

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

**BOARD MEETING MINUTES
May 29, 2018**

1. OPENING

The May 29, 2018 Board Meeting of the Southwest Licking Community Water and Sewer District was called to order by Mr. Carlisle at 3:00 p.m. The pledge of allegiance was led by Mr. Kretzmann. Mr. Fox, Mr. Kretzmann, and Mr. Carlisle were present at roll call. Also present were Lee Conkel, Kathy Killen, CJ Gilcher, John Albers and those members of the public who signed the May 29, 2018 sign-in sheet.

2. ADOPTION OF AGENDA

Mr. Carlisle made a motion, second by Mr. Kretzmann, 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. Fox to approve the minutes of the Board meeting of May 8, 2018 and the minutes of the Audit/Finance Committee Meeting of May 8, 2018. Upon Roll Call vote, all voted aye. Motion carried.

4. PAYMENT OF BILLS

Mr. Fox moved to approve payment of the bills as presented. Mr. Kretzmann seconded. Upon Roll Call vote, all voted aye. Motion carried.

5. COMMUNICATIONS

There were no communications to report at this meeting.

6. PUBLIC COMMENTS

Mr. Conkel stated that he sent the Board an update in regards to the deferred Ag assessment process for Mrs. Judy Yocom property. Mr. Conkel stated that Mrs. Judy Yocom was offered by the Licking County Auditor's office a 9 year payment plan, however, Mrs. Judy Yocom is requesting a 15 year payment plan. Mr. Albers stated that he does not believe that the Licking County Auditor's office has the authority to extend the payment plan without the District's consent. However, the District does. Mr. Carlisle asked Mrs. Yocom if a 15 year payment plan would be sufficient. Mrs. Yocom stated that she would prefer a 20 year payment plan. The Board stated that they did not have a problem with a 20 year payment plan.

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Mr. Carlisle made a motion, second by Mr. Fox, to direct Mr. Conkel to present a resolution for a 20 year assessment, in the language that Mr. Albers has already given the Board, for presentment at the next Board meeting. Upon Roll Call vote, all voted aye. Motion carried.

7. GENERAL MANAGER'S REPORT

WATER TREATMENT PLANT CONSTRUCTION UPDATE/CLEARWELL FLOOR SLAB UPDATE:

Mr. Conkel stated that they looked at 2 potential slab repairs. He stated that one was polishing the existing concrete, but did not like that option. He stated that they are now looking at an epoxy and are getting costs for this. He stated that they should be starting the roof in a couple of weeks.

SUMMIT TANK CONSTRUCTION UPDATE:

Mr. Conkel stated the exterior paint is just about completed.

WELLFIELD EXPLORATIONS:

Mr. Conkel stated the hole was drilled on State Route 40 on the Karr property. He stated that based on the testing of materials, they estimate that the District is looking at having at least a half million gallons per day.

CHAD SIMS INCREASE - RESOLUTION:

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

RESOLUTION:

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

R 2018-027

A RESOLUTION TO INCREASE PAY RATE TO \$36.00 PER HOUR FOR CHAD SIMS BASED ON MERIT, AS PER THE GENERAL MANAGER'S AND THE UTILITY SUPERINTENDENT'S RECOMMENDATION, TO BE EFFECTIVE THE DISTRICT'S NEXT PAY PERIOD, BEGINNING MAY 27, 2018.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2018-027 WAS APPROVED.

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COUGHLIN AGREEMENT:

Mr. Conkel stated that he met with Connie Klema last week. He stated that Ms. Klema was going to talk to Mr. Coughlin and hopefully bring back an agreement that the District and Mr. Coughlin can agree upon.

JUDY YOCUM AG DEFERRED ASSESSMENT ISSUE:

Mr. Conkel stated that this was already covered during the public comment section.

AG DEFERRED FILING:

Mr. Conkel stated that there is a resolution to remove an ag deferred assessment. Mr. Conkel stated that the District can only go back 5 years to collect. Mr. Albers stated that if the Licking County Auditor's office neglects to bill the assessments for a property, then it becomes no longer collectible. Mr. Conkel stated that Mr. Albers suggested filing an Affidavit of Fact to protect the District in the future.

Mr. Albers stated that he gave Mr. Conkel an estimate of what the cost would be from his office. Mr. Albers stated that the majority of the cost would from doing the property research such as gathering the property descriptions. Mr. Kretzmann stated that he would prefer District staff do the bulk of the property research as to save on the costs.

Mr. Albers inquired if there was someone experienced on staff that could consult with his employee, Ashley, to get this research done. Mr. Conkel stated that Kim would be the most experienced with ag deferred assessments. The Board agreed that Kim should do as much of the property research as possible.

GOVERNMENTAL/501(C)(3) MULTI-BUILDING UTILITY TAP AND SERVICE FEES:

Mr. Conkel stated that he talked to Mr. Albers about the idea of charging a single tap fee for multiple improvements and allowing such improvements to be invoiced as a single customer when the entity seeking such consideration is a governmental entity or a charitable 501(C)(3) entity, and is seeking to provide services to additional improvements which require no larger than a 1-inch service with no need for fire services. Mr. Albers will draft a resolution for Mr. Conkel to present at the next Board meeting.

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AEP USE & HOOKUP - RESOLUTION:

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

RESOLUTION:

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

R 2018-028

A RESOLUTION WHEREAS THE DISTRICT ENTERED INTO AN AGREEMENT WITH AMERICAN ELECTRIC POWER TRANSMISSION COMPANY TO SERVE THE JRS SITE ON ETNA PARKWAY; AND

WHEREAS AMERICAN ELECTRIC POWER TRANSMISSION COMPANY HAS COMPLETED THE REQUIRED WATER AND SANITARY SEWER LINE IMPROVEMENTS TO THE SATISFACTION OF THE DISTRICT; AND

THE BOARD OF TRUSTEES APPROVES THE WATER AND SEWER INFRASTRUCTURE FOR USE AND HOOK UP AT THE AMERICAN ELECTRIC POWER TRANSMISSION COMPANY.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2018-028 WAS APPROVED.

