

**SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT**

**P.O. BOX 215, ETNA, OH 43018**

**(740) 927-0410**

**BOARD MEETING MINUTES**

**September 29, 2015**

**1. OPENING**

The September 29, 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. Also present were Don Rector, Rhonda Loomis and Bobbie O'Keefe.

**2. ADOPTION OF AGENDA**

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

**3. APPROVAL OF MINUTES**

Regular Board Meeting Minutes: Mr. Carlisle moved to approve the Minutes of the Board Meeting held on September 8, 2015, with a correction on page 2 to state that Mr. Rector would request a legal opinion from Ms. O'Keefe regarding the necessity for having an attorney present when the board goes into executive session to discuss pending or imminent litigation. Mr. Kretzmann seconded the Motion with the correction. Vote, all aye. Minutes were approved as corrected.

**4. PAYMENT OF BILLS**

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

**5. COMMUNICATIONS/WRITTEN PUBLIC COMMENTS**

Fluoride Award: Mr. Rector stated that there is a letter in the board's packet from the Ohio Department of Health notifying the district it was given the Water Fluoridation Quality Award from the U.S. Centers for Disease Control and Prevention (CDC). There is also a certificate. The award was given for 2014.

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## 6. PUBLIC COMMENTS

a. Burnham & Flower Insurance Group: Mr. Jim Organ with OneSource Advisors was present to present a proposal for the district's health and benefit renewal. He stated that he works with a number of political subdivisions on their insurance packages, including Harrison Township. Mr. Sprouse with Burnham & Flower was also present, and he stated that Burnham and Flower is the largest insurance supplier for local governments in Ohio. Both representatives indicated that the partnership of Burnham & Flower with OneSource Advisors allows both agencies to drop down insurance premiums while maintaining benefits. They work with local agents so that the client has an entire team working with it, and they offer full service brokerage, fully insured and self-funded benefits, compliance oversight, internal third party administration, and wellness programming. They also stated that they have a comprehensive website with 365 day a year access with debit card administration. Mr. Organ and Mr. Sprouse presented the board with a written proposal comparing the district's current plan with three other deductible options, including the HRA plan the district currently utilizes. The increase in premium for the same package that the district currently offers would be 14.9 percent. Mr. Sprouse also indicated that the premium could be negotiated with Medical Mutual if they became the district's agent of record. He also stated they could provide a free HR assistance and administration for the TPA, which would be no cost for the first year and \$5 per employee per month after that time. There is no mandatory contract term; if the district were to become unhappy with their services they could terminate the agreement at any time.

b. Wichert Insurance: Mr. Jeff Cashman and Ms. Gretchen Floyd were present from Wichert Insurance to provide a proposal for the district's health and benefit renewal. Ms. Floyd and Mr. Cashman presented the board with a written proposal showing the premium for the same coverage as well as different options. Mr. Cashman stated that he prefers to find out what is important to the board. He believes it is important to keep the client happy and that the biggest complaint with the agent is typically that the employees do not understand the package until they need it, and then the agent is not able to explain things in layman's terms. The goal of Wichert Insurance is to make the program as user friendly as possible. Mr. Cashman further explained that education is key, and providing constant online access as employees become more responsible for the cost of their insurance and medical care. That allows the employees to get information directly without bothering the person who is their benefits administrator. Ms. Loomis agreed that the information available to the employee is usually useless until the employee actually needs care. Mr. Cashman stated that it is important to explain the HRA to the employees as well, because as a country we have to deal more directly with our insurance and care. Mr. Cashman emphasized that Wichert is about the education, and they are more than happy to do employee meetings or lunch and learn programs. If an individual has a question, they are always accessible. Wichert has handled the district's property and casualty coverage for more than 12 years and the health insurance coverage for five years. He also stated that with

Wichert employees would not have to go to two different agencies that are partners, because Wichert is a one-stop shop. Mr. Cashman and Ms. Floyd also discussed the difference between grandfathering and grandmothering, and stated that the district is grandmothers at this time, meaning that as long as the district is happy with its coverage and carrier, it can keep it. Mr. Cashman stated that the proposal they provided contains all the categories and information that Burnham and Flowers provided in its proposal. The final rate increase is still not available from Medical Mutual but will be sent soon.

## 7. GENERAL MANAGER'S REPORT

a. OPWC Application: Mr. Rector reported that the district has prepared an application for OPWC funding for the capital improvements project at the Gale Road environmental control facility. The project is to rehabilitate the headworks at the facility. Mr. Carlisle made a Motion to approve Resolution No. 2015-044 to authorize Larry Kretzmann to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute the necessary agreements as required. Mr. Kretzmann seconded the Motion. Mr. Meade asked if there was enough money to cover the local share of the project, and Mr. Rector responded that the district did have enough money to pay the local share. Upon roll call vote, all voted aye. Resolution No. 2015-044 was approved.

