

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

**BOARD MEETING MINUTES  
May 27, 2021**

**1. OPENING**

The May 27, 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. The Pledge of Allegiance was led by Mr. Kretzmann. 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 May 13, 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. Platte seconded. Upon roll call vote, all voted aye. Motion carried.

**5. COMMUNICATIONS**

There were no communications to report.

**6. GENERAL MANAGER'S REPORT**

**TIMMONS WELLFIELD #7 UPDATE:**

Mr. Gilcher stated the bid opening was Tuesday May 25 for this project. He received 3 bids. The first one was for \$110,200 from Moody's of Dayton, the second was for \$118,811 from National Water Services and the last one was for \$142,271 from Granite/Lane Well Drilling.

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The project engineer's estimate for \$150,000. Mr. Gilcher will be bringing this to the next board meeting for approval of the bid.

**HOLLOW ROAD WATERLINE EXTENSION PROJECT:**

Mr. Gilcher stated they have moved south across the field at Hollow Rd and tied into Scotland Ridge this week for phase 1. He stated he appreciates the coordination with City of Pataskala on that project. For phase 2 they continue to work north towards Worthington Rd to make the turn to the west towards Coughlin Ford. He stated they are a little bit delayed on Phase 2 and it will be discussed at the next construction project update meeting next week.

**SWLCWSD/CITY OF PATASKALA STATE ROUTE 310 INTERCONNECT PROJECT UPDATE:**

Mr. Gilcher he did receive plans for review and hopes to have his comments on that by the end of the week so it can move forward to be bid.

**DISTRICT OFFICES AND BOARD OF TRUSTEES MEETING REOPENING TO THE PUBLIC UPDATE:**

Mr. Gilcher stated June 2 the mask mandate will be lifted and as previously discussed the office will be reopening to the public. The plastic barriers were installed up front to create a barrier of protection. Hr. Gilcher stated the Board will no longer be permitted to participate in meetings only virtually after June 30. All members will need to be present and they will have to be opened back up to the public. Mr. Gilcher asked the Board if they wanted to continue to stream the meetings for those who would rather watch online. The conference room is not set up for a large amount of people and if the streaming continues it limits the space even more. After much discussion it was determined to continue streaming for now for those who want to observe but also have the meeting open for those who may want to address the Board directly. Mr. Kretzmann suggested the old water plant in the back could be utilized if a lot of people show up for a meeting in person.

**RESOLUTION TO AUTHORIZE "REQUEST FOR QUALIFICATIONS" FOR THE PATASKALA CORPORATE PARK AND SURROUNDING AREAS SANITARY SEWER PROJECT:**

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

**RESOLUTION:**

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

**R 2021-045**

**WHEREAS: THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT HAS DETERMINED THE NEED TO DESIGN AND EXTEND PUBLIC SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS IN THE PATASKALA CORPORATE PARK AND SURROUNDING AREAS WITHIN ITS SERVICE TERRITORY TO SERVICE EXISTING AND FUTURE CUSTOMERS, AND;**

**THEREFORE: THE BOARD OF TRUSTEES HEREBY AUTHORIZES THE GENERAL MANAGER TO DRAFT AND ADMINISTER A "REQUEST FOR QUALIFICATIONS" PROCESS FOR THE DESIGN OF THE SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS AS MENTIONED ABOVE.**

**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. 2021-045 WAS APPROVED**

**RESOLUTION TO AUTHORIZE LARRY KRETZMANN, PRESIDENT, BOARD OF TRUSTEES, TO EXECUTE THE "ACKNOWLEDGEMENT AND CONSENT TO JOINT REPRESENTATION" FOR ALBERS & ALBERS IN REFERENCE TO THE AMENDMENT TO THE WATER SERVICES AGREEMENT BETWEEN THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT AND THE JEFFERSON WATER & SEWER DISTRICT:**

Mr. Gilcher stated SWL Water has a water service agreement with Jefferson Water and Sewer District and provided some background on the agreement. Mr. Gilcher requested the rate be reviewed by the attorneys as it has been in place for some time with no changes. Both Districts are represented by Mr. Albers so a joint representation is being requested.

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

**RESOLUTION:**

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

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**R 2021-046**

**THE BOARD OF THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT HEREBY APPROVES THE ACKNOWLEDGEMENT AND CONSENT TO JOINT REPRESENTATION FROM ALBERS & ALBERS, AS PRESENTED, AND AUTHORIZES BOARD PRESIDENT, LARRY KRETZMANN, TO EXECUTE SAID AMENDMENT ON BEHALF OF THE DISTRICT.**

**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. 2021-046 WAS APPROVED.**

**RESOLUTION TO APPROVE AMENDMENT TO THE WATER SERVICES AGREEMENT BETWEEN THE SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT AND THE JEFFERSON WATER AND SEWER DISTRICT:**

Mr. Gilcher provided an explanation for the proposed changes to the agreement.

