

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

**BOARD MEETING MINUTES
January 18, 2024**

1. OPENING

The January 18, 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 Jim Roberts, CJ Gilcher, Kathy Killen, Nick Eippert, Josephine Carrelli, 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. Roberts requested the Executive Director Report and Operations Director Report swap places on the agenda.

Mr. Stepp made a motion, second by Mr. Kretzmann, 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 December 28, 2023, Regular Meeting, and the January 4, 2024, Organizational 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

Gary Burkholder asked if the developer agreement has been finalized yet for the developer that Mr. Hodge is representing.

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Mr. Roberts said it is not finalized yet but could be in the next week.
Mr. Burkholder asked if a draft was available.
Mr. Eippert said there was a draft, and he would be responding to Mr. Burkholder's public record request.

7. OPERATIONS DIRECTOR'S REPORT

WAGRAM WASTEWATER TREATMENT CENTER UPDATE:

Mr. Gilcher provided the following update:
The contractor is continuing to excavate and continue to haul excess soil away from the site. There was a progress meeting yesterday and everything is on schedule as of today.

PATASKALA CORPORATE PARK SANITARY SEWER PROJECT UPDATE:

Mr. Gilcher provided the following update:
The contractor is running two crews. One crew is doing the pressure force main and the other crew is doing the gravity sewer. The pressure force main is progressing towards Heritage Dr and the gravity sewer is being constructed between Refugee and the AEP substation. This project is currently on schedule with no significant delays.

REFUGEE ROAD LIFT STATION PROJECT UPDATE:

Mr. Gilcher provided the following update:
He reached out to the developer yesterday for them to provide an update. The gas company was onsite today to set the gas meter for the generator. The electrical contractor is still waiting for wire. He will continue to stay on top of it so the project will be completed as soon as possible.

RESOLUTION TO APPROVE-ADVERTISEMENT FOR BIDS FOR THE UNION TOWNSHIP WATERLINE EXTENSION:

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

RESOLUTION:

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

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R 2024-007

TO APPROVE THE BIDDING DOCUMENTS AND ADVERTISE FOR BIDS FOR THE UNION TOWNSHIP WATERLINE EXTENSION PROJECT – PHASE I; 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. 2024-007 WAS APPROVED.

RESOLUTION TO APPROVE BILL OF SALE FOR THE SUMMIT RIDGE ESTATES SECTION 3B SANITARY SEWER PROJECT:

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

RESOLUTION:

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

R 2024-008

- 1. WHEREAS, THE DISTRICT ENTERED INTO A DEVELOPMENT AGREEMENT WITH SUMMIT RIDGE LIMITED PARTNERSHIP FOR THE SUMMIT RIDGE ESTATES – SECTION 3B PROJECT ON APRIL 8, 2021, AND**
- 2. WHEREAS, SUMMIT RIDGE LIMITED PARTNERSHIP 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 SUMMIT RIDGE ESTATES – SECTION 3B 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.**

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UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2024-008 WAS APPROVED.

8. EXECUTIVE DIRECTOR'S REPORT

TAP/CAPACITY FEE DISCUSSION:

Mr. Roberts said he provided a proposal for the tap and capacity fees at the last meeting for review. He said he would like to discuss this and hopes to have something approved soon. He said they have talked about development paying for development and there has been a lot of effort put in for the rates to reflect that. Joe Crea with Raftelis joined via phone to answer any questions.

Mr. Kretzmann asked if there was any alternative to raising the fees.

Mr. Roberts said there are capital recovery fees and we are part of some JEDDS and TIFS that will also be contributing but he feels like this is a way to lock in some of the territories not involved with JEDDS or TIFS and thinks this is the right way to go.

BILLING RATES DISCUSSION:

Mr. Stepp had a question about the recommendation from Raftelis in 2022 on the DE charge changing from \$9.00 In 2023 to \$6.00 in 2024 with the eventual phase out of the DE fee with the water and sewer rate fees increasing. He said it looks like the current proposed recommendation is inline with the 2022 recommendations, with the exception of the DE charge and wanted to know why.

Mr. Roberts said as the updated model was evaluated, the thought was to keep the DE the same this year but to also keep the sewer rate the same but to revisit again next year. He said a lot has changed since the initial projection in 2022.

Mr. Gilcher added that the District is taking on a lot of big dollar projects right now, not only Wagram but currently in design to expand the Gale Rd facility which will be around a \$40 million project. Also, the draft of the master plan shows there are some significant capacity issues on the West and North East side of the system. He said they are currently determining which projects need to happen first, but they are also some big dollar projects.

Mrs. Carter said it was previously told to users that the debt elimination fee was being reduced. She said she was still on City Council at that time and the representative came to City Council to tell them about the decrease and the huge accomplishment it was. She said we have already told them and now we are taking it back.

Mr. Gilcher said we did reduce the debt elimination fee last year from \$11.95 to \$9.00 so there was a reduction.

Mrs. Carter said it was bragged about that it would continue to be reduced until it was gone. Mr. Roberts said the intent is still to do that, but the rate of reduction may slow down.

