

Allen Water District

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"Addressing the water needs of the Community"

March 8, 2023 Board Meeting Minutes

There was an Allen Water District (AWD) Board Meeting held on **Wednesday, March 8, 2023 at 2:00 p.m.** in the Training Center of the Allen County Sanitary Engineering Department office located at 3230 North Cole Street, Lima, Ohio.

The agenda was as follows:

1. Roll Call
2. Pledge of Allegiance
3. Additions, Changes, or Corrections to Agenda
4. Approval of AWD minutes – February 8, 2023
5. Clerk of Board Report
6. Attorney's Report
7. Treasurer's Report
8. CPA Report
9. Old Business
10. New Business
11. Board Comments
12. Public Forum
13. Executive Session
14. Adjournment

A quorum being present, Mr. Kessen brought the meeting to order at 2:02 p.m. and proceeded with the agenda.

1. ROLL CALL

Mr. Miller

Mr. Kessen

Mr. Gosnell

Mr. Ingle

Mr. Neeper

Mr. Leis

Ms. Vickers

Mr. Core

Mr. Steve Ewing

American Twp Representative

Perry Twp Representative

Shawnee Twp Representative

Bath Twp Representative

Allen County Representative

Allen County Representative

Allen County Representative

Allen County Representative

Member-at-Large

STAFF

Kim Stiles – Clerk of the Board
Shannon Finn – Office Assistant
Rex Huffman – District Legal

PUBLIC – Brad Niemeyer with Sanitary Engineer's Office

2. PLEDGE OF ALLEGIANCE

3. ADDITIONS, CHANGES OR CORRECTIONS TO AGENDA - None

4. APPROVAL OF MINUTES - Motion made by Mr. Miller to approve the February 8, 2023 minutes. Seconded by Mr. Neeper. Motion carried 9-0.

5. CLERK OF BOARD REPORT

Ms. Finn stated there had been 3 **connection inquiries** since last month's meeting.

Name	Address	Project Area	CPF/Assessment	Ref Page
Joe Sprague	3363 E Breese Rd	SE Regional	\$6300	1
Mark McElroy	Baty Rd	Allentown Rd	\$3500	2
Josh Robey	Shearin Rd	Springbrook	\$3500	3

Ms. Finn stated there had been 3 **permits** issued since last month's meeting.

Name	Address	Project Area	CPF/Assessment	Ref Page
Adam Park	3607 Schooler Rd	SE Regional	\$6300	4
JD Ventures LLC	2755 Harding Hwy Ste C	SR 309	\$3500	5
Jamie Compton	3120 Bluelick Rd	Dixie Bluelick 2	\$3500	6

Ms. Finn stated there had been **no extension inquiries** since last month's meeting.

Improvements/Changes/Upcoming Events

- Ms. Stiles stated the County Appointments had a BOCC Update on February 9th and it went well. The next one is scheduled for April 20th.
- Letters sent to appointing authorities with board members with terms expiring 4/30/23
 - American Township
 - Board of County Commissioners

By-laws, Policies and Procedures – Committee meeting scheduled for March 16th at 9 a.m.

Contracts and Agreements

East Regional – EJCDC Amendment request from Prime AE in the amount of \$39,007. The primary reasons for the requests are:

- Project originally estimated with 1 full time inspector

- Contract C original substantial completion date was 10/27/22 and final completion 11/16/22. New substantial completion date is 2/28/23 and final completion date is 5/31/23. Ms. Stiles passed out an amendment request along with the Prime's justification. Mr. Core asked if the contract is currently for 2 inspectors and being increased to 3. Ms. Stiles clarified that the original agreement was for 1 inspector and Prime increased to 2. Mr. Miller stated that the extension of the completion date was not the fault of AWD. Ms. Stiles replied that the extension was due to delays with materials. Mr. Ingle confirmed that there was a delay with the supply chain and that Prime had ordered the materials far enough in advance. Mr. Core asked if the workload of the consultant increased due to the result of the expanded time frame. Mr. Huffman stated that Prime should have asked for an increase of funds at the time of the addition of the inspector. Mr. Core stated that at the time the funds were expended, Prime should have communicated this with the District. After much discussion among the Board, it was decided to create a special committee to review the information, hold a meeting with Prime to ask the pertinent questions and bring that information back to the Board.

MOTION MADE BY MR. MILLER TO CREATE A COMMITTEE CONSISTING OF MR. INGLE, MR. CORE AND MR. LEIS TO MEET WITH PRIME AE TO DISCUSS THEIR REQUEST FURTHER. Seconded by Ms. Vickers. Motion carried 9-0.

RESOLUTION 23-007: BOARD OF TRUSTEES, ALLEN WATER DISTRICT, ALLEN COUNTY, OHIO, AUTHORIZES MR. GREG KESSEN, CHAIR, TO EXECUTE A BILL OF SALE WITH DOWNEY FAMILY LIMITED PARTNERSHIP FOR WATERLINES LOCATED WITHIN THE COUNTRY AIRE PHASE 5C SUBDIVISION. Motion made by Mr. Miller. Seconded by Ms. Vickers. Roll Call: Mr. Miller – yes, Mr. Gosnell – yes, Mr. Kessen – yes, Mr. Neeper – yes, Mr. Leis – yes, Ms. Vickers – yes, Mr. Ingle – yes, Mr. Core – yes, Mr. Ewing – yes.

