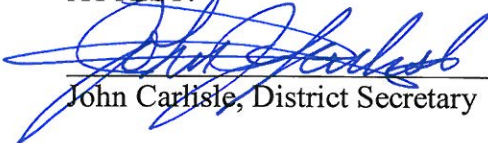
2. **TRUSTEE COMMENTS**

None.

13. **ADJOURNMENT**

Mr. Carlisle made a Motion to adjourn. Mr. Meade seconded. Upon roll call vote, all voted aye. The meeting adjourned at 6:44 pm.

ATTEST:



John Carlisle, District Secretary