

# Swan creek Water District

Record of Proceedings  
Thursday, July 14, 2016

The meeting began with The Pledge of Allegiance at 6:30 p.m.

Roll call attendance showed the following Board members present: Shawn Albert, Dale Brunner, Mark Fowler, Walter Lange and Randy Walker. Also present were Tina Whalen, Office Manager, Cindy Fowler, Office Assistant, and Tom Shelley, Inspector. Visitor list attached.

**Minutes Approval from Special Meeting on June 16<sup>th</sup>- Motion** was made by Trustee Lange, seconded by Trustee Albert, to approve the Special Meeting minutes from June 16, 2016. Roll Call Vote: Albert, yes; Brunner, yes; Fowler, yes; Lange, yes, and Walker, yes. Motion Carried.

**Minutes Approval from Regular Meeting on June 23<sup>rd</sup> - Motion** was made by Trustee Lange, seconded by Trustee Albert, to approve the meeting minutes from June 23, 2016. Roll Call Vote: Albert, yes; Brunner, yes; Fowler, yes, Lange, yes, and Walker, yes. Motion Carried.

## Ziad Musallam- Water Contract/Agreement Renewal

Mr. Musallam spoke to the Board with the details of the renewed 20 year water contract with the City of Toledo. The Board reviewed addendum number four (4) to the Water Service Agreement between Fulton County and Swan creek Water District. Section 5 and Section 13 are the only two (2) sections that are in the addendum. Section 5 addresses the water rates and Section 13 addresses the 20 year term. Ziad explained that he was able to get a reduced rate by taking into consideration the usage by North Star Steel, Northeast Water System and Swan creek Water District and getting the Block 3 rate. He also explained that a credit was issued on the District's June water bill since the new rate is retroactive back to March 15, 2016.

Trustee Walker asked about the 20 years and the commitment, Ziad explained that there is not a minimum usage requirement and that the County can continue to review other alternative water sources and even pursue them without any repercussions. Mr. Musallam said after this addendum is approved and signed he will work on getting the agreement with the Village for their emergency connection changed as well.

Trustee Brunner asked Mr. Musallam about the talk of The Village of Swanton leaving the Township and if this would have any effect on the Water Districts ability to service those properties. Mr. Musallam said no, that is independent of any utility. The County operates under the County's Water and Sewer Districts with the exception of Swan creek Water District so it is irrelevant if it is a portion of the Town in the Township and vice versa. Trustee Brunner was concerned about annexation and the District's service area. Ziad explain that the Swan creek Water District operates under chapter 6119 of the Ohio Revised Code which allows the District to do intergovernmental agreements with other parties. Ziad said the Village would have to get approval from the District to attempt to service their area.

Trustee Brunner asked Mr. Musallam what the route of the water main is that comes out of Toledo. Mr. Musallam said it started just West of St. Lukes Hospital as a 36" water main branched off of Lucas County's infrastructure. Once it got to 295 and Monclova Road it dropped to 24" and continued all the way down to the steel mill. Tina asked about the tower on 295. Mr. Musallam said that is a 2 million gallon tank that belongs to Lucas County that serves all of Southwest Service area and we are benefiting from coming in directly because they do have ground water storage facilities but also elevated, so if anything happens to the infrastructure coming out of Toledo the water could come out of that 2 million gallon tank.

Tina said she needs the Board to approve the addendum and that Bobbie has already looked it over and said she couldn't sign it before the Board approves it.

**Resolution 2016-30** was motioned by Trustee Fowler, seconded by Trustee Albert to approve Addendum Number Four (4) to the Water Service Agreement between Fulton County and Swan creek Water District and to allow Trustee Brunner to sign the addendum. Roll Call Vote: Walker, yes; Lange, yes; Brunner, yes; Fowler, yes; and Albert, yes. Motion Carried.

Trustee Brunner signed the two (2) originals. Tina will send them to Bobbie for signature and return them to Ziad so the County Commissioners can sign.

Mr. Musallam also presented to the Board an informational flyer from Ohio's Water/Wastewater Agency Response Network also known as OHWARN ([www.ohwarn.org](http://www.ohwarn.org)). It is a mutual aid agreement between public utilities in Ohio and the organization. They make resources available to their members in case of any emergencies, not general water main breaks but big disasters or major water problems with the system. They help prepare, organize and share resources for a natural or human-caused emergency. Membership is free and the mutual aid agreement has all the details in it and is the same for all participants. All rates for any services that have to be utilized are based on FEMA rates. The County is a member and Mr. Musallam suggested that the Swancreek Water District sign up. He said it could aid when applying for grants as it would show preparation in case of emergency. Tina will check into it.

