

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

**BOARD MEETING MINUTES  
April 25, 2024**

**1. OPENING**

The April 25, 2024, 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, Nick Eippert, Josephine Carrelli, Kathy Killen, 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. Gilcher removed the bill of sale resolutions for Etna Parcel 5 land project. He did not receive them.

Mr. Stepp made a motion, second by Mrs. Carter, to approve the agenda as amended. 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 April 11, 2024, Regular 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 to report.

**6. PUBLIC COMMENTS**

Dave Lipstreu suggested to add Board Members names, terms, compensation and how they are appointed to the website.

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**7. OPERATIONS DIRECTOR'S REPORT**

**RMP DEVELOPMENT UPDATE:**

Mr. Platte said he continues to work with staff on various projects. He wanted to mention that the capital improvement project plan continues to move forward. He has been speaking with Mr. Crea and staff to get the funding models and different scenarios together on how the Board could finance those and work with local governments to make those projects happen. Mr. Platte is also working on funding scenarios with Montrose as well as District staff in the event the Referendum is not successful, they will be ready to move forward when Kirkersville is ready.

**REFUGEE ROAD LIFT STATION PROJECT UPDATE:**

Mr. Gilcher provided the following update:  
The new lift station is nearing completion. It was placed in service last week. The line was severed from the old lift station yesterday so it is no longer in use. He is working with AMH and the contractor to work on the punch list items but the new lift station is online and functional.

**RESOLUTION TO APPROVE-BILL OF SALE FOR THE CARTER LUMBER-ETNA, OHIO PROJECT-WATER:**

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

**RESOLUTION:**

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

**R 2024-048**

- 1. WHEREAS THE DISTRICT ENTERED INTO A DEVELOPMENT AGREEMENT WITH THE CARTER-JONES LUMBER COMPANY FOR THE CARTER LUMBER-ETNA, OHIO PROJECT ON JULY 29, 2021, AND**
- 2. WHEREAS THE CARTER-JONES LUMBER COMPANY HAS COMPLETED ALL REMAINING PUNCH LIST ITEMS AND HAS FULLFILLED ITS CONTRACTUAL REQUIREMENTS REGARDING THE CONSTRUCTION OF THE WATER LINE INFRASTRUCTURE, AND**

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3. **THEREFORE THE BOARD OF TRUSTEES APPROVES OF SAID BILL OF SALE FOR THE WATER LINE FACILITIES IN THE CARTER LUMBER-ETNA, OHIO 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. 2024-048 WAS APPROVED.**

**RESOLUTION TO APPROVE-BILL OF SALE FOR THE CARTER LUMBER-ETNA, OHIO PROJECT-SANITARY SEWER:**

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

**RESOLUTION:**

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

**R 2024-049**

1. **WHEREAS THE DISTRICT ENTERED INTO A DEVELOPMENT AGREEMENT WITH THE CARTER-JONES LUMBER COMPANY FOR THE CARTER LUMBER-ETNA, OHIO PROJECT ON JULY 29, 2021, AND**
2. **WHEREAS THE CARTER-JONES LUMBER COMPANY 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 THE CARTER LUMBER-ETNA, OHIO 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. 2024-049 WAS APPROVED.**

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**RESOLUTION TO APPROVE-USE & HOOKUP FOR THE ROYAL ACRES SECTION 2, PHASE 2 PROJECT:**

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

**RESOLUTION:**

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

**R 2024-050**

**WHEREAS: THE DISTRICT ENTERED INTO A DEVELOPERS AGREEMENT WITH CCBI HOMES FOR THE ROYAL ACRES SECTION 2, PHASE 2 PROJECT ON JUNE 9, 2022; AND**

**WHEREAS: CCBI HOMES 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 ROYAL ACRES SECTION 2, PHASE 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. 2024-050 WAS APPROVED.**

**RESOLUTION TO AUTHORIZE A COOPERATIVE AGREEMENT WITH THE OWDA FOR THE UNION TOWNSHIP WATERLINE EXTENSION PROJECT:**

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

**RESOLUTION:**

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

**R 2024-051**

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**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 UNION TOWNSHIP WATERLINE EXTENSION 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 UNION TOWNSHIP WATERLINE EXTENSION 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;**

**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 UNION TOWNSHIP WATERLINE EXTENSION 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 UNION TOWNSHIP WATERLINE EXTENSION 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. 2024-051 WAS APPROVED.**

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**8. OFFICE MANAGER'S REPORT**

**RESOLUTION TO CERTIFY DELINQUENT CHARGES TO THE LICKING COUNTY AUDITOR:**

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

**RESOLUTION:**

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

**R 2024-052**

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

**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. 2024-052 WAS APPROVED.**

**WATER SHUT OFFS:**

Mrs. Carrelli said there were 164 notices mailed out this month and 50 accounts remain on the list. Door tags will be left on Monday and shut offs are scheduled for Wednesday, May 1, 2024.

