

# Swan Creek Water District

Record of Proceeding  
November 8, 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, Shawn Albert, Mark Fowler, Lenny Mitchell and Randy Walker. Also present were Tom Shelley, Inspector and Tina Whalen, Office Manager.

**Minutes Approval from Regular Meeting on October 25, 2018 - Motion** was made by Trustee Fowler, seconded by Trustee Walker, to approve the regular meeting minutes from October 25, 2018. Roll Call Vote: Albert, yes; Fowler, yes; Brunner, abstained; Mitchell, yes; and Walker, yes. Motion Carried.

**Public Forum** – There was no public present.

## **County Road 3 & EF West Project**

**Final Pay** – Tina reported that the silt fencing and dandy bags have been removed. The Board gave Tina permission to mail the final payment..

## **Office Manager's Report**

**Cash Summary by Fund** was left to the Board for review.

**Resolutions 2018-62** was reviewed and signed by the Board. **Resolutions 2018-63 & 64** were already signed. Details of these resolutions are in the October 25, 2018 meeting minutes.

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

**October's Checking and Investment Statements & Reconciliation** were reviewed and initialed by the Board. Tina reported that she was reviewing funds in the checking account to see what can be transferred into the Star Plus investment account. She will be transferring around \$140,000 so they can receive more interest.

**Questions from Last Meeting on Fund Status Report & Usage Report** – Tina explained that these two will not match because the Usage Report will show what is going to go into capital improvement and preliminary project funds and the fund status report is going to show what has come in already.

**November's Usage/Billing Summary Report** was reviewed by the Board. Tina explained that there will be a usage/billing summary report every month now that they are billing the Trailer Park and Aaron's Water Hauling monthly and all the others bi-monthly.

**Crediting Accounts with Billing/Meter Reading Errors** – Tina reported that there are times when she has to rebill an account due to an error of some sort. In order to rebill, she has to credit the incorrect amount. She explained that she needs Board Approval to make adjustments. After further discussion:

**Resolutions 2018-65** was motioned by Trustee Fowler, seconded by Trustee Albert to give Tina Whalen authorization to make adjustments to billing accounts that need to be rebilled. Roll Call Vote: Mitchell, yes; Brunner, yes; Walker, yes; Fowler, yes; and Albert, yes. Motion Carried.

## **Treasurer's Report**

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

**Resolution 2018-66** was motioned by Trustee Fowler, seconded by Trustee Brunner to approve payment of the bills in the amount of \$15,064.59. Roll Call Vote: Albert, yes; Walker, yes; Mitchell, yes; Fowler, yes; and Brunner, yes. Motion Carried.

**5315 S. Fulton-Lucas (Czajka)** – Trustee Fowler reported that he and Tina spoke to Bobbie O'Keefe and discovered that the District cannot make the new home owner (Potter) pay the balance on the Lucas County Trunk Capacity Fee because the agreement was with Mr. Czajka. Trustee Fowler called Mr. Czajka and informed him he was responsible for the balance and that he had made 67 payments of 141.. Mr. Czajka said he could not pay the balance, but agreed to continue making payments. Tina will make sure he starts getting billed bi-monthly as he was before he sold the property. If he does not make the payments, the only other thing that can be done is to take him to small claims court.

**Promissory Notes for both the Fulton and Lucas County Residents** – The Board discussed promissory notes and the possibility of eliminating them all together. Tina explained that even if a Fulton County resident sells their home and does not notify the District in a timely manner, they may not be able to assess the taxes for the balance due. The whole thing is an accounting nightmare and Trustee Fowler said we are not in the finance business. Trustee Albert said he would like to get rid of the promissory notes all together. After further discussion:

**Resolution 2018-67** was motioned by Trustee Albert, seconded by Trustee Walker to not allow any future Promissory Notes until further notice. Roll Call Vote: Fowler, yes; Mitchell, yes; Brunner, yes; Albert, yes; and Walker, yes. Motion Carried.

Tom Shelley asked what happens if someone builds a house and can't afford to pay all the fees upfront. The Board responded that if they cannot afford the fees, they cannot afford to build a house. It is the property owners responsibility to make sure they have all their expenses covered when they decide to build. Tina explained to Tom that a well driller will not allow you to make payments. No other utility company is going to finance you.

