

Swan creek Water District

Record of Proceedings

Wednesday, March 18, 2009

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

Roll call attendance showed the following Board members present: Bob Westmark, Mark Fowler, Dave Schultz, Rick Kazmierczak, and Walt Lange. Also present were Tina Whalen, Manager and Tom Shelley, Inspector. Visitors included: County Commissioner, Paul Barnaby, Norma Elton, Alan Raven, Melvin Jewell, Thomas and Lynette Keil, and Township Trustee, Jim Leu.

Minutes Approval – **Motion** was made by Trustee Lange, seconded by Trustee Fowler, to approve the minutes from March 4, 2009. Roll Call Vote: Schultz, yes; Kazmierczak, yes; Fowler, yes; Lange, yes; and Westmark, yes. Motion Carried

Commissioner Paul Barnaby (2116 Assessment – Mr. Herringshaw #26-048512-00.000)

Mr. Barnaby and Norma Elton were present on behalf of Mr. Herringshaw who has the 2116 planning assessment on his Homewood Park parcel. They were requesting that the assessment be removed since this parcel cannot benefit. Tina had correspondence dating back to September of 2005, informing Mr. Herringshaw that the deadline had passed to qualify for decertification.

Mr. Barnaby also gave the Board a list of parcels that have the assessments on them and are not paying the assessment or their taxes. Mr. Barnaby wanted to know if the Board could do something about the assessments on the unpaid ones that are in Homewood Park.

Trustee Kazmierczak explained that letters were sent out and these residents were given the opportunity to either send in a letter or attend a hearing to become eligible for decertification.

It was agreed that the Board would review this and discuss it at their next meeting on April 1st.

Lynette Keil (Request to run Water to Home)

Mr. and Mrs. Keil were present to see if the Board would consider allowing them to run their private water line from their green house on the south side of the road on CR E over to a house that they want to build on the north side of the road.

Tina read an e-mail from Bobbie O'Keefe stating that the current agreement pertains to the parcel the greenhouse is on and if they are requesting to build on a different parcel the Board could amend the current agreement.

Trustee Fowler expressed his concerns of this request going on to another request. The original request was to run a 4" line to the greenhouse and then it changed to a 6" and now they want to run it across the street to a house. Will there be another request to run it to another property?

Mr. and Mrs. Keil said they currently live in Toledo and wish to build a home for themselves here and have no plans of splitting off their farm land beyond the one to build there house on.

Trustee Kazmierczak said that since the Board has no near future plans to run a water main down that way, he would have a problem with denying the Keil's request to run their water line to the house they wish to build.

Trustee Schultz suggested amending the current agreement so the Keil's could run the line to this future house, but with a clause in the agreement stating that the District will not entertain any future requests. Also, any legal expenses occurred in amending the agreement should be at the cost of the Keil's.

After further discussion;

Resolution 2009-15 was motioned by Trustee Kazmierczak, seconded by Trustee Lange to have the Delta/Keil agreement amended to allow Thomas and Lynette Keil run their water line to their house they are going to build on the North side of County Road E across from their greenhouse. Any other future requests will not be entertained by the Swan creek Water District Board and any legal fees involved in amending the current agreement will be at the expense of Thomas and Lynette Keil. Roll Call Vote: Schultz, yes; Fowler, no; Westmark, yes; Kazmierczak, yes; and Lange, yes. Motion Carried.

Manager's Report

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

Resolutions 2009-13 and 2009-14 were reviewed and signed by the Board. Details of these resolutions can be found in the March 4ⁿ meeting minutes.

Purchase Orders were reviewed and signed by the Board.

Revised Deposit, Fee, and Charge Schedule – Tina reported that she revised the Deposit, Fee and Charge Schedule to reflect the current water rates and changed the late fee back to a minimum of \$2.00 since the billing system will now accommodate this. After review;

Resolution 2009-16 was motioned by Trustee Lange, seconded by Trustee Westmark to approve the revised Deposit, Fee, and Charge Schedule to reflect the January 7, 2009 water rate increase. Roll Call Vote: Schultz, yes; Fowler, yes; Kazmierczak, yes; Lange, yes; and Westmark, yes. Motion Carried.

Treasurer's Bond – Tina reported that she received the treasurer's bond. Trustee Westmark signed it.

February's Investment Statement was reviewed and initialed by the Board.

February's Bank Statements and Reconciliation were reviewed and initialed by the Board.

Treasurer's Report

Bill Payments – After review of the bills,

Resolution 2009-17 was motioned by Trustee Westmark, seconded by Trustee Kazmierczak to approve payment of the bills in the amount of \$2,515.31. Roll Call Vote: Lange, yes; Schultz, yes; Kazmierczak, yes; Fowler, yes; and Westmark, yes. Motion Carried

Inspector's Report

Tom mentioned that terminations will be coming up again soon and said that a lot of the time when he goes to shut off services for non-payment the resident will give him a check so he does not shut off the service. He told the Board that the District pays him for his time, but the resident is not charged unless the service gets terminated. After discussion and review of the late fee charge report the Board agreed that the late fees more than cover Tom's time. Tina said she will keep track of this to see how much it is costing the District.

Old Business

NE Fulton County Water Project – No Update

Water to Sandland Dairy Farm – No Update

Grant Applications – Tina reported that she faxed the pre-applications to the EPA last Friday. One was for Sandland Farms and the other for a Road 2 Project extension.

New Business

Trustee Kazmierczak said he spoke to Nick from Henry County and they are still interested in the District helping them get water to Colton. Trustee Kazmierczak asked that he send us a letter of interest.

Public Forum - None

Adjournment – At 7:55 p.m. Trustee Lange moved to adjourn seconded by Trustee Westmark. Roll Call Vote: Schultz, yes; Kazmierczak, yes; Fowler, yes; Lange, yes; and Westmark, yes. Motion Carried

Meetings

- Next two regular meeting will be held on Wednesday, April 1, and April 15, 2009 at 6:30 p.m.

SWANCREEK WATER DISTRICT BOARD

Bob Westmark

Mark Fowler

Rick Kazmierczak

David Schultz

Walter Lange - Secretary, District Board