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Mr. Stepp said he would like to hear from Mr. Crea what changed in the model as they anticipated a 1% increase in sewer rates along with the \$3.00 decrease of DE. He said the recommendation from 2022 showed \$9.00 in 2023, \$6.00 in 2024, \$3.00 in 2025 and just a usage rate increase after that. He said he would like to at least update the table and set expectations going forward if we are not going to meet the expectations they have already set.

Mr. Crea provided some information as to why the model changed. He said the increased costs they got from the CIP is the driving force in the change. The thought was to take a slight pause and try to get a handle on things this year and see what other opportunities there may be for additional funding. This will make sure the District stays in a good financial position.

Mr. Kretzmann suggested the reduction could be less than the original proposed \$3.00 to stay on track with the reduction. More discussion followed.

The Board asked for additional options to be presented for discussion at the next meeting.

Mr. Stepp asked Mr. Gilcher if they could see the draft master plan as that might help them wrap their heads around it a little better. He said they have not seen what those future costs on the master plan look like yet. He said it would be difficult for him to not reduce the debt elimination fee without knowing the data in regard to the new project costs based on the master plan.

Mr. Gilcher said he was more than happy to provide that to the Board.

Mr. Stepp said he has always been of the mindset that using the term debt elimination for an organization that is never going to be debt free because of the need to continue to add debt in order to add capacity or to maintain doesn't make sense. He is supportive of removing the debt elimination fee on the bills but also understand the revenue is still needed to conduct business and cannot just go away.

Mr. Stepp also asked about some language in the Deposit Fee and Charge schedule that seemed to be repeated. He asked if it could just be combined instead of having 3 separate sections saying the same thing.

Mr. Gilcher said at one time, those 3 sections were different, and he thinks instead of removing them, the language was just updated on all 3 sections but this is something they will look at to determine if it makes sense to still keep them separate or if they can be merged together.

GENERAL UPDATES:

Mr. Roberts said he continues to have a lot of meetings and met with Johnstown, Granville and Alexandria again today. He said they continue to have interesting and somewhat productive discussions about what things might look like in the new territory. He also has a meeting with St. Albans Township along with the County Commissioners and The State Department of Development next week. He has a follow up meeting with MORPC and OEPA next week as well.

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9. OFFICE MANAGER'S REPORT

RESOLUTION TO RESCIND RESOLUTION# 2023-138 AND CERTIFY AG DEFERRED ASSESSMENT:

Mrs. Carrelli said a resolution was passed in December to certify a deferred assessment to the property taxes that no longer qualifies for deferral and the County requested a statement be added to the resolution to clarify the tax year. She said this resolution will rescind the original resolution that was passed and pass again with the added statement as requested the Licking County Auditor's office.

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

RESOLUTION:

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

R 2024-009

RESOLUTION TO RESCIND RESOLUTION 2023-138, AND TO CERTIFY TO THE LICKING COUNTY AUDITOR THE FOLLOWING:

Parcel #: 025-069240-00.000 Owner: F&F Williams, LLC \$27,540.19 for Project # 8023-A - Water

Per notification received from Andrea Burton at the Licking County Auditor, parcel no longer qualifies for CAUV and was removed from Ag District Exemption.

These certifications will appear on the second half of the 2023 tax bill. No additional interest due.

Copies of all correspondence and related documents attached for reference.

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. 2024-009 WAS APPROVED.

RESOLUTION TO RELEASE DEFERRED ASSESSMENT AND AUTHORIZE THE FILING OF AN UPDATED AFFIDAVIT OF FACT:

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

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RESOLUTION:

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

R 2024-010

BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:

1. **THAT THE BOARD HEREBY REMOVED THE DEFERRED WATER ASSESSMENT, AS IT HAS BEEN PAID IN FULL, AS TO THE FOLLOWING PROPERTY:**

PARCEL # 025-069198-00.002	WATER PROJECT # 8023-A:	\$14,755.86
ORIGINAL ASSESSMENT ON PARCEL	INTEREST:	<u>\$25,344.22</u>
025-069198-00.000	WATER ASSESSMENT DUE:	\$40,100.08 -
CHECK # 2484 HAMPTON TITLE LLC		

2. **THAT THE BOARD HEREBY AUTHORIZES THE FILING OF AN UPDATED AFFIDAVIT OF FACT WITH THE LICKING COUNTY RECORDER'S OFFICE INDICATING THAT THE WATER ASSESSMENT HAS BEEN PAID IN FULL.**

3. **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.**

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2024-010 WAS APPROVED.

10. ATTORNEY'S REPORT:

RESOLUTION TO APPROVE AGREEMENT WITH DAYTA NETWORK SERVICES, INC.

Mr. Eippert presented a resolution for the Board's consideration and approval: He said this is with the IT consultant and will incorporate some cyber security measures and some staff training on how to catch spam emails and not click on unknown links that could potentially compromise the District.