2019 DRAFT BUDGETS:

Mr. Conkel presented the Board with a copy of the 2019 DRAFT Budgets. Mr. Conkel asked the Board to review these and get back with him if they had any questions.

SUMMIT ROAD WATERLINE:

Mr. Conkel stated that he would want to make the award for the Summit Road Waterline at the next Board meeting.

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8. OFFICE MANAGER'S REPORT

Mrs. Killen presented a copy of the water shut off list. She stated that there were 48 door tags distributed on 5/25/18. She stated that as of today 32 accounts remain on the list to be shut off on 5/30/18.

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

RESOLUTION:

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

R 2018-029 RESOLUTION TO CERTIFY DELINQUENT CUSTOMER ACCOUNTS TO THE LICKING COUNTY AUDITOR.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2018-029 WAS APPROVED.

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

RESOLUTION:

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

R 2018-030 RESOLUTION TO CERTIFY TO THE LICKING COUNTY AUDITOR THE FOLLOWING.

Parcel# 010-017598-00.002 Owner: Chad Jones

\$34,615.79 for Project# 10217- Water

Parcel no longer qualifies for CAUV and was removed from Ag District Exemption

Those certifications will appear on the 06-15-18 tax bill and the payment due date for this tax bill is 07-18-18.

Note: The above assessment includes interest through 7/18/18 and may be adjusted based on the date payment is received.

Copies of all correspondence and related documents attached for reference.

UPON ROLL CALL VOTE, ALL VOTED AYE. RESOLUTION NO. 2018-030 WAS APPROVED.

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

The Board decided to table the resolution to remove remaining water and sewer assessments as they are considered to be uncollectable for the next Board meeting. They will wait for further detail from Mrs. Carrelli before making their decision about this resolution.

9. ATTORNEY'S REPORT

Mr. Albers did not have anything to present at this meeting.

10. EXECUTIVE SESSION

Mr. Carlisle moved to adjourn 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.

Seconded by Mr. Fox

Kretzmann.....yes
Fox.....yes
Carlisle.....yes

MOTION CARRIED.

Entered executive session at 3:41pm

Mr. Fox made a motion, second by Mr. Carlisle to return from Executive Session.

Kretzmann.....yes
Fox.....yes
Carlisle.....yes

Motion Carried.

Returned from Executive Session at 3:53 P.M.

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

RESOLUTION:

Mr. Carlisle made a motion, second by Mr. Fox.

R 2018-031 RESOLUTION AUTHORIZING EMPLOYMENT OF LEGAL COUNSEL TO REPRESENT INDIVIDUALS NAMED AS DEFENDANTS IN THEIR PERSONAL CAPACITY IN THE CASE OF RHONDA LOOMIS VS. SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT, ET AL, CASE NO. 2: 18-CV-00309, SOUTHERN DISTRICT OF OHIO, FEDERAL DISTRICT COURT, AND AUTHORIZING PAYMENT BY THE DISTRICT.

WHEREAS, RHONDA LOOMIS INITIATED LITIGATION AGAINST THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT, BEING THE ACTION SITED ABOVE, IN WHICH LITIGATION SHE MAKES CERTAIN ALLEGATIONS AGAINST THE DISTRICT AND CERTAIN ALLEGATIONS AGAINST OTHER PERSONS IN THEIR INDIVIDUAL CAPACITY; AND

WHEREAS, THE DISTRICT, PURSUANT TO ITS BYLAWS ARTICLE VII, AND OHIO LAW, IS AUTHORIZED TO PAY FOR AND PROVIDE LEGAL REPRESENTATION TO REPRESENT SUCH PERSONS IN THEIR INDIVIDUAL CAPACITIES:

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. EACH INDIVIDUAL NAMED IN SAID LITIGATION MAY RETAIN THEIR OWN LEGAL COUNSEL OF THEIR CHOOSING AT REASONABLE RATES OF COMPENSATION FOR REPRESENTATION AND DEFENSE IN THE ABOVE-REFERENCED LITIGATION AND THE DISTRICT SHALL BE RESPONSIBLE FOR PAYING THE COSTS OF SAID REPRESENTATION.**

UPON ROLL CALL VOTE, MR. CARLISLE AND MR. FOX VOTED AYE, MR. KRETZMANN ABSTAINED. RESOLUTION NO. 2018-031 WAS APPROVED.

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11. TRUSTEES' COMMENTS

Mr. Kretzmann inquired about a particular charge on the Albers and Albers invoice. Much discussion followed. Mr. Carlisle requested that Mr. Albers provide clarification to the Board for this particular charge on the Albers and Albers invoice.

Mr. Fox stated that he would like an update on open meeting laws from Mr. Albers.

Mr. Carlisle stated that there were numerous conversations regarding Project Oriole. However, he has not heard any more on Project Oriole at this point.

12. ADJOURNMENT

Mr. Fox made a motion, second by Mr. Kretzmann that the meeting would be adjourned. Upon Roll Call vote, all voted aye. The meeting was adjourned at 4:10 p.m.

ATTEST: 
LAWRENCE KRETZMANN, SECRETARY

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69 ZELLERS LANE, PATASKALA, OH 43062

740-927-0410

REGULAR BOARD MEETING

May 29, 2018

SIGN BELOW:

NAME

ADDRESS

PHONE

Judy Yeom

7491 Blacks Rd
Pataskala, Ohio

(614) 370-7669