Trustee Fowler said that he and Tina are going to review all properties that are making payments on either the Lucas County Trunk Capacity Fee or Road 2 Equalization Fee. Some have promissory notes and some don't. Trustee Albert said he feels that the District should have liens on all of them. Tina will check with Bobbie on how to go about placing liens on properties. This topic will be tabled until Trustee Fowler and Tina get together to review all the information needed to continue this topic of discussion.

#### **Water Board Trustees' Report**

Trustee Mitchell reported that the Zoning Commission will be meeting on November 14, 2018 and asked if the Water Board had any other issues they wanted him to address. The Board had no other issues other than addressing commercial as well as residential properties.

Trustee Mitchell said he has a friend that was inquiring about bulk water. Tina told him that Aaron's Water Hauling is the only hauler currently purchasing water from Swancreek Water District.

#### **Inspector's Report**

Tom had questions for Tina about the new endpoints and the numbers needed if he has to change out the endpoint but not the register. Tina explained that each endpoint has its own ID number and if it is changed out, they would need the number off the new endpoint. She explained that she has a list of questions for Buckeye about the new cellular endpoints and that she would present the information to the Board and Tom when she has all the facts together.

#### **Unfinished Business**

**November 29, 2018 Meeting** – The Board asked Tina if she felt the need to have the meeting on November 29<sup>th</sup>. She said she did not see a need for it and that if there were bills that needed to be paid before their December 13<sup>th</sup> meeting, she could take care of them with Trustee Fowler. After further discussion:

**Resolution 2018-68** was motioned by Trustee Albert, seconded by Trustee Fowler to cancel the November 29, 2018 meeting. Roll Call Vote: Walker, yes; Mitchell, yes; Brunner, yes; Albert, yes; and Fowler, yes. Motion Carried.



## New Business

**Contract Renewals for Tom Shelley & Tina Whalen** – Tina reported that Tom's and she's contracts expire in December. Tom Shelley said he was fine with his current contract and did not wish to receive anything more. The Board asked him if he wanted to renew for one or two years. He said two was fine. After further discussion:

**Resolution 2018-69** was motioned by Trustee Fowler, seconded by Trustee Albert to renew Tom Shelley's sub-contractor agreement for two years with the same pay rate of \$35 for each new inspection and \$21.00 per hour for other services as needed. Roll Call Vote: Walker, yes; Mitchell, yes; Brunner, yes; Fowler, yes; and Albert, yes. Motion Carried.

Tina said she was fine with her current rate of pay, but would like to go on part-time salary instead of hourly as she does some work away from the office and it would be a lot easier. After further discussion and reviewing her average monthly hours:

**Resolution 2018-70** was motioned by Trustee Fowler, seconded by Trustee Mitchell to renew Tina Whalen's employee contract for two years and to place her on part-time monthly salary based on approximately 110 hours per month with a rate of \$2,652.00 per month. Roll Call Vote: Walker, yes; Brunner, yes; Albert, yes; Fowler, yes; and Mitchell yes. Motion Carried.

**Executive Session to Discuss Pending Litigation** was not needed.

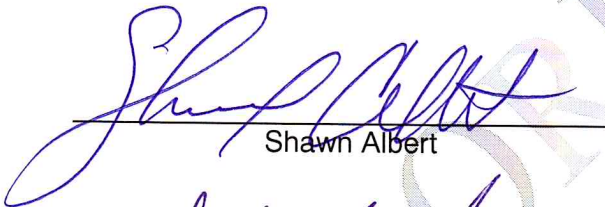
## Adjournment

At 7:38 p.m. Trustee Fowler moved to adjourn seconded by Trustee Mitchell. Motion Carried

## Up Coming Meetings

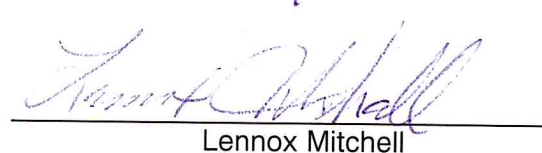
The next two regular meetings are scheduled for December 13, and December 27, 2018 at 6:30 p.m.

### SWANCREEK WATER DISTRICT BOARD

  
Shawn Albert

  
Dale Brunner

  
Mark Fowler

  
Lennox Mitchell

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Randy Walker, Board Secretary

