

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

**BOARD MEETING MINUTES
April 28, 2022**

1. OPENING

The April 28, 2022, 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, 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. Platte requested to move the executive session items after the public comments, right before General Manager's Report on the agenda.

Mr. Gilcher added a resolution to approve the bill of sale for Broadmoore Commons Phases 2 & 3.

Mr. Platte made a motion, second by Mr. Kretzmann, to approve the agenda as amended and presented.

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

3. APPROVAL OF MINUTES

Mr. Kretzmann made a motion, second by Mr. Platte to approve the minutes of the Regular Meeting of April 14, 2022, 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.

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6. PUBLIC COMMENTS

Mr. Mike Wise stated he represents a family on Jersey Mill Rd who has concerns about a proposed wastewater plant in St. Albans Township. He wanted to know what the status was and if the District planned to move forward without obtaining any additional variances from the Township.

Mr. King stated he would not have that discussion in an open meeting as Mr. Wise is taking a position to prevent the District from moving forward. He stated he would be happy to set up a meeting with him to have that conversation.

7. EXECUTIVE SESSION

Mr. Platte made a motion, second by Mr. Stepp, 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 the subject of pending or imminent court action. The 3 board members, Mr. King, Mr. Steve Teetor and Mr. Matt Teetor were included in the executive session AND

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. This is for the extension of water and/or sewer services and will include Ch 5709 73-75, and 715.72 of the Ohio Revised Code. The 3 board members, Mr. King and Mr. Gilcher were included in the executive session.

Upon roll call vote, all voted aye.

Entered executive session at 4:06 p.m.

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 5:36pm

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

8. ATTORNEY'S REPORT

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Mr. King stated he had a brief conversation with the counsel for Etna and said he thinks the 310 project is continuing to move along.

He stated he attended the St. Albans Township meeting the other night to discuss some of the projects the District has in the area and thinks it was a good meeting.

He stated there is a resolution to approve the assignment of construction planning and permit to install for the Smoke Creek lift station. The District would own the plans and the permit to install and is intending to work with one of the developers to complete that project but needs to have legal rights to the plans and permit. Mr. King is asking the Board to take action on that in today's meeting.

He also stated the District is applying for a USDA loan and part of the loan packet requires the District to get a letter from bond counsel. He is presenting a letter of engagement with Bricker & Eckler for them to complete the requirement. He said this is necessary for the USDA loan. Mr. King also stated he continues to move forward with the partnership with Union Township on the water line extension project. He said it has been requested that the District hold a joint meeting with the Union Township Board of Trustees and invite some of the business owners that exist in that area into the meeting and have the opportunity to address any concerns they may have. A letter has been reviewed by Union Township and they are requesting a special meeting be scheduled for May 11, 2022, at 10am at the Union Township Hall to jointly discuss this. He said a letter signed by all Board members will be sent out inviting the business owners to the meeting.

9. GENERAL MANAGER'S REPORT

ADMINISTRATION BUILDING RENOVATION UPDATE:

Mr. Gilcher provided a proposed site plan administration building that was provided by Schorr Architects. He provided a brief overview of the proposed changes and asked for any comments, suggestions or feedback from the Board and move forward.

RESOLUTION TO APPROVE DEVELOPMENT AGREEMENT WITH JP MORGAN CHASE NA, FOR THE CHASE BANK PATASKALA PROJECT:

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

RESOLUTION:

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

R 2022-034

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RESOLUTION TO APPROVE THE DEVELOPMENT AGREEMENT WITH JP MORGAN CHASE BANK NA, FOR THE CHASE BANK - PATASKALA 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. 2022-034 WAS APPROVED.

RESOLUTION TO APPROVE RCAP TO SUBMIT USDA LOAN APPLICATION FOR THE SR 161 ELEVATED STORAGE TANK PROJECT:

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

RESOLUTION:

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

R 2022-035

A RESOLUTION AUTHORIZING PAM EWING FROM THE OHIO RURAL COMMUNITY ASSISTANCE PARTNERSHIP (RCAP) TO SUBMIT A USDA RURAL DEVELOPMENT APPLICATION VIA THE RD APPLY ONLINE APPLICATION SYSTEM FOR THE SR 161 ELEVATED STORAGE TANK PROJECT AND DECLARING AN EMERGENCY

WHEREAS: The Southwest Licking Water and Sewer District has determined the need to apply to USDA Rural Development for financing for the SR 161 Elevated Storage Tank Project; and

WHEREAS: The Ohio Rural Community Assistance Partnership (RCAP) receives funding from the USDA to assist applicants for free in applying for financing.