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

**RESOLUTION:**

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

**R 2021-047**

- 1. THE BOARD OF THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT HEREBY APPROVES THE AMENDMENT NO. 1 TO THE WATER SERVICES AGREEMENT BETWEEN THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT AND THE JEFFERSON WATER AND SEWER DISTRICT, AMENDMENT NO. 2 TO THE AGREEMENT TO PROVIDE POTABLE WATER AND SANITARY SEWER SERVICES TO THE CARDINAL DEVELOPMENT AREA BETWEEN SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT AND THE JEFFERSON WATER AND SEWER DISTRICT , AS PRESENTED, AND AUTHORIZES BOARD PRESIDENT, LARRY KRETZMANN, TO EXECUTE SAID AMENDMENT ON BEHALF OF THE DISTRICT.**
- 2. 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**

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**WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.**

**UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2021-047 WAS APPROVED.**

**2022 PROPOSED DRAFT BUDGETS:**

Mrs. Killen stated the proposed 2022 budgets were provided in their packets. She said the budget would need to be approved by the last meeting in June.

**7. OFFICE MANAGER'S REPORT**

Mrs. Carrelli stated that 24 customers received door tags on Monday for termination. 5 of those were actually shut off and 4 had already been turned back on.

**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 2021-048**

**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. 2021-048 WAS APPROVED.**

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

**RESOLUTION:**

**To approve contract for upgraded Billing Software from SSI (Software Solutions Incorporated) as presented to the Board in the amount of \$44,230.00**

The resolution was tabled until the next meeting so additional information could be obtained.

**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.

Upon roll call vote, all voted aye.

Entered executive session at 4:55 p.m.

The three Board Members and Mr. Gilcher were included in the executive session.

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

Returned from executive session at 5:39pm

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

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**10. TRUSTEES' COMMENTS**

Mr. Platte stated there was a need to waive attorney client privilege related to the Carlisle lawsuit.

**RESOLUTION:**

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

**R 2021-049**

**WHEREAS: BASED UPON THE UNDERSTANDING THAT STACY POLLOCK MAY BE CALLED TO TESTIFY EITHER AT DEPOSITION OR TRIAL CONCERNING HER KNOWLEDGE RELATED TO CLAIMS ASSERTED IN A LAWSUIT BY FORMER BOARD MEMBER JOHN CARLISLE AGAINST THE BOARD AND ITS MEMBERS, THE BOARD HAS BEEN ASKED BY BOTH COUNSEL FOR MS. POLLOCK AND THE BOARD'S OWN DEFENSE COUNSEL IN THE CARLISLE LAWSUIT TO WAIVE ANY ATTORNEY-CLIENT PRIVILEGE WITH RESPECT TO MS. POLLOCK ON ALL TOPICS THAT SHE MAY BE ASKED TO TESTIFY ABOUT IN SAID LAWSUIT.**

**THEREFORE: BASED UPON THE ADVICE OF COUNSEL, THE BOARD HEREBY WAIVES THE ATTORNEY-CLIENT PRIVILEGE WITH RESPECT TO STACY POLLOCK ON ALL TOPICS THAT MS. POLLOCK MAY BE CALLED TO TESTIFY ABOUT RELATED TO CLAIMS ASSERTED IN A LAWSUIT FILED BY FORMER BOARD MEMBER JOHN CARLISLE**

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**UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2021-049  
WAS APPROVED.**

Mr. Platte stated the Board is aware there is a need to cover an extended leave of absence.

**RESOLUTION:**

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

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**R 2021-050**

**WHEREAS: THE DISTRICT HAS AN OPENING FOR THE COLLECTIONS SYSTEM SUPERVISOR POSITION DUE TO AN EXTENDED ABSENCE OF THE CURRENT COLLECTIONS SYSTEM SUPERVISOR AND ALSO HAS AN OPENING FOR THE WATER RECLAMATION SUPERVISOR DUE TO AN EXTENDED ABSENCE OF THE WATER RECLAMATION SUPERVISOR AND;**

**WHEREAS: THE GENERAL MANAGER RECOMMENDS THAT JOSHUA HOLTON BE PLACED AS ACTING COLLECTIONS SYSTEM SUPERVISOR AND ACTING WATER RECLAMATION SUPERVISOR DURING THE ABSENCE OF THE CURRENT COLLECTIONS SYSTEM SUPERVISOR AND CURRENT WATER RECLAMATION SUPERVISOR AND;**

**THEREFORE: THE BOARD OF TRUSTEES HEREBY APPOINTS JOSHUA HOLTON AS ACTING COLLECTIONS SYSTEM SUPERVISOR FROM MARCH 22, 2021 THROUGH APRIL 18, 2021 AND ACTING WATER RECLAMATION SUPERVISOR FROM APRIL 19, 2021 THROUGH JUNE 21, 2021 WITH COMPENSATION AT \$32.96 DURING THIS PERIOD 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. 2021-050 WAS APPROVED.**

Mr. Platte stated the District's legal fees have increased over the last few years and in an effort to be more fiscally responsible there is a need to have legal counsel on staff to serve as Chief Legal Counsel. The Albers & Albers law firm will still be utilized for 6119 issues and other specialized items as needed. The Teetor Westfall law firm was consulted and provided direction on creating the position.