RESOLUTION:

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

R 2024-011

RESOLUTION TO APPROVE AGREEMENT WITH DAYTA NETWORK SERVICES, INC. FOR INFORMATION TECHNOLOGY SERVICES.

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BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:

- 1. THE BOARD AUTHORIZES THE BOARD PRESIDENT TO EXECUTE THE AGREEMENT FOR INFORMATION TECHNOLOGY SERVICES WITH DAYTA NETWORK SERVICES, INC. FOR AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS FOR THIS CALENDAR YEAR.**
- 2. 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, ALL VOTED AYE. RESOLUTION NO. 2024-011 WAS APPROVED.

RESOLUTION TO APPROVE LAND SWAP AGREEMENT WITH RRIFI COLUMBUS 119 LAND, LLC:

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

RESOLUTION:

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

R 2024-012

RESOLUTION TO APPROVE REAL ESTATE PURCHASE AGREEMENT FOR PROPERTY SITUATED IN KIRKERSVILLE, OHIO FOR LAND SWAP WITH RRIFI COLUMBUS 119 LAND, LLC.

WHEREAS, THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT (THE "DISTRICT") IS THE OWNER OF 58.139 ACRES, MORE OR LESS, OF REAL PROPERTY ADJACENT TO NATIONAL ROAD IN KIRKERSVILLE, OHIO AND KNOWN AS PARCEL NO. 026-069024-00.004;

WHEREAS, RRIFI COLUMBUS 119 LAND, LLC (THE "DEVELOPER") HAS THE CONTRACTUAL RIGHTS TO PURCHASE REAL PROPERTY ADJACENT TO THE DISTRICT'S PARCEL AND CONSISTING OF 37.282 ACRES, MORE OR LESS, AND KNOWN AS PARCEL 026-069024-00.001;

WHEREAS, THE DISTRICT AND THE DEVELOPER HAVE DETERMINED THAT IT IS MUTUALLY BENEFICIAL TO EXCHANGE SEGMENTS OF THE RESPECTIVE PARCELS TO CREATE A MORE CONTIGUOUS PARCEL BOUNDARY FOR EACH PARTY;

WHEREAS, THE DISTRICT AND DEVELOPER ACKNOWLEDGE THAT THE ACREAGE FOR THE SEGMENTS OF THE PARCELS TO BE EXCHANGED IS NOT

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PROPORTIONAL, AS SUCH THE DEVELOPER HAS AGREED TO PROVIDE ADDITIONAL CONSIDERATION AS DESCRIBED IN THE REAL ESTATE PURCHASE AGREEMENT; AND

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:

- 1. THE BOARD AUTHORIZES THE BOARD PRESIDENT TO EXECUTE THE REAL ESTATE PURCHASE AGREEMENT, UPON FINAL LEGAL REVIEW, AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION.**
- 2. 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.**

DISCUSSION:

Mr. Stepp wanted it noted that this is contingent upon final legal review and the actual transactions taking place.

Mr. Stepp asked if the easement would be with Red Rock or with the current owner before Red Rock takes ownership and transfer as part of the parcel. Mr. Eippert said he expects it to be with the current owner but if Red Rock closes sooner than the next 60 days it might make sense to convey it with Red Rock.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2024-012 WAS APPROVED

11. EXECUTIVE SESSION

Mr. Kretzmann made a motion, seconded by Mrs. Carter to enter into executive session pursuant to section 121.22 (G)(3) of the Ohio Revised Code, to conference with an attorney for the public body concerning disputes involving the public body that are subject of pending or imminent court action. Invited into this executive session is the Board, Mr. Eippert and Mr. Roberts.

Upon roll call vote, all voted aye. Entered executive session at 4:45 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 5:20 p.m.

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

12. TRUSTEES' COMMENTS

Mr. Kretzmann thanked everyone for coming and thanked staff for their hard work and service to the community.

13. 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 5:21 p.m.

ATTEST:



Melissa Carter, Secretary

**SWLCWSD
OFFICE REPORT
01/18/24**

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	\$14,380.00	\$0.00	\$0.00	\$0.00	\$14,380.00
Sewer	\$1,127,636.52	\$783,297.36	\$14,356.00	\$0.00	\$0.00	\$0.00	\$14,356.00
Total	\$2,636,763.39	\$2,224,735.79	\$28,736.00	\$0.00	\$0.00	\$0.00	\$28,736.00

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	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer	\$6,661,980.99	\$6,885,871.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$9,745,728.25	\$10,376,036.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

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	\$0.00	\$0.00	\$0.00		\$0.00
Sewer	\$40,438.12	\$116,925.50	\$0.00	\$0.00	\$0.00		\$0.00
Total	\$81,571.25	\$156,540.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

4) Assessment Revenue

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

Cash in Bank	As of 01/17/24	As of 01/16/23
	\$21,056,360.02	\$22,516,384.21
*Does not allow for future expenses		
Loan Payment Due 07/01/24	\$2,500,000.00	\$2,500,000.00
Balance Available	\$18,556,360.02	\$20,016,384.21