e. Resolution to Adjust Wages for Jeffrey Wagner: Mr. Rector stated that Mr. Wagner has been filling in for Mr. Maynard, who will likely be off of work for quite some time. Mr. Rector wants to be able to put Mr. Wagner in a temporary work assignment doing the work that Mr. Maynard was doing, and to compensate Mr. Wagner accordingly. Mr. Carlisle made a Motion to approve Resolution No. 2015-045 to adjust the wages of Jeffrey Wagner while he is temporarily filling the supervisory duties for an undetermined timeline due to the injury of Lonnie Maynard on July 31, 2015, until such time as Mr. Maynard is released to full duty by his physicians, and to pay Mr. Wagner \$23.00 per hour starting September 14, 2015. Mr. Kretzmann seconded the Motion. Upon roll call vote, all voted aye. Resolution No. 2015-045 was approved.

f. ODOT/Taylor Road Participatory Legislation: Mr. Rector presented Resolution No. 015-046 to authorize the President of the district to sign the participatory legislation with ODOT for the Taylor Road South Water Line Project and the Taylor Road South Sanitary Sewer Line Project. He stated that he has negotiated back and forth with ODOT representatives on this matter and he believes that 7 percent charge for inspection services is the lowest he can convince ODOT to require the district to pay. He added that ODOT did make a number of changes that he requested, but that he cannot get around the 7 percent charge. Mr. Carlisle stated that one of the items he and Don discussed was that ODOT believed it had to acquire additional right of way in order to accommodate the district and, therefore, it would not budge on the 7 percent inspection

services charge. Mr. Rector indicated that the district would still need to have its own inspectors at the project, because the ODOT inspectors are not trained in water and sanitary sewer construction matters. Mr. Kretzmann commended Mr. Rector in pursuing all legal remedies to deal with ODOT on this issue and that he made a tremendous effort to get the best result for the district. Mr. Carlisle made a Motion to approve Resolution No. 2015-046, and Mr. Meade seconded. Upon roll call vote, all voted aye. Resolution No. 2015-046 was approved. Ms. O'Keefe suggested that a Treasurer's Certificate be attached to this agreement.

g. Development Requests: Mr. Rector reported that numerous development requests were being submitted to the district. He also stated there was potential commercial activity on Taylor Road.

h. Well No. 6: Mr. Rector informed the board that Well No. 6 is now closed and the project has been completed. The district will be moving on to the next project since this one is done.

i. Septic System Inspection Issue: Mr. Rector indicated he and Mr. Meade attended the meeting in Pataskala regarding the new EPA septic system inspection rule. He stated there were at least 100 people in attendance. There are at least 30,000 septic systems in Licking County, and Mr. Rector stated he believes it will take quite a long time for the inspections to be completed. He believes the Woodside and Christy Lee areas will be inspected first, because there are numerous problem areas there. These areas are accessible to the district's sanitary sewer facilities. The county has applied for a grant for \$150,000 to do the inspections; however, with 30,000 septic systems it is likely the grant funds will not cover the cost. If there are areas that are extremely bad, the EPA would likely have to issue Findings and Orders to require those areas to connect to a sanitary sewer system if there is one that is accessible.

j. Pataskala and Jefferson District Agreement: Mr. Rector reported that the City of Pataskala has decided not to contract with the Jefferson Water and Sewer District for a water connection.

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

a. Resolution to Certify Delinquents to the Licking County Auditor: Mr. Kretzmann moved to approve Resolution No. 2015-047 to certify delinquent accounts to the auditor for collection. Mr. Meade seconded. Upon roll call vote, all voted aye. Resolution No. 2015-0047 approved.

b. Shut-off List for September 30, 2015 for Unpaid Services: Ms. Loomis included the current shut-off list in the board's packet.

c. Conference Room: Ms. Loomis indicated that there was another bee problem in the conference room recently. She stated that an exterminator had to be called to spray the room, but that something more permanent has to be done.

9. **ATTORNEY'S REPORT**

Executive Session for Pending or Imminent Litigation: Ms. O'Keefe stated that in order for the board to go into executive session to discuss pending or imminent litigation, the board must have an attorney present for the discussion. She stated that there are other exceptions to the Sunshine Law (ORC 121.12), but that the purpose of the litigation exception is for the board to be able to have a privileged attorney-client communication; therefore, an attorney must be present. Mr. Kretzmann asked about how the terms "imminent" and "pending" were defined. Ms. O'Keefe indicated that "imminent" litigation meant that a lawsuit of some kind had been actually threatened. She stated that "pending" litigation means a lawsuit has been actually filed. Mr. Carlisle stated that Executive Sessions are not allowed to be recorded, and that participants in the Executive Session are not allowed to discuss what was said during the Executive Session with anyone who was not in the Executive Session.

10. **EXECUTIVE SESSION**

Mr. Kretzmann made a Motion to go into Executive Session for the purpose of discussing pending litigation with the City of Pataskala. Mr. Carlisle seconded the Motion. Upon roll call vote, all voted aye. The board went into Executive Session at 2:09 pm.

Mr. Carlisle moved to come out of Executive Session and Mr. Kretzmann seconded the Motion. Upon roll call vote, all voted aye. The board came out of Executive Session at 2:31 pm.

11. **ADDITIONAL PUBLIC COMMENTS**

None.

12. **TRUSTEE COMMENTS**

None.

13. **ADJOURNMENT**

Mr. Carlisle made a Motion to adjourn, and Mr. Kretzmann seconded. The meeting was adjourned at 2:32 pm.

ATTEST:



John Carlisle, District Secretary