**RESOLUTION:**

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

**R 2021-051**

**WHEREAS: BASED UPON THE IDENTIFIED NEEDS OF THE DISTRICT, THE BOARD HEREBY CREATES THE POSITION OF CHIEF LEGAL**



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**COUNSEL. SAID POSITION IS TO BE A FULL-TIME, EXEMPT POSITION. THE DUTIES AND RESPONSIBILITIES OF THE CHIEF LEGAL COUNSEL ARE AND WILL BE AS SET IN THE JOB DESCRIPTION ATTACHED HERETO AS APPENDIX A, BUT THAT JOB DESCRIPTION MAY BE AMENDED OR MODIFIED BY THE BOARD AS DEEMS NECESSARY TO THE DISTRICT'S BUSINESS.**

**THEREFORE: THE BOARD HEREBY CREATES THE POSITION OF CHIEF LEGAL COUNSEL FOR THE DISTRICT.**

**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 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. 2021-051 WAS APPROVED.**

**RESOLUTION:**

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

**R 2021-052**

**WHEREAS: THE BOARD FINDS THAT ANDREW KING SHALL FULFILL THE POSITION OF CHIEF LEGAL COUNSEL FOR THE DISTRICT CREATED BY RESOLUTION NO. 2021-051., IN ACCORDANCE WITH THE TERMS AS SET FORTH IN THE ATTACHED MEMORANDUM OF UNDERSTANDING.**

**THEREFORE: THE BOARD HEREBY HIRES ANDREW KING AS THE DISTRICT'S CHIEF LEGAL COUNSEL.**

**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 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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Mr. Kretzmann stated he feels like Mr. King will be a great asset to the District.

Mr. Platte wanted to reiterate this was in an effort to be more fiscally responsible with the District's money and is no way a reflection on the legal services provided by Mr. Albers.

Mr. Stepp stated he also believes this is a great benefit to the District. He stated as the District continues to grow the need to have legal advice increases and the ability to have that person on staff is a great cost saving benefit for the District.

**UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2021-052  
WAS APPROVED.**

Mr. Platte stated he is aware there is a construction inspector position to fill. Mr. Gilcher stated there was a pending retirement in September so there is a need to fill that position. He stated the position will be advertised so someone can be hired and get a few months of training before the retirement. Mr. Gilcher will bring a resolution to hire once a candidate has been selected.

Mr. Kretzmann stated that Harrison Township would be spraying for mosquitos and would be starting June 1. He stated this is usually done in the evening.

**11. ADJOURNMENT**

Mr. Kretzmann 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 5:57 p.m.

**ATTEST:**



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**TRENT STEPP, SECRETARY**

SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT

P.O. BOX 215, ETNA, OH 43018

69 ZELLERS LANE, PATASKALA, OH 43062

740-927-0410

REGULAR BOARD MEETING

MAY 27, 2021 4:00pm (Streamed online for public viewing)

SIGN BELOW:

NAME

ADDRESS

PHONE

**SWLCWSD  
OFFICE REPORT  
05/27/21**

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	\$909,565.20	\$0.00	\$0.00	\$1,602,663.70
Sewer	\$1,320,917.88	\$1,351,113.99	\$473,988.22	\$616,833.00	\$0.00	\$0.00	\$1,090,821.22
<b>Total</b>	<b>\$2,796,567.40</b>	<b>\$3,099,680.71</b>	<b>\$1,167,086.72</b>	<b>\$1,526,398.20</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,693,484.92</b>

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	\$268,522.47	\$0.00	\$0.00	\$961,255.55
Sewer	\$6,085,751.09	\$6,246,711.20	\$1,556,968.03	\$620,779.47	\$0.00	\$0.00	\$2,177,747.50
<b>Total</b>	<b>\$8,808,823.67</b>	<b>\$9,044,595.32</b>	<b>\$2,249,701.11</b>	<b>\$889,301.94</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$3,139,003.05</b>

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	\$60,812.50	\$0.00	\$0.00	\$78,535.00
Sewer	\$109,980.30	\$196,337.50	\$14,247.50	\$60,117.50	\$0.00	\$0.00	\$74,365.00
<b>Total</b>	<b>\$209,535.60</b>	<b>\$381,695.00</b>	<b>\$31,970.00</b>	<b>\$120,930.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$152,900.00</b>

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
<b>Total</b>	<b>\$1,243,136.71</b>	<b>\$843,066.79</b>	<b>\$302,195.30</b>	<b>\$302,195.30</b>

Cash in Bank	As of 05/26/21	As of 05/25/20
	\$19,909,937.36	\$15,228,458.01
*Does not allow for future expenses		
Loan Payment Due 01/01/22	\$3,000,000.00	\$3,200,000.00
<b>Balance Available</b>	<b>\$16,909,937.36</b>	<b>\$12,028,458.01</b>