

Swan creek Water District

Record of Proceedings

November 14, 2007

Trustee Kazmierczak called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

Roll call attendance showed the following Board members present: Bob Westmark, Rick Kazmierczak, David Schultz, and Mark Fowler. Walt Lange was absent. Also present was, Tina Whalen, Manager and Tom Shelley, Inspector. Visitors included: Jim Leu, Jim Meyer, and Alan Raven. Visitor List Attached

Minutes Approval – **Motion** was made by Trustee Westmark, seconded by Trustee Schultz, to approve the minutes from October 24, 2007. Roll Call Vote: Kazmierczak, yes; Fowler, yes; Westmark, yes; and Schultz, yes; Motion Carried

Manager's Report

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

Fund Ledger for October was given to Bob Westmark, Treasurer.

Resolutions 2007-36 thru 2007-37 were presented and signed by the Board. The details of these resolutions are noted in the October 24th minutes.

Purchase Orders were given to the Board for review and signature.

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

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

Comparison of Budget and Appropriations Report was given to the Board for review.

Revised Appropriations – Mrs. Whalen reported that appropriations needed to be revised to accommodate the cost from the Road 2 Water Main Break. After review,

Resolution 2007-38 was motioned by Trustee Westmark, seconded by Trustee Fowler to approve the revised appropriations. Roll Call Vote: Kazmierczak, yes; Schultz, yes; Westmark, yes; and Fowler, yes. Motion Carried.

Revised Emergency Procedures for Water Main Breaks – Mrs. Whalen presented the Board with some revised emergency procedures for water main breaks. Trustee Kazmierczak said that he had a hard time contacting Toledo Edison and had to call the Sheriff's office and they were able to reach the emergency department. Jim Meyer said that he has the direct number for emergencies. Mrs. Whalen will get this number from Mr. Meyer and put it on the list of contacts on the emergency procedures. This will be reviewed and discussed at the next meeting.

Treasurer's Report

Bill Payments – After review of the bills,

Resolutions 2007-39 was motioned by Trustee Westmark, seconded by Trustee Fowler to approve payment of the bills in the amount of \$7,011.57. Roll Call Vote: Schultz, yes; Kazmierczak, yes; Westmark, yes; and Fowler, yes. Motion Carried

Asset Management Class – Trustee Westmark reported that he and Trustee Schultz attended this class offered by RCAP and it was very informative. Some of the areas of interest were:

- Most entities do not assess but charge a user fee to pay for a project;
- Most people never heard of charging a trailer ½ EDU, but instead a full one.
- They suggested that all Districts increase their rates every year by 3.5%;
- All Districts should have a reserve fund for replacement items.

Old Business

Agreement with The Village of Delta and Don Keil – After review of the agreement that the Keils and the Village of Delta signed;

Resolution 2007-40 was motioned by Trustee Westmark, seconded by Trustee Schultz to approve and sign the Agreement between The Village of Delta, The Keils and the District. Roll Call Vote: Fowler, yes; Kazmierczak, yes; Westmark, yes; and Schultz, yes. Motion Carried

Burch's Drainage Issue @ 4737 CR 1-2 - Trustee Kazmierczak presented a copy of the elevations that were done by Jim Meyer. It appears that there is a difference of 1.34' difference between the north and south end of the drive. There is also a dip in the ditch between their driveway and the driveway south of them. Mr. Meyer did not think that they had pre-construction elevations. Jim Meyer recommended that the drive pipe be realigned and the grade be cleaned up in the ditch between their property and the property south of them. Mr. Meyer did not feel that the County would be willing to do the work. The Board discussed getting some quotes to do the work and the possibility of splitting the cost with the property owner.

NE Fulton County Water Project - Trustee Kazmierczak reported that he has not heard any updates other than there is another meeting scheduled with Metamora.

Inspector's Report/Concerns

Road 2 Water Main Break – On November 1st there was a water main break on County Road 2 North of County Road F by the master meter pit. Delta was on the job for six hours that night and was not able to reach the problem. Taylor Excavating was able to fix the problem on Friday. A lot of residents were without water from 8:00 p.m. Thursday, November 1st till Friday, November 2nd around 5:00 p.m.

