

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

**BOARD MEETING MINUTES
April 29, 2021**

1. OPENING

The April 29, 2021 Regular Board Meeting of the Southwest Licking Community Water and Sewer District was called to order by Mr. Kretzmann at 4:00 p.m. Mr. Kretzmann, Mr. Platte, and Mr. Stepp were present at roll call. Also present were Josephine Carrelli, Kathy Killen and CJ Gilcher. The meeting was live streamed for public viewing.

2. ADOPTION OF AGENDA

Mr. Kretzmann made a motion, second by Mr. Stepp, to approve the agenda as presented. Upon roll call vote, all voted aye. Motion carried. Agenda adopted.

3. APPROVAL OF MINUTES

Mr. Kretzmann made a motion, second by Mr. Stepp to approve the minutes of the regular meeting of April 8, 2021 as presented. Upon roll call vote, all voted aye. Motion Carried.

4. PAYMENT OF BILLS

Mr. Kretzmann 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. GENERAL MANAGER'S REPORT

HOLLOW ROAD WATERLINE EXTENSION PROJECT:

Mr. Gilcher stated they continue to work in the Amanda and Joshua Dr. area installing water lines for Phase 1. They continue to work north to Worthington Road installing the water line for Phase 2. Mr. Gilcher stated he received a preliminary cost on the change order to go around the culvert as discussed at the last meeting. Mr. Gilcher felt the cost was too high and is looking at additional options for that placement.

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**RESOLUTION TO APPROVE DEVELOPMENT AGREEMENT FOR THE
SCANNELL DISTRIBUTION CENTER BUILDING A PROJECT:**

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

RESOLUTION:

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

R 2021-033

- 1. RESOLUTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH SCANNELL PROPERTIES, FOR THE SCANNELL DISTRIBUTION FACILITY – BUILDING A PROJECT;**
- 2. 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. 2021-033
WAS APPROVED.**

**RESOLUTION TO APPROVE LOVES TRAVEL STOPS AND COUNTRY STORES,
INC FOR USE & HOOK UP:**

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

RESOLUTION:

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

R 2021-034

**WHEREAS: THE DISTRICT ENTERED INTO A DEVELOPERS AGREEMENT
WITH LOVES TRAVEL STOPS AND COUNTRY STORES, INC., FOR
THE LOVES TRAVEL STOPS AND COUNTRY STORES PROJECT ON
MAY 14, 2020; AND**

**WHEREAS: LOVES TRAVEL STOPS AND COUNTRY STORES, INC. HAS
COMPLETED THE REQUIRED WATER AND SANITARY SEWER**

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**LINE IMPROVEMENTS TO THE SATISFACTION OF THE DISTRICT;
AND**

**THEREFORE: THE BOARD OF TRUSTEES GRANTS CONDITIONAL ACCPETANCE
AND HEREBY APPROVES THE WATER AND SEWER
INFRASTRUCTURE FOR USE AND HOOK UP IN THE SCHUSTER
WAY EAST 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. 2021-034
WAS APPROVED.**

**RESOLUTION TO ACCEPT THE 2020 FINANCIAL STATEMENT AS
PRESENTED:**

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

RESOLUTION:

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

R 2021-035

- 1. RESOLUTION TO ACCEPT THE 2020 FINANCIAL STATEMENT AS PRESENTED**
- 2. 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. 2021-035 WAS
APPROVED.**

7. OFFICE MANAGER'S REPORT

Mrs. Carrelli stated that 5 customers had their services terminated for non-payment this month. 4 of those have already been turned back on.

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RESOLUTION TO CERTIFY DELINQUENTS TO THE LCA:

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

RESOLUTION:

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

R 2021-036

RESOLUTION TO CERTIFY TO THE LICKING COUNTY AUDITOR DELINQUENT CHARGES FOR SERVICE.

IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE PASSAGE OF THIS RESOLUTION 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. 2021-036 WAS APPROVED.

8. ATTORNEY'S REPORT

There was no attorney report.

9. EXECUTIVE SESSION

Mr. Platte made a motion, second by Mr. Stepp, to enter into executive session pursuant to Ohio Revised Code 121.22 (G)(1)- To consider the appointment, employment, dismissal, promotion, demotion, or compensation of a public employee or official; AND

Pursuant to Ohio Revised Code 121.22 (G)(2) to consider the purchase of property for public purposes; AND

Pursuant to Ohio Revised Code 121.22 (G)(8), for the purpose of considering confidential information:

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1. Related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statement of an applicant for economic development assistance, or
2. Related to negotiations with a political subdivision being the City of Pataskala, respecting their request for economic development assistance, And
3. The information is:
 - 3.1 Directly related to a request for economic development assistance that is to be provided or administered under Ohio Revised Code Chapter 715, or other permissible Code Section, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project; and
 - 3.2 The Board hereby determines that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Upon roll call vote, all voted aye.

Entered executive session at 4:11 p.m.

The three Board Members and Mr. Gilcher were included in the G1 and G2 executive session and the Board, Mr. Gilcher and the District Attorney Mr. McCarter were included in the G8.

Mr. Kretzmann made a motion, second by Mr. Stepp to return from executive session. Upon roll call vote, all voted aye.

