

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

**BOARD MEETING MINUTES
July 8, 2021**

1. OPENING

The July 8, 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, CJ Gilcher, Andrew King, 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. Kretzmann made a motion, second by Mr. Platte, to approve the agenda as presented. Upon roll call vote, all voted aye. Motion carried. Agenda adopted.

3. APPROVAL OF MINUTES

Mr. Stepp made a motion, second by Mr. Platte to approve the minutes of the Regular Meeting of June 24, 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. PUBLIC COMMENTS

Mr. Jim Duffy asked about the contract that was approved with Jefferson Water and Sewer District. He thought there was no rate increase. Mr. Gilcher explained there was an increase and would be paying the same as all other customers pay for the first million gallons which is \$5.33/1,000 gallons. Anything over one million gallons is charged at \$8.00/1,000 gallons.

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018
69 Zellers Lane Pataskala, Ohio 43062
Phone (740)927-0410 Fax (740)927-4700

Mr. Duffy also stated he saw that Johnstown received money from the American Rescue Plan they were planning to use to expand infrastructure and asked if the District has received any funds from that plan.

Mr. Platte stated that he would be meeting with the County Commissioners and would be requesting any available funding that could be used for future projects.

Mr. Duffy also asked if there was any update on the John Carlisle lawsuit. Mr. Platte stated the discovery process ends at the end of July with a deadline for summary judgement motions by the end of August and a court date is set for January 4, 2021. Mr. Duffy asked if any settlement negotiations were done. Mr. Platte stated they did participate in mediation at the court's request but it did not go anywhere.

7. GENERAL MANAGER'S REPORT

SR 310/REFUGEE ROAD SANITARY SEWER STUDY UPDATE-ERIN STACHLER, P.E., PMP (CDM SMITH):

Mr. Gilcher stated the study was just completed and Erin Stachler and Fred Smith with CDM Smith was present to explain the findings.

Erin Stachler gave a summary of the findings of the study. In conclusion, it will cost the District \$10 million dollars for the proposed improvements, not including any lift station or forcemain improvements that would also be needed.

David Hodge, a zoning land use attorney was present and asking about available capacity. Ms. Stachler stated there was some capacity available but she could not say for sure how much or what parcels could be supported.

Mr. Hodge asked if there was capacity for one developer to proceed is that a conversation the Board is willing to have at this time.

Mr. Platte stated the Board just received the information and would need more time to be able to answer any specific questions.

Ms. Barb Langel stated their property was zoned correctly since 1994 and now they have the opportunity to do something and feels like they are being held hostage by the District. She said the other developments are still in the planning process with no idea of when they will

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018

69 Zellers Lane Pataskala, Ohio 43062

Phone (740)927-0410 Fax (740)927-4700

develop. She stated she hopes the Board read the letter she wrote and takes their concerns into consideration.

Mr. Gilcher thanked Ms. Stachler and Mr. Smith for the work they performed and for being at the meeting.

Mr. Platte stated it looked like there was going to be some follow up questions and Mr. Gilcher would be in touch with her to address those.

TIMMONS TEST WELL PROJECT UPDATE:

Mr. Gilcher stated the contractor has drilled the well. They went down to 80 feet and hit clay between 73 and 80 feet. The screen was to be ordered today and is about 6 weeks out for delivery. Once the screen arrives the development of the well and testing can start.

HOLLOW ROAD WATERLINE EXTENSION PROJECT:

Mr. Gilcher stated they are across Hollow Road and moving north up SR 310 on phase 1 and have moved to the Worthington Rd side of the project for phase 2. They are moving west on Worthington from SR310. The booster station concrete pad has been poured. The booster station is currently in manufacturing. Mr. Gilcher stated he and Mr. Sims would be going to Illinois to view it at the facility to see if any changes would need to be made.

RESOLUTION TO APPROVE CHANGE ORDER 002 FOR THE LEXINGTON WOODS BOOSTER STATION PROJECT:

Mr. Gilcher stated there was some miscommunication between the engineer and AEP regarding who was responsible for the cost from the transformer to the structure. The engineer thought it was AEP's responsibility but it is the District's responsibility.