**9. ATTORNEY'S REPORT:**

Mr. Eippert said he would be presenting two resolutions for promissory notes for two residents in Kirkersville. They both have wells that have ran dry and are in need of water. The promissory notes will be presented to them if approved today.

Mr. Kretzmann said he had a concern with not charging interest for the promissory notes as he said he did not want to set a precedent. He said the interest could always be forgiven later if the Board chooses to do that but did not want to set a precedent by not charging interest.

Mrs. Carter asked if we have done promissory notes in the past and if so, were they charged interest. Mr. Gilcher said yes, we have, and we have charged interest.

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The rate was 4%. She asked what the thought process was on making these promissory notes interest free.

Mr. Gilcher said he and Mr. Roberts discussed that if the referendum were not being pursued, the residents would be getting the tap for no cost. He said the thought was to try and help them out and make it similar to the cost that would be incurred if the referendum were not being pursued.

Mr. Stepp asked if any fees would be refundable if the referendum fails. Mr. Gilcher said no, tap and capacity fees are not refundable. Mr. Stepp said he agreed with Mr. Kretzmann in general regarding charging interest on promissory notes but that this particular situation is different.

Mr. Eippert clarified that these residents would be paying the entire promissory note even if the referendum does not move forward as the agreement that was approved with the Village would not allow that.

Mrs. Carter said she understood the desire to not set a precedent but said that this particular situation is unique because if the referendum does not go through, the residents would obtain a tap for no cost.

**RESOLUTION TO APPROVE PROMISSORY NOTE-MOODY.:**

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

**RESOLUTION:**

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

**R 2024-053**

**RESOLUTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO OFFER THE ATTACHED PROMISSORY NOTE TO WESLEY R. MOODY AND TO AUTHORIZE THE BOARD PRESIDENT TO EXECUTE THE INSTRUMENT, CONDITIONED UPON ACCEPTANCE.**

**BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:**

- 1. THE BOARD AUTHORIZES THE EXECUTIVE DIRECTOR TO OFFER THE ATTACHED PROMISSORY NOTE FOR THE AMOUNT OF THE COST OF A ¾ INCH RESIDENTIAL TAP AND ALL ASSOCIATED FEES PRESCRIBED IN THE DISTRICT'S RULES AND REGULATIONS TO MR. WESLEY MOODY, WHICH SHALL BE REPAID IN FIVE ANNUAL INSTALLMENTS.**
- 2 THE BOARD AUTHORIZES THE BOARD PRESIDENT TO EXECUTE A PROMISSORY NOTE, CONDITIONED UPON ACCEPTANCE BY MR. MOODY, AND SUBJECT TO FINAL LEGAL REVIEW.**
- 3. 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**

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**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 OHIO REVISED CODE.**

**UPON ROLL CALL VOTE, MR. STEPP AND MRS. CARTER VOTED AYE. MR. KRETZMANN VOTED NO. RESOLUTION NO. 2024-053 WAS APPROVED.**

**RESOLUTION TO APPROVE PROMISSORY NOTE-CLARK:**

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

**RESOLUTION:**

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

**R 2024-054**

**RESOLUTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO OFFER THE ATTACHED PROMISSORY NOTE TO JOHN R. CLARK, JR. AND TO AUTHORIZE THE BOARD PRESIDENT TO EXECUTE THE INSTRUMENT, CONDITIONED UPON ACCEPTANCE.**

**BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:**

- 1. THE BOARD AUTHORIZES THE EXECUTIVE DIRECTOR TO OFFER THE ATTACHED PROMISSORY NOTE FOR THE AMOUNT OF THE COST OF A ¾ INCH RESIDENTIAL TAP AND ALL ASSOCIATED FEES PRESCRIBED IN THE DISTRICT'S RULES AND REGULATIONS TO MR. JOHN R. CLARK, JR., WHICH SHALL BE REPAID IN FIVE ANNUAL INSTALLMENTS.**
- 2. THE BOARD AUTHORIZES THE BOARD PRESIDENT TO EXECUTE A PROMISSORY NOTE, CONDITIONED UPON ACCEPTANCE BY MR. CLARK, AND SUBJECT TO FINAL LEGAL REVIEW.**
- 3. 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 OHIO REVISED CODE.**

**UPON ROLL CALL VOTE, MR. STEPP AND MRS. CARTER VOTED AYE. MR. KRETZMANN VOTED NO. RESOLUTION NO. 2024-054 WAS APPROVED.**

Mr. Eippert said he wanted to mention that we received the dismissals for all of the Carlisle cases This week so in the eyes of the court, this is finally closed. All 3 cases have been dismissed with prejudice meaning they cannot be filed again.



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**10. EXECUTIVE SESSION**

There was no executive session.

**11. TRUSTEES' COMMENTS**

Mrs. Carter said she would not be able to attend the May 9, 2024, board meeting. Mr. Kretzmann asked Mrs. Carter if she and Mr. Roberts were able to schedule the work session meeting discussed at the last meeting. She said they were still working on that, but it looks like it will be sometime in the middle of May. She said Mr. Roberts would be sending something to the Board when it is finalized.

**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 4:24 p.m.

ATTEST:



**Melissa Carter, Secretary**

**SWLCWSD  
OFFICE REPORT  
04/25/24**

1) Connection Fees Collected

	2022	2023	1st Qtr. 2024	2nd Qtr. 2024	3rd Qtr. 2024	4th Qtr. 2024	Total 2024
Water	\$1,509,126.87	\$1,441,438.43	\$415,163.06	\$75,865.70	\$0.00	\$0.00	\$491,028.76
Sewer	\$1,127,636.52	\$783,297.36	\$253,433.26	\$68,963.00	\$0.00	\$0.00	\$322,396.26
<b>Total</b>	<b>\$2,636,763.39</b>	<b>\$2,224,735.79</b>	<b>\$668,596.32</b>	<b>\$144,828.70</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$813,425.02</b>

2) Billing Charges

	2022	2023	1st Qtr 2024	2nd Qtr. 2024	3rd Qtr. 2024	4th Qtr. 2024	Total 2024
Water	\$3,083,747.26	\$3,490,165.22	\$849,216.36	\$0.00	\$0.00	\$0.00	\$849,216.36
Sewer	\$6,661,980.99	\$6,885,871.54	\$1,704,883.16	\$0.00	\$0.00	\$0.00	\$1,704,883.16
<b>Total</b>	<b>\$9,745,728.25</b>	<b>\$10,376,036.76</b>	<b>\$2,554,099.52</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,554,099.52</b>

3) Capacity Fees

	2022	2023	1st Qtr. 2024	2nd Qtr. 2024	3rd Qtr. 2024	4th Qtr. 2024	Total 2024
Water	\$41,133.13	\$39,615.00	\$61,850.00	\$3,475.00	\$0.00		\$65,325.00
Sewer	\$40,438.12	\$116,925.50	\$61,850.00	\$3,475.00	\$0.00		\$65,325.00
<b>Total</b>	<b>\$81,571.25</b>	<b>\$156,540.50</b>	<b>\$123,700.00</b>	<b>\$6,950.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$130,650.00</b>

4) Assessment Revenue

	2022	2023	2024	Total 2024
1st Half	\$164,451.34	\$109,578.58	\$65,229.55	\$65,229.55
2nd Half	\$141,199.87	\$84,707.87	\$0.00	\$0.00
<b>Total</b>	<b>\$305,651.21</b>	<b>\$194,286.45</b>	<b>\$65,229.55</b>	<b>\$65,229.55</b>

Cash in Bank	As of 04/24/24	As of 04/23/23
	\$25,362,574.14	\$17,245,768.08
*Does not allow for future expenses		
Loan Payment Due 07/01/24	\$2,500,000.00	\$2,500,000.00
<b>Balance Available</b>	<b>\$22,862,574.14</b>	<b>\$14,745,768.08</b>