- Trustee Kazmierczak expressed his concerns about supplies that may be needed if this should ever happen again. Mrs. Whalen reported that they had already purchased a longer water main valve key and that she is waiting for a quote on valve repair kits.
- Tom Shelley expressed his concerns about this break and feels that something caused this elbow to blow out.
- Mr. Shelley also reported that we will need to get an electrician to re-wire the sump pump and install the electrical box.
- The Board agreed that Taylor Excavating needs to be on our list of approved contractors. Mrs. Whalen said that she did not feel that the standard procedures for registered contractors should apply in this situation, but maybe an agreement similar to the one with the Village of Delta would be more appropriate. Mrs. Whalen will talk to Mr. Taylor about this.
- Mrs. Whalen reported that she had not yet received Taylor's invoice and therefore does not know the total cost.
- Mrs. Whalen will review the insurance policy to see if water main breaks are covered.
- Trustee Lange was not present, but sent an e-mail thanking everyone for the great cooperation on the water main break.

(For more details, see attached summary of events.)

New Business

Customer in Foreclosure on Property – Mrs. Whalen reported that there is a customer with an outstanding balance of \$247.29 and has moved and the property is in foreclosure. After discussion, **Resolution 2007-41** was motioned by Trustee Westmark, seconded by Trustee Fowler to certify for collection to the County Auditor's office the arrears and penalties for non-payment owed by Gerald and Kathy Mangold.

Forrest Mobile Home Park (Test Site Credit) – Mrs. Whalen reported that the owners of the trailer park requested a credit for the water used during the daily chlorine testing. The trailer park's water is used daily for testing District 1's chlorine level which is required by the EPA. Mrs. Whalen said she asked Ziad Musallam how many gallons would be flushed in the 10 minutes and he said about 90 gallons. However, we don't always need to flush for 10 minutes.

- Trustee Lange was not present, but sent an e-mail saying that he did not think the District should go back and give any kind of credit and that any kind of future credit should be discussed and possibly put into a policy of some sort.
- Mrs. Whalen said she spoke to the District's Attorney, Bobbie O'Keefe and she said that the Board can set a policy for credit if they want to or can pass resolution to issue credit to the trailer park for future water testing.

- Trustee Fowler reported that the meter at the trailer park was inspected in 2004 and we found that the low flow part of the meter was not working and had not been working since installation. This resulted in unbilled water useage to the trailer park. At that time the Board did not back bill the trailer park.
- Mrs. Whalen reported that the trailer park has not yet responded to the request to have the back flow device tested and inspected.
- The Board agreed that no credit will be issued to the trailer park for the past water testing and would consider future credit after the trailer park becomes compliant with the back flow issue.
- Mrs. Whalen will send another certified letter to the owners of the trailer park.

Executive Session to discuss Employee Contracts (Renewal & Wages)

At 7:40 p.m. **Motion** was made by Trustee Westmark, seconded by Trustee Schultz to go into executive session to discuss personnel issues. Roll Call Vote: Kazmierczak, yes; Fowler, yes; Westmark, yes; and Schultz yes. Motion Carried

At 7:50 the Board returned from executive session.

Resolution 2007-42 was made by Trustee Westmark, seconded by Trustee Kazmierczak to renew Mrs. Whalen’s contract for 2 years with review of compensation after 1 year. Effective December 1, 2007, compensation will be \$17.50 per hour and paid vacation time will be increased to 2 weeks. Roll Call Vote: Schultz, yes; Fowler, yes; Westmark, yes; and Kazmierczak, yes. Motion Carried

Resolution 2007-43 was made by Trustee Westmark, seconded by Trustee Kazmierczak to pay Tom Shelley 1-1/2 times his hourly rate when he is called out to an emergency situation. Roll Call Vote: Schultz, yes; Fowler, yes; Westmark, yes; and Kazmierczak, yes. Motion Carried

Public Forum - None

Adjournment – At 8:00 p.m. Trustee Westmark moved to adjourn seconded by Trustee Fowler. Roll call vote: Schultz, yes; Fowler, yes; Westmark, yes; and Kazmierczak. Motion Carried.

Meetings

- Next two regular meeting will be held on Wednesday, November 28th and December 12th at 6:00 p.m.
- Regular meetings are held on the 2nd and 4th Wednesday of every month at 6:00 p.m.

SWANCREEK WATER DISTRICT BOARD

 Walter Lange
 Secretary, District Board