### **Executive Session to Discuss Pending Litigation at 7:00 p.m. (Conference Call with Attorneys)**

At 6:58 p.m. **Motion** was made by Trustee Lange, Seconded by Trustee Brunner to go into Executive Session to discuss Pending Litigation in a Conference Call with Attorneys. Roll Call Vote: Albert, yes; Brunner, yes; Fowler, yes; Lange, yes and Walker, yes. Motion Carried.

At 8:12 p.m. **Motion** was made by Trustee Fowler, Seconded by Trustee Albert to return to the regular meeting session. Roll Call Vote: Albert, yes; Brunner, yes; Fowler, yes; Lange, yes and Walker, yes. Motion Carried.

### **Manager's Report**

**Cash Summary by Fund Report** was given to the Board and reviewed.

**Resolution(s) 2016-27 thru 29** were reviewed and signed by the Board. Details of these resolutions are in the June 23, 2016 meeting minutes.

**June's Fund Ledger** was given to the Board's Treasurer, Mark Fowler for review.

**June's Bank and Investment Statements** were reviewed and initialed by the Board.

**Purchase Orders** were reviewed and initialed by the Board.

**Bylaws & Original Court Entry to Board** – A copy of the Revised Bylaws and the Original Court Entry dated 1997 was given to the Board for their binders.

### **New Business**

**Water Conservation (Walt Lange)** - Trustee Lange provided a Household Water Conservation Tip pamphlet from Project Learning Tree (PLT), ([www.plt.org](http://www.plt.org)) which is a program of the American Forest Foundation. The pamphlet asks 15 questions to help identify places where you can make changes to save water, and money. It also lists Typical and Water Conservation Methods that can be used in your home. Trustee Lange suggested that this pamphlet be included with the next Swancreek Water Bills that are mailed as well as copies available at the sign in table. Tina will have this information added to the Swancreek Water Website as well.

Trustee Albert wanted to inform the Board that the vacant parcel at the end of Lee High Drive, that the Water Office had received calls about water availability, has recently been purchased by the Village of Swanton.

### **Inspector's Report**

Tom had nothing to report at this time.

### **Unfinished Business**

**Replacement Cost Road 5 and Road 1-2 Master Meter Pits-** After discussion with Tom and reviewing information provided by Arcadis for actual replacement costs for the Road 2 Master Meter Pit, it was agreed to go with \$50,000 for the Road 2 and \$25,000 for the Road 5 and Road 1-2 Meter Pits.

**Insurance proposal Revisions-** Trustee Lange asked if the Legal portion provided by Beck Insurance was an adequate amount, as well as what are the specific parameters if and when this might need to be used. Tina will check with Beck Insurance on the details and update the Board. After review of the insurance proposal and coverages:

**Resolution 2016-31** was made by Trustee Fowler, Seconded by Trustee Brunner to approve the renewal of the Annual Ohio Plan Insurance Policy thru Beck Insurance with an annual premium of \$4,237.00. Roll Call Vote: Walker, yes; Lange, yes; Albert, yes; Fowler, yes; and Brunner, yes. Motion Carried.

### **Treasurer's Report**

**Bill Payments-** Trustee Fowler reported that he has gone over all the bills. With no questions or concerns:

**Resolution 2016-32** was motioned by Trustee Fowler, Seconded by Trustee Lange to approve payment of the bills in the amount of \$16,701.88. Roll Call Vote; Albert, yes; Brunner, yes; Fowler, yes; Lange, yes and Walker, yes. Motion Carried.

**Public Forum** - Trustee Brunner opened the floor to the public after stating that: DUE TO PENDING LITIGATION, THERE WILL BE NO DISCUSSION ON THE ROAD 3, EF & PEACEFUL VALLEY PROPOSED PROJECT

There was no public in attendance.

**Adjournment** – At 8:30 p.m. Trustee Lange moved to adjourn seconded by Trustee Albert. Motion Carried.

### **Up Coming Meetings**

The next two regular meetings are scheduled for Thursday, July 28<sup>th</sup> and August 11<sup>th</sup>, 2016 @ 6:30 p.m.

## SWANCREEK WATER DISTRICT BOARD

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Mark Fowler

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Dale Brunner

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Shawn Albert

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Randy Walker

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Walter Lange, Water Board Secretary