

Swan Creek Water District

Record of Proceeding

July 26, 2018

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

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

Trustee Albert was out of town on vacation.

Minutes approval from Regular Meeting on July 12, 2018 - Motion was made by Trustee Fowler, seconded by Trustee Brunner, to approve the regular meeting minutes from July 12, 2018.

Roll Call Vote: Brunner, yes; Fowler, yes Mitchell, yes and Walker, yes. Motion Carried.

Public Forum

Mr. Wagoner stated Congratulation were in order due to the Appellate Judge's recent ruling in favor of the Water District. Mr. Wagoner stated he thought the Appellate Court overruled the Trial Court decision. Tina said that the Resolutions the Board had passed for planning that project were found not to be illegal, so yes the original ruling was overruled.

He asked if that project that included Peaceful Valley Project would be the next project. The Board said they have not had any discussions on the decision and feel they need to wait until they speak to their attorney on all the particulars.

Trustee Fowler stated that no one has really won, due to money and time spent, this is not a big win for anyone.

County Road 3 & EF West Project

Resolution Amending the Resolution of Necessity- Tina explained to the Board the changes made to exhibit A, attached to Resolution of Necessity from December 2017. Some residences have changed their decision on wanting water and that they need to amend the resolution of necessity.

This requires a Resolution Amending the Resolution be made. After further discussion:

Resolution 2018-45 was motioned by Trustee Fowler, seconded by Trustee Walker to amend the resolution Necessity for the County Road 3 & EF West Project. Roll Call Vote: Brunner, yes; Fowler, yes, Mitchell, yes and Walker, yes. Motion Carried.

Engineer Update/Construction Progress – Scott Lumbrezer, from Arcadis, discussed the progress that had been made on the project to date. Scott reported that they have received the Contractor's Record Drawings.

- The punch list is near completion, hydrant painting is scheduled for next week.
- Arcadis has the change order drafted which reflects adjustments of quantities estimated vs. used.
- This will need to be reviewed with the Contractor and then approved.
- Due to lack of rain the establishment of grass has been a challenge.
- Scott provided an updated Distribution Map for the District.
- Discussion was had regarding timeline variables, getting a schedule together towards completion.

Assessment for 2019 Tax Year- Time lines and procedures for adding Assessments to the 2019 Tax Year were discussed. Tina asked Scott when they would have the final bills in for the project. It's going to be a challenge getting the final assessments into the County Auditor before the deadline of September 10th. Scott will see what he can do and get back to Tina.

Trustee Mitchell asked how many residence received a tap and how many are hooked up to the water line. Tina stated there were 21 received taps and six are already hooked up with more to come.

Office Manager's Report

Cash Summary by Fund was given to the Board for review.

Resolutions 2018-42 thru 44 were reviewed and signed by the Board. Details of these resolutions are in the July 12, 2018 meeting minutes.

Purchase Orders were reviewed and initialed by the Board.

Typo error on Resolution 2018-37 – Tina explained she had a typo on the amount for resolution 2018-37. The Board signed the corrected one. Tina will send it over to the Fulton County Auditor.

Treasurer's Report

Bill Payments - After Trustee Fowler reported that, he has gone over all the bills:

Resolution 2018-46 was motioned by Trustee Fowler, seconded by Trustee Walker to approve payment of the bills in the amount of \$136,120.15. Roll Call Vote: Brunner, yes; Fowler, yes, Mitchell, yes and Walker, yes. Motion Carried.

Trailer Park Debt – The Trailer Park has made their June payment of \$1,570.71 in full and on time.

Water Board Trustees' Report

Trustee Mitchell gave a brief summary on the ORWA (Ohio Rural Water Association) 2018 Summer Quarterly Meeting he attended on July 12, 2018:

- There was an Attorney from the Cleveland area that spoke of a similar situation the Water District has with the Trailer Park. He said that Water Districts have the right to turn off water to a Trailer Park for non-payment. This has been done with other Districts.
- If your workplace has a "Drug Free Policy" in place, you can get discounts on Workers Compensation. The Board asked to Tina to see if the Township has such a policy.
- Medical Marijuana and all the controversy was discussed.
- The discussion of a deep well being drilled near Bryan, Ohio, which would potentially drain the aquifer in nearby counties. The water would then be sold to the sub-burbs of Toledo (Whitehouse and Sylvania were mentioned). Trustee Mitchell felt it was important to stay on top of this potential issue because we would be directly affected.

Inspector's Report

Tom reported that the 2 meter pits on County Road F have been relocated to the Road and he replaced the Meters and RTR's since they were over 10 year old and were another model.

New Business

Water Inquiry for 5214 CR 4

A couple came into the office last week, they live on County Road 4 between E and EF. They were asking if and when there might be a water main installed in their area. They reported they believe all the wells the Dairy Farm has put in, is affecting their ability to get good water. They had to have a deep well drilled (due to lack of water) which resulted in their water being salty. There are 4 other residences in the same area who are having issues as well. Tina discussed with the couple that there is no project in the works at this time. They could go to their neighbors and start a petition of interest which could be presented to the Board at a Meeting. Cindy provided the couple with a meeting schedule.

Unfinished Business

Trustee Mitchell asked Tina on the status of the Zoning Letter. Tina said she will get back with him.

Executive Session to Discuss Pending Litigation (If Needed)

At 7:25 p.m. **Motion** was made by Trustee Fowler, seconded by Trustee Brunner to go into Executive Session to discuss Pending Litigation. Roll Call Vote: Brunner, yes; Fowler, yes; Mitchell, yes and Walker, yes. Motion Carried.

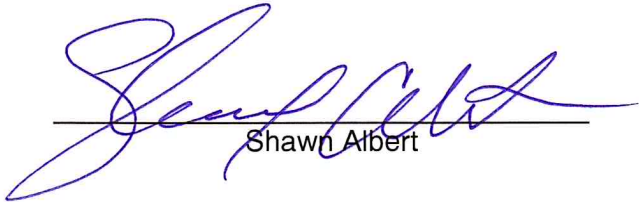
At 7:44 p.m. **Motion** was made by Trustee Fowler, seconded by Trustee Walker to return to regular session. Roll Call Vote: Brunner, yes; Fowler, yes; Mitchell, yes and Walker, yes. Motion Carried.


Adjournment – At 7:45 p.m. Trustee Fowler moved to adjourn seconded by Trustee Brunner. Motion Carried

Up Coming Meetings

An Audit Committee Meeting is scheduled for August 9, 2018 at 5:30 p.m.
The next two regular meetings are scheduled for August 9, and August 23, 2018 at 6:30 p.m.

SWANCREEK WATER DISTRICT BOARD


Shawn Albert


Dale Brunner


Mark Fowler

Lennox Mitchell

Randy Walker, Board Secretary