THEREFORE: The Board of Trustees of the Southwest Licking Water and Sewer District, Licking County, Ohio, all members elected thereto concurring, that:

SECTION 1. The Board of Trustees hereby authorizes Pam Ewing from the Ohio Rural Community Assistance Partnership (RCAP) to submit a USDA Rural Development application and authorization is granted for Pam Ewing to serve as "Representative, Signature and Certification" authority via the RD Apply online application system for the SR 161 Elevated Storage Tank Project.

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SECTION 2. It is found that all formal actions of the Board of Trustees concerning and relating to the passage of this Resolution were passed in an open meeting of the Board of Trustees, and that all deliberations of the Board of Trustees and any of its committees that resulted in such formal action were in open meetings to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety of the residents of the Southwest Licking Water and Sewer District service area; therefore, this Resolution shall be in full force and effect from and immediately after its passage.

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. 2022-035 WAS APPROVED.

RESOLUTION TO AUTHORIZE LARRY KRETZMANN, PRESIDENT, BOARD OF TRUSTEES TO EXECUTE ALL USDA LOAN DOCUMENTS, APPLICATION DOCUMENTS, & CONTRACT DOCUMENTS FOR THE SR 161 ELEVATED STORAGE TANK PROJECT:

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

RESOLUTION:

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

R 2022-036

WHEREAS: the Southwest Licking Community Water and Sewer District has determined the need to apply for a United States Department of Agriculture Loan for the SR 161 Elevated Storage Tank Project to service existing and future customers, and;

THEREFORE: hereby authorizes Larry Kretzmann, President of the Board of Trustees to execute all United States Department of Agriculture loan documents, application documents, and contract documents for the SR 161 Elevated Storage Tank Project pending final review by the District Chief Legal Counsel, 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

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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. 2022-036 WAS APPROVED.

RESOLUTION TO APPROVE BILL OF SALE FOR THE SEWER LINE FACILITIES IN BROADMOORE COMMONS PHASES 2 & 3 OFFSITE SANITARY SEWER IMPROVEMENTS PROJECT:

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

RESOLUTION:

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

R 2022-037

- 1. WHEREAS THE DISTRICT ENTERED INTO A DEVELOPMENT AGREEMENT WITH DR HORTON – INDIANA, LLC. DBA. WESTPORT HOMES, INC. FOR THE BROADMOORE COMMONS PHASES 2 & 3 OFFSITE SANITARY SEWER IMPROVEMENTS PROJECT ON AUGUST 28, 2018, AND**
- 2. DR HORTON – INDIANA, LLC. DBA. WESTPORT HOMES, INC.. HAS COMPLETED ALL REMAINING PUNCH LIST ITEMS AND HAS FULLFILLED ITS CONTRACTUAL REQUIREMENTS REGARDING THE CONSTRUCTION OF THE SEWER LINE INFRASTRUCTURE, AND**
- 3. THE BOARD OF TRUSTEES APPROVES OF SAID BILL OF SALE FOR THE SEWER LINE FACILITIES IN BROADMOORE COMMONS PHASES 2 & 3 OFFSITE SANITARY SEWER IMPROVEMENTS 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.**

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2022-037 WAS APPROVED.

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RATE STUDY UPDATE:

Mr. Gilcher stated Joe Crea from Raftelis does not feel like he will be ready to provide a sufficient report for the May 12 meeting and hopes to be able to attend on May 26 instead. Mr. Gilcher will let the Board know with plenty of time to schedule a special meeting if necessary.

10. OFFICE MANAGER'S REPORT

RESOLUTION TO CERTIFY DELINQUENTS TO THE LICKING COUNTY AUDITOR:

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

RESOLUTION:

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

R 2022-038

RESOLUTION TO CERTIFY DELINQUENTS TO THE LICKING COUNTY AUDITOR AS ATTACHED.

