

# Swan Creek Water District

Record of Proceeding  
October 25, 2018

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

Roll call attendance showed the following Board members present Shawn Albert, Mark Fowler, Lenny Mitchell and Randy Walker. Trustee Brunner was out of town. Visitor list attached.

**Minutes Approval from Regular Meeting on October 11, 2018 - Motion** was made by Trustee Fowler, seconded by Trustee Walker, to approve the regular meeting minutes from October 11, 2018. Roll Call Vote: Albert, yes; Fowler, yes; Mitchell, yes and Walker, yes. Motion Carried.

## Public Forum

Mr. Wagoner asked the Board if the contractual approach used on the CR 3 & EF West Project looked like it was going to work for The District and would they use it on future projects. Trustee Albert stated this would have to be on a case by case basis, it is too early to tell how well it worked for the District.

Mr. Wagoner asked how much was the interest. Trustee Albert stated the interest was \$1,707.42, over 30 years. Mr. Wagoner asked if a person decided to tie in a year later, would they have to pay the full interest. Trustee Albert stated, yes, they would pay the full 30 year interest, because of the way the loan is set up, we have to pay the balance of the loan for 30 years. It would not be fair if someone has it on their taxes for 30 years, and someone new ties in and they only pays a few years of interest.

Mr. Wagoner stated he is not sure this is right, and they would have to check if we can charge a person interest when we have the money. Trustee Albert and Trustee Fowler stated they have spoken to and worked with the Attorney regarding guidelines and research of the specifics for this project.

## County Road 3 & EF West Project

**Punch List Items** – Trustee Albert stated after his recent review of the area, there are still 2 areas that needed he felt needed to be re-seeded again. The silt fence then could be removal after the appropriate grass growth. He has emailed and called the Contractor, with his findings and has not heard anything back. Trustee Albert asked if someone on the Board would watch over the progress of this since he works out of town. Trustee Mitchell said he would and he will make contact with Tina in the office on Friday. Trustee Albert stated something could be worked out if it is determined and agreed the area would be re-seeded in the spring, we could hold back a specific amount for that until final completion.

**Final Pay** – Trustee Albert feels this could be distributed after discussion and/or an agreement has been made with the Contractor.

## Office Manager's Report (Not Present)

**Cash Summary by Fund** was left to the Board for review. Trustee Albert had a question about fund totals, Trustee Fowler presented the question to Tina via the recorder at the meeting and asked to email the Board with details.

**Resolutions 2018-61** was reviewed and signed by the Board. Details of this Resolution are in the October 11, 2018 meeting minutes.

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

**September's Checking and Investment Statements & Reconciliation** were reviewed and initialed by the Board.

## Treasurer's Report

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

**Resolution 2018-62** was motioned by Trustee Fowler, seconded by Trustee Walker to approve payment of the bills in the amount of \$402.32. Roll Call Vote: Albert, yes; Fowler, yes; Mitchell, yes and Walker, yes. Motion Carried.

**Water Board Trustees' Report** - Nothing new to report

**Inspector's Report** – Not Present

**Unfinished Business**

Trustee Albert said he will not be available for the meeting scheduled for 11/29, and would like to discuss if the meeting is necessary and the option of cancelling this meeting at the November 8<sup>th</sup> meeting.

**Executive Session to Discuss Pending Litigation (If Needed)**

The Board did not go into Executive Session.

Trustee Mitchell asked if a copy of the Resolutions that were slated to be rescinded were available for review, since he was not on the Board at the time the Resolutions were created. Tina had copies of the Resolutions available for the Boards review at the meeting. Trustee Fowler told Trustee Mitchell that since he was not on the Board at this time, he could choose to vote; yes, no or abstain. You can vote as long as you are comfortable and understand what your reading as well as understand what and why we are doing what we are doing.

**New Business**

**Resolutions Rescinding Resolutions for Road 3, EF & Peaceful Valley Project** – After discussion about this project not being as it was since they had just constructed a section of it.

**Resolution 2018-63** was motioned by Trustee Fowler, seconded by Trustee Mitchell to rescind resolution 2015-29 (Resolution of Necessity). Roll Call Vote: Albert, yes; Fowler, yes; Mitchell, yes and Walker, yes. Motion Carried.

**Resolution 2018-64** was motioned by Trustee Fowler, seconded by Trustee Walker to rescind resolution 2015-38 (Resolution of Assessment for Planning). Roll Call Vote: Albert, yes; Fowler, yes; Mitchell, yes and Walker, yes. Motion Carried.

**5315 S. Fulton Lucas Rd- #101324-Potter**

Trustee Fowler shared with the Board an brief overview of an ongoing discussion with Tina and Mr. Potter who purchased 5315 S. Fulton Lucas Road from Mr. Czjaka. The discussion is regarding the Trunk Capacity Fee for this home, and who is responsible for the remaining fee. Trustee Fowler gave an overview: Lucas County residences who tie in can pay their assessment fee up front or have it included in their water bill, since we cannot place an assessment on Lucas County taxes. Mr. Potter contacted Tina and feels the assessment fee follows the original owner, Mr. Czajka and should not be placed on the water bill at this property. Tina will be in touch with Trustee Fowler regarding this matter. Mr. Potter also owns 5385 S. Fulton Lucas Road in Lucas County and is assessed a Trunk Capacity Fee on his water bill.

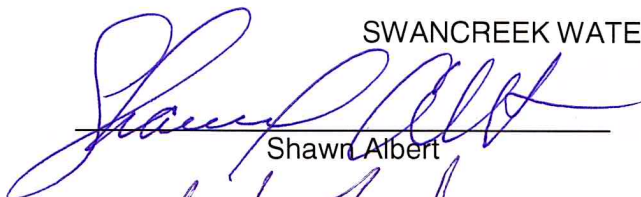
**Adjournment**

At 7:08 p.m. Trustee Albert moved to adjourn seconded by Trustee Fowler. Motion Carried

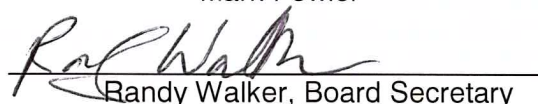
**Up Coming Meetings**

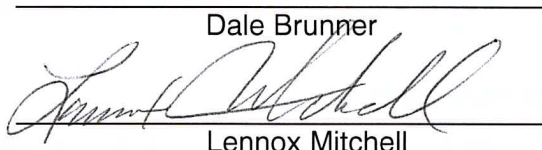
The next two regular meetings are scheduled for November 8, 2018 and November 29, 2018 at 6:30 p.m.

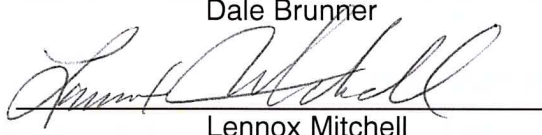
**SWANCREEK WATER DISTRICT BOARD**

  
Shawn Albert

  
Mark Fowler

  
Randy Walker, Board Secretary

  
Dale Brunner

  
Lennox Mitchell