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

RESOLUTION:

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

R 2021-065

- 1. THE GENERAL MANAGER HAS REVIEWED AND RECOMMENDS APPROVAL OF CHANGE ORDER #002 TO TRIBUTE CONTRACTING AND CONSULTANTS FOR INCREASES IN QUANTITIES USED AND OTHER ITEMS AS SHOWN ON ATTACHED CHANGE ORDER #002.**

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018
69 Zellers Lane Pataskala, Ohio 43062
Phone (740)927-0410 Fax (740)927-4700

2. **THE BOARD OF TRUSTEES HEREBY APPROVES CHANGE ORDER #002 IN THE AMOUNT OF \$22,790.98 FOR A TOTAL ADJUSTED CONTRACT PRICE OF \$1,002,184.98 WITH TRIBUTE CONTRACTING AND CONSULTANTS FOR THE LEXINGTON WOODS BOOSTER STATION PROJECT.**
3. **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. 2021-065 WAS APPROVED

RESOLUTION TO APPROVE BILL OF SALE FOR THE SR310 INVESTMENTS LTD. TRACTS 1-8 PROJECT:

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

RESOLUTION:

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

R 2021-066

1. **WHEREAS THE DISTRICT ENTERED INTO A DEVELOPMENT AGREEMENT WITH 310 INVESTMENTS, LTD. FOR 310 INVESTMENTS, LTD. – TRACTS 1 THROUGH 8 ON JANUARY 9, 2020, AND**
2. **310 INVESTMENTS, LTD. HAS COMPLETED ALL REMAINING PUNCH LIST ITEMS AND HAS FULLFILLED ITS CONTRACTUAL REQUIREMENTS REGARDING THE CONSTRUCTION OF THE SANITARY SEWER INFRASTRUCTURE, AND**
3. **THE BOARD OF TRUSTEES APPROVES OF SAID BILL OF SALE FOR THE SANITARY SEWER FACILITIES FOR 310 INVESTMENTS. LTD. – TRACTS 1 THROUGH 8, 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.**

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018
69 Zellers Lane Pataskala, Ohio 43062
Phone (740)927-0410 Fax (740)927-4700

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2021-066 WAS APPROVED.

RESOLUTION TO APPROVE DEVELOPMENT AGREEMENT WITH CHARLIES CORNER ETNA LLC FOR THE ETNA CREST BLVD. RETAIL CENTER PROJECT:

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

RESOLUTION:

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

R 2021-067

- 1. RESOLUTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH CHARLIES CORNER ETNA, LLC. FOR THE ETNA CREST BLVD. RETAIL CENTER PROJECT;**

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. 2021-067 WAS APPROVED.

RESOLUTION TO APPROVE CONTRACTOR AGREEMENT WITH THE GREAT LAKES COMMUNITY ACTION PARTNERSHIP:

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

RESOLUTION:

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

R 2021-068

- 1. THE BOARD OF THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT HEREBY APPROVES THE INDEPENDENT CONTRACTOR AGREEMENT WITH THE GREAT LAKES COMMUNITY ACTION PARTNERSHIP, AS PRESENTED.**
- 2. IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS BOARD CONCERNING AND RELATING TO THE PASSAGE OF THIS ORDINANCE WERE**

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018
69 Zellers Lane Pataskala, Ohio 43062
Phone (740)927-0410 Fax (740)927-4700

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. 2021-068 WAS APPROVED.

ACH INCREASE PAPERWORK (BILLING AND PAYROLL):

Mrs. Killen stated payroll and billing ACH amounts need to be updated. She stated Mr. Kretzmann just needs to sign the paperwork allowing the increase.

RESOLUTION TO ENTER INTO THE INTRAFI NETWORK DEPOSITS DDA MMDA DEPOSIT PLACEMENT AGREEMENT THROUGH PARK NATIONAL BANK:

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

RESOLUTION:

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

R 2021-069

RESOLUTION TO ENTER INTO THE INTRAFI NETWORK DEPOSITS DDA-MMDA DEPOSIT PLACEMENT AGREEMENT THROUGH PARK NATIONAL BANK.

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. 2021-069 WAS APPROVED.

8. OFFICE MANAGER'S REPORT

Mrs. Carrelli had nothing to present.

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018
69 Zellers Lane Pataskala, Ohio 43062
Phone (740)927-0410 Fax (740)927-4700

9. ATTORNEY'S REPORT

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

RESOLUTION:

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

R 2021-070

WHEREAS: RESOLUTION 2021-063 APPROVED A CONTRACT WITH THOMPSON REUTERS; AND

WHEREAS: THE BOARD OF TRUSTEES DESIRE TO RESCIND THE APPROVAL OF THIS CONTRACT TO ADJUST THE TOTAL CONTRACT AMOUNT.; AND

**THEREFORE: 1. THE BOARD OF TRUSTEES HEREBY RESCINDS RESOLUTION 2021-063 EFFECTIVE IMMEDIATELY; AND
2. THE BOARD APPROVES THE CONTRACT WITH THOMPSON REUTERS IN THE AMOUNT OF \$12,154.68 AND AUTHORIZES THE BOARD PRESIDENT TO EXECUTE THE ATTACHED CONTRACT.**

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. 2021-070 WAS APPROVED.