Returned from executive session at 6:38pm

Mr. Platte stated No resolution, rule, or formal action was taken during executive session.

10. TRUSTEES' COMMENTS

RESOLUTION:

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

R 2021-037

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WHEREAS, John Carlisle initiated litigation against the Southwest Licking Community Water and Sewer District, in which litigation he makes certain allegations against the District and certain allegations against other persons in their individual capacity (the "Litigation");

WHEREAS, the District has insurance coverage for the claims, which are subject to a reservation of rights letter dated June 23, 2020 from Summit Risk Services (the "Letter");

WHEREAS, the District has been advised by the attorney retained by its insurance company that it needs to have the Letter, the current status of the Litigation including claims made, and insurance coverage issues reviewed by another attorney who will then advise the District on such matters.

NOW THEREFORE, be it resolved as follows:

1. That the Board hereby approves the retention of the services of the law firm of Shumaker, Loop, & Kendrick, LLP with regard to advising the District on its insurance coverage and other matters relating to the Litigation. The hourly rate shall be agreed upon at a later date.
2. That the Board further ratifies and approves the Letter of Engagement for said services as outlined in Section 1, as presented, and ratifies Larry Kretzmann' s signature on said Letter of Engagement.
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. 2021-037
WAS APPROVED.**

Mr. Platte stated he will be attending the Pataskala Council meeting on Monday and will be meeting with the Licking County Commissioners on Tuesday to have development discussions.

Mr. Platte stated that Mr. Gilcher has served as an interim GM for 2 years now and has done a great job filling both of his positions. He stated he thinks his pay should be increased and he should be receiving some of the benefits as the GM would be receiving.

Mr. Platte made a motion, second by Mr. Kretzmann to increase Mr. Gilcher' s rate of pay as interim General Manager to \$55.00 per hour to be effective as of January 1, 2021. Additionally,

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Mr. Gilcher should also be compensated \$400 per month, backdated to January 1, 2021 as well, as a stipend for travel and other expenses incurred as the interim General Manager.

Upon roll call vote, all voted aye. Motion carried.

The Board thanked Mr. Gilcher for all his hard work filling both works. Mr. Gilcher stated he appreciated the support and stated he also has a great staff to back him up.

Mr. Stepp asked Mr. Platte to think about the existing customers that have been supportive of the District over the years as he has his meetings over the next few weeks. He thinks the Board should not be making decisions that are punitive to the existing customers.

11. ADJOURNMENT

Mr. Stepp made a motion, second by Mr. Platte that the meeting would be adjourned. Upon Roll Call vote, all voted aye. The meeting was adjourned at 6:47 p.m.

ATTEST:



TRENT STEPP, SECRETARY

**SWLCWSD
OFFICE REPORT
04/29/21**

1) Connection Fees Collected

	2019	2020	1st Qtr. 2021	2nd Qtr. 2021	3rd Qtr. 2021	4th Qtr. 2021	Total 2021
Water	\$1,475,649.52	\$1,748,566.72	\$693,098.50	\$623,663.20	\$0.00	\$0.00	\$1,316,761.70
Sewer	\$1,320,917.88	\$1,351,113.99	\$473,988.22	\$301,001.00	\$0.00	\$0.00	\$774,989.22
Total	\$2,796,567.40	\$3,099,680.71	\$1,167,086.72	\$924,664.20	\$0.00	\$0.00	\$2,091,750.92

2) Billing Charges

	2019	2020	1st Qtr 2021	2nd Qtr. 2021	3rd Qtr. 2021	4th Qtr. 2021	Total 2021
Water	\$2,723,072.58	\$2,797,884.12	\$692,733.08	\$0.00	\$0.00	\$0.00	\$692,733.08
Sewer	\$6,085,751.09	\$6,246,711.20	\$1,556,968.03	\$0.00	\$0.00	\$0.00	\$1,556,968.03
Total	\$8,808,823.67	\$9,044,595.32	\$2,249,701.11	\$0.00	\$0.00	\$0.00	\$2,249,701.11

3) Capacity Fees

	2019	2020	1st Qtr. 2021	2nd Qtr. 2021	3rd Qtr. 2021	4th Qtr. 2021	Total 2021
Water	\$99,555.30	\$185,357.50	\$17,722.50	\$60,117.50	\$0.00	\$0.00	\$77,840.00
Sewer	\$109,980.30	\$196,337.50	\$14,247.50	\$60,117.50	\$0.00	\$0.00	\$74,365.00
Total	\$209,535.60	\$381,695.00	\$31,970.00	\$120,235.00	\$0.00	\$0.00	\$152,205.00

4) Assessment Revenue

	2019	2020	2021	Total 2021
1st Half	\$695,562.52	\$472,378.86	\$302,195.30	\$302,195.30
2nd Half	\$547,574.19	\$370,687.93	\$0.00	\$0.00
Total	\$1,243,136.71	\$843,066.79	\$302,195.30	\$302,195.30

	As of 04/27/21	As of 04/26/20
Cash in Bank	\$21,503,131.56	\$17,146,652.38
*Does not allow for future expenses		
Loan Payment Due 07/01/21	\$3,000,000.00	\$3,200,000.00
Balance Available	\$18,503,131.56	\$13,946,652.38