

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

**BOARD MEETING MINUTES  
March 31, 2015**

**1. OPENING**

The March 31, 2015 meeting of the Board of Trustees of the Southwest Licking Community Water and Sewer District was called to order by Mr. Kretzmann at 1:00 pm. Mr. Kretzmann, Mr. Carlisle and Mr. Meade were present at roll call. Mr. Kretzmann led the Pledge of Allegiance. Also present were Mr. C.J. Gilcher (present on behalf of Mr. Don Rector), Ms. Rhonda Loomis and Ms. Bobbie O'Keefe.

**2. ADOPTION OF AGENDA**

Mr. Kretzmann moved to approve the agenda. Mr. Carlisle seconded. Vote, all aye. The agenda was adopted.

**3. APPROVAL OF MINUTES**

Mr. Meade moved to approve the minutes of the March 10, 2015 meeting. Mr. Kretzmann seconded. Upon call for the vote, Mr. Kretzmann and Mr. Meade voted aye. Mr. Carlisle abstained due to his absence from the meeting. The minutes were approved.

**4. PAYMENT OF BILLS**

Mr. Kretzmann moved to approve payment of the bills as presented. Mr. Carlisle seconded. Vote, all aye. The motion to pay the bills was approved.

**5. COMMUNICATIONS/WRITTEN PUBLIC COMMENTS**

The board acknowledged the letter from The Works Museum, which thanked Mr. Rector and other staff from the district for their participation in the program this year.

**6. PUBLIC COMMENTS**

None.

**7. GENERAL MANAGER'S REPORT**

a. Pay Estimate No. 2 for Well No. 6 Project: Mr. Gilcher presented Resolution No. 2015-020 to approve payment of Pay Estimate No. 2 and OPWC Disbursement Request No. 2 in the amount of \$81,160.39 to Layne Christensen Company. Mr. Carlisle made a motion to

approve Resolution No. 2015-020, and Mr. Kretzmann seconded the motion. Upon roll call vote, all voted aye. Resolution No. 2015-020 was approved. Mr. Gilcher also stated that the project is approximately 20 percent complete. He estimated that within the next few days the contractor will start work on the line between Wells 5 and 6.

b. Water Treatment Plant Flow Data: Mr. Gilcher circulated a report showing the 2013, 2014 and January 2015 flow data per MGD from the York Road Water Treatment Plant. He stated that the flows are increasing each year.

c. Tap Fee Report: Mr. Gilcher stated that the Tap Fee Report had been distributed to the board in its packet. He also reported that a tap for a spec home in Cumberland Trail Section 5 has been requested and that the Prologis project will be going forward.

## **8. OFFICE MANAGER'S REPORT**

a. Resolution to Reimburse the Insurance Deductible to Brandon Craddolph: Ms. Loomis presented Resolution No. 2015-021 to reimburse Brandon Craddolph \$500.00, which is his insurance deductible, as a result of sewer back-ups in his home that occurred on March 29, 2013 and June 28, 2014, with the back-ups being caused by a fiber optic line bore into a service lateral and a heavy rain event. Mr. Carlisle made the motion to approve Resolution No. 2015-021 and Mr. Kretzmann seconded. Mr. Meade asked why the property owner waited so long to request the reimbursement. Ms. Loomis and Ms. O'Keefe discussed the two year statute of limitations on filing claims of this type. Ms. Loomis further explained that, although the district has no liability on these claims due to sovereign immunity, the district has approved reimbursement of a property owner's deductible for sewer back-ups as a "good will gesture," if the property owner signs a waiver and provides a copy of proof of payment to the insurance company of the deductible. Mr. Craddolph provided this documentation and signed the waiver. Upon roll call vote, all voted aye. Resolution No. 2015-021 was approved.

b. Resolution to Certify Delinquent Charges to the Auditor: Ms. Loomis presented Resolution No. 2015-022 to certify delinquent charges to the Licking County Auditor for payment. She stated that the customer at 175 Warwood paid the charges after the list was created, and this customer's account will not be included in the certification resolution. Mr. Carlisle moved to approve Resolution No. 2015-022. Mr. Kretzmann seconded. Upon roll call vote, all voted aye. Resolution No. 2015-022 was approved.

## **9. ATTORNEY'S REPORT**

None.

**10. EXECUTIVE SESSION**

Mr. Kretzmann made a Motion to go into Executive Session to discuss pending litigation. Mr. Meade seconded the Motion. Upon roll call vote, all voted aye. The board went into Executive Session at 1:15 pm.

Mr. Kretzmann made a Motion to come out of Executive Session. Mr. Meade seconded the Motion. Upon roll call vote, all voted aye. The board came out of Executive Session at 1:36 pm.

Ms. O'Keefe then presented Resolution No. 2015-023 for consideration by the board. The Resolution provides that the district authorize the preparation and filing of the required notices to commence arbitration of its disputes with the City of Pataskala according to the Commercial Arbitration Rules of the American Arbitration Association, and to authorize the expenditure of \$3,200 to be paid to the AAA as the arbitration filing fee. Mr. Kretzmann moved to approve Resolution No. 2015-023 and Mr. Meade seconded the motion. Mr. Carlisle then asked Mr. Kretzmann whether he believed arbitration was the appropriate step to take at this time, and whether he believed continued mediation would be successful. Mr. Kretzmann responded by stating that he hoped the conversations with Pataskala would be ongoing but that mediation did not result in an agreement, and that arbitration was the next step in accelerating the resolution of the disputes with the City of Pataskala. Upon roll call vote, all voted aye. Resolution No. 2015-023 was approved.

Mr. Kretzmann then made a motion to approve payment of Check No. 5049 in the amount of \$3,200 to the American Arbitration Association for the arbitration filing fee. Mr. Carlisle seconded the motion. Vote, all aye. The payment was approved.

**11. ADDITIONAL PUBLIC COMMENTS**

None.

**12. 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 1:45 pm.

ATTEST:

  
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John Carlisle, District Secretary