10. EXECUTIVE SESSION

Mr. Platte made a motion, second by Mr. Kretzmann, to enter into executive session pursuant to Ohio Revised Code 121.22 (G)(3)- Conferences with an attorney for the public body concerning disputes involving the public body that are subject of pending or imminent court action. The 3 board members, Mr. King and Mr. Teetor was included in the executive session. AND

Pursuant to Ohio Revised Code 121.22 (G)(2) To consider the purchase of property for public purposes. The 3 board members, Mr. Gilcher and Mr. King were included in the executive session. AND

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018
69 Zellers Lane Pataskala, Ohio 43062
Phone (740)927-0410 Fax (740)927-4700

Pursuant to Ohio Revised Code 121.22 (G)(8) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, personal financial statement of an applicant for economic development assistance that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project. The 3 board members, Mr. Gilcher and Mr. King were included in the executive session.

Upon roll call vote, all voted aye.

Entered executive session at 4:42 p.m.

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 5:53pm

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

11. TRUSTEES' COMMENTS

Mr. Platte stated the board has previously entered into a purchase contract for some property and is now ready to move forward on finalizing the purchase.

RESOLUTION:

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

R 2021-071

THE BOARD OF THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT HEREBY APPROVES THE CLOSING ON THE PURCHASE OF REAL PROPERTY, IN ACCORDANCE WITH THE TERMS APPROVED IN RESOLUTION 2021-032 PASSED ON APRIL 8, 2021, AND FURTHER FINDS THAT ALL CONTINGENCIES IN THE CONTRACT WERE SATISFIED.

THE BOARD FURTHER AUTHORIZES BOARD PRESIDENT, LARRY KRETZMANN, TO EXECUTE ANY AND ALL DOCUMENTS RELATED AND NECESSARY TO ACHIEVE SAID CLOSING.

SOUTHWEST LICKING COMMUNITY WATER & SEWER DISTRICT

P.O.Box 215 Etna, Ohio 43018
69 Zellers Lane Pataskala, Ohio 43062
Phone (740)927-0410 Fax (740)927-4700

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. 2021-071 WAS APPROVED.

Mr. Stepp stated after hearing the results of the study it looks like infrastructure costing around 10 million dollars will be needed. He stated he continues to support the developers should be the one to bear the costs and not the existing customers of the District. He wants to make sure existing customers are not bearing the costs for future development.


Mr. King stated he did speak to David Hodge about that and his understanding on his role moving forward would be to help facilitate that and there is the expectation that the developers would be asked to engage with the District with different economic incentive tools and that Mr. Hodge believes that most of the developers would entertain those discussions and Mr. King is hopeful for a path forward.

Mr. Kretzmann asked Mr. Gilcher to engage with the Langels moving forward and keep them informed.

12. 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 5:58 p.m.

ATTEST:



TRENT STEPP, SECRETARY

**SWLCWSD
OFFICE REPORT
07/08/21**

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 | \$1,135,495.70 | \$61,455.00 | \$0.00 | \$1,890,049.20 |
| Sewer | \$1,320,917.88 | \$1,351,113.99 | \$473,988.22 | \$853,707.00 | \$64,602.00 | \$0.00 | \$1,392,297.22 |
| Total | \$2,796,567.40 | \$3,099,680.71 | \$1,167,086.72 | \$1,989,202.70 | \$126,057.00 | \$0.00 | \$3,282,346.42 |

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 | \$757,185.18 | \$0.00 | \$0.00 | \$1,449,918.26 |
| Sewer | \$6,085,751.09 | \$6,246,711.20 | \$1,556,968.03 | \$1,693,913.31 | \$0.00 | \$0.00 | \$3,250,881.34 |
| Total | \$8,808,823.67 | \$9,044,595.32 | \$2,249,701.11 | \$2,451,098.49 | \$0.00 | \$0.00 | \$4,700,799.60 |

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 | \$62,897.50 | \$0.00 | \$0.00 | \$80,620.00 |
| 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 | \$123,015.00 | \$0.00 | \$0.00 | \$154,985.00 |

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 |

| | | |
|--------------|-----------------|-----------------|
| Cash in Bank | As of 07/06/21 | As of 07/05/20 |
| | \$21,007,174.50 | \$15,537,526.88 |

*Does not allow for future expenses

| | | |
|---------------------------|----------------|----------------|
| Loan Payment Due 01/01/22 | \$3,000,000.00 | \$3,200,000.00 |
|---------------------------|----------------|----------------|

| | | |
|--------------------------|------------------------|------------------------|
| Balance Available | \$18,007,174.50 | \$12,337,526.88 |
|--------------------------|------------------------|------------------------|