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. 2022-038 WAS APPROVED.

WATER SHUT OFFS:

Mrs. Carrelli stated 41 door tags were left on Monday, April 25. She stated 7 customers were shut off for non-payment and 2 have since paid and been turned back on.

11. TRUSTEES' COMMENTS

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Mr. Platte made a motion, second by Mr. Kretzmann, to retain the Bricker & Eckler law firm to serve as bond counsel for the USDA loan for an amount not to exceed \$17,500.00.

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

RESOLUTION:

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

R 2022-039

1. **RESOLUTION TO APPROVE THE ASSIGNMENT AGREEMENT WITH T&R PROPERTIES, INC, FOR THE SMOKE CREEK LIFT STATION PLANS AND PERMIT;**
2. **THE GENERAL MANAGER SHALL NOT PAY T&R PROPERTIES, INC. UNTIL THE PERMIT TO INSTALL APPLICATION IS COMPLETED AND SUBMITTED TO THE OEPA.**
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. 2022-039 WAS APPROVED.

Mr. Platte made a motion, second by Mr. Stepp to schedule a special meeting to be held on May 11, 2022, at 10am with Union Township, to be located at Union Township Hall, 1380 Beaver Run Rd., Hebron, OH 43025.

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

12. ADJOURNMENT

Mr. Platte made a motion, second by Mr. Stepp that the meeting would be adjourned. Upon Roll Call vote, all voted aye. The meeting was adjourned at 5:55 p.m.

ATTEST:



Trent Stepp, Secretary

**SWLCWSD
OFFICE REPORT
04/28/22**

1) Connection Fees Collected

	2020	2021	1st Qtr. 2022	2nd Qtr. 2022	3rd Qtr. 2022	4th Qtr. 2022	Total 2022
Water	\$1,748,566.72	\$3,302,569.87	\$703,684.76	\$18,228.00	\$0.00	\$0.00	\$721,912.76
Sewer	\$1,351,113.99	\$2,160,023.93	\$396,249.60	\$29,407.00	\$0.00	\$0.00	\$425,656.60
Total	\$3,099,680.71	\$5,462,593.80	\$1,099,934.36	\$47,635.00	\$0.00	\$0.00	\$1,147,569.36

2) Billing Charges

	2020	2021	1st Qtr 2022	2nd Qtr. 2022	3rd Qtr. 2022	4th Qtr. 2022	Total 2022
Water	\$2,797,884.12	\$3,020,543.16	\$723,798.34	\$0.00	\$0.00	\$0.00	\$723,798.34
Sewer	\$6,246,711.20	\$6,596,057.67	\$1,609,156.07	\$0.00	\$0.00	\$0.00	\$1,609,156.07
Total	\$9,044,595.32	\$9,616,600.83	\$2,332,954.41	\$0.00	\$0.00	\$0.00	\$2,332,954.41

3) Capacity Fees

	2020	2021	1st Qtr. 2022	2nd Qtr. 2022	3rd Qtr. 2022	4th Qtr. 2022	Total 2022
Water	\$185,357.50	\$91,740.00	\$52,948.13	\$695.00	\$0.00	\$0.00	\$53,643.13
Sewer	\$196,337.50	\$84,095.00	\$52,948.12	\$695.00	\$0.00	\$0.00	\$53,643.12
Total	\$381,695.00	\$175,835.00	\$105,896.25	\$1,390.00	\$0.00	\$0.00	\$107,286.25

4) Assessment Revenue

	2020	2021	2022	Total 2022
1st Half	\$472,378.86	\$302,195.30	\$164,451.34	\$164,451.34
2nd Half	\$370,687.93	\$249,139.14	\$0.00	\$0.00
Total	\$843,066.79	\$551,334.44	\$164,451.34	\$164,451.34

Cash in Bank	As of 04/26/22	As of 04/25/21
	\$25,006,623.46	\$21,629,298.60
*Does not allow for future expenses		
Loan Payment Due 07/01/22	\$3,000,000.00	\$3,200,000.00
Balance Available	\$22,006,623.46	\$18,429,298.60