RESOLUTION 23-008: BOARD OF TRUSTEES, ALLEN WATER DISTRICT, ALLEN COUNTY, OHIO, AUTHORIZES MR. GREG KESSEN, CHAIR, TO SIGN A DEVELOPMENT AGREEMENT WITH ARTISAN INVESTMENT PROPERTIES, LLC FOR CAMDEN RIDGE NO. 2 SUBDIVISION. Motion made by Mr. Miller. Seconded by Mr. Ewing. Roll Call: Mr. Miller – yes, Mr. Gosnell – yes, Mr. Kessen – yes, Mr. Neeper – yes, Mr. Leis – yes, Ms. Vickers – yes, Mr. Ingle – yes, Mr. Core – abstain, Mr. Ewing – yes.
Mr. Core clarified that he abstained due to being the engineering consultant for the developer.

Projects

ARPA – Draft MOU between the BOCC and the District outlining some terms has been sent to the Assistant Prosecutor for review. This money would be unrestricted and would not need to follow the ARPA funding guidelines.

State Route 81 Loop – Access Engineering submitted application for WSRLA funds for this project. Ms. Stiles stated that sometime in June we should know whether the project is eligible for funding.

East Regional

- a) Construction progress is as follows:

Contract A/B – Complete.

Contract C – The tank has been filled and electrical work is being completed. Final completion has been delayed until May 2023 when the rest of the painting/restoration/site work will be completed. Substantial completion date was 2/28/23 and District completed walkthrough with Prime and City on 3/7/2023. Ms. Stiles added that during the walkthrough they were putting together a punch list for Contract C for Maguire Iron.

b) March Project Update Available.

c) Project Wrap-Up Meeting to be scheduled once project costs finalized. Awaiting final price for Contract C and will be close to finalizing project costs. Mr. Neeper asked if the tower is functional. Mr. Ingle replied that it is and has been but they are still waiting for communication equipment.

d) Fire Hydrant Maintenance – Mr. Huffman believes the District is covered with agreements currently in place. If the Village of Harrod and township/fire department want to document in more detail who will cover what within Auglaize Township, they can do that.

Rudolph Foods – Elevated Storage Tank

- Progress meeting held on March 2nd at 1 p.m. New Project Manager assigned from Caldwell Tanks.
- Next progress meeting will be April 5th at 1 p.m. at our office.
- Electric has been run to the tank so a small heater can be placed in the base of the tower to provide temporary remedy to ensure the lines do not freeze until it can be insulated. Mr. Ingle asked if the tank is now full. Mr. Stiles replied that it is full at this time.

Intersection of 117 and McPherson – District will attend pre-con for ODOT project and approach contractor who is awarded project to see if they would be interested in this small project. Tentative date for pre-con is in April 2023. (Anticipated award date is now March 2023).

Master Plan Study (Node Map) - Final Master Water Plan and Hydraulic Model Update received. Priority Project List has been updated based with these results and Committee will re-evaluate rankings.

Indianbrook Waterline Replacement Project – The plan is still to advertise for bid in March 2023. We are attempting to hold a quick meeting with Access and the township prior to bidding. Ms. Stiles added out of the 64 work agreements needed, we have 44.

Gomer – Access submitted application for WSRLA money for study/design funding. This project should score well based on regionalization criteria and MHI.

Sugar Street – District needs to explore this potential replacement project further. On Project Committee Agenda.

6. ATTORNEY'S REPORT: Mr. Huffman discussed the fire hydrant maintenance agreements. He clarified that we do have agreements with all of the townships. The intent was to have the local fire departments do the maintenance. The other option would be to contract with a third party or hire people to do the maintenance. We currently have an agreement with Auglaize Township that covers both Harrod and Westminster Fire Departments. Mr. Huffman stated that clarification is needed to determine whether the agreements cover repair of fire hydrants within the village of Harrod. He added that AWD does not have to put fire hydrants in, but that it is in the best interest to do so, due to providing safety and fire protection. Once the hydrants are installed they belong to AWD. AWD needs to provide for maintenance of the hydrants. These agreements need to be made. At this point we are covered with the Auglaize Township Trustees with our current agreement. Mr. Core asked if the Board has ever considered not putting hydrants in rural areas. Mr. Huffman replied that this was discussed on the East Regional Project, but the Trustees requested them. Mr. Core stated that developers could absorb the cost of putting them in when developing the area. Mr. Kessen agreed the spacing of hydrants should be considered in rural areas on future projects. Mr. Huffman also discussed the MOU agreement with the Commissioners for their contribution to the District previously considered ARPA funding. He clarified that the Water Management Facility stated in the MOU is a term used in the 6119 which covers water sources, water plants, pumps, towers and waterlines. This was stated in this manner to keep it broad.

7. TREASURER'S REPORT:

Revenue and Expense Reports for January 2023 (Month-to-Date and Year-to-Date) for funds 8750, 8751, 8752, 8753, 8755 and 8756 are available. A Revenue and Expense Report will be provided when transactions occur within the previous month for any fund. Current cash balance total for all AWD funds as of 2/28/23 is \$2,267,998.33. The cash balance totals for each fund as of 2/28/2023 are as follows:

8750 Project Debt Service – \$1,043,363.37	8754 USDA Debt Reserve – \$1.55
8751 Operating Fund – \$487,632.11	8755 USDA Reserve - \$14,000.00
8752 Internal Capital Reserve – \$132,143.52	8756 USDA County Reserve - \$471,042.13
8753 External Capital Reserve – \$119,815.65	

1st Half 2022 Assessments were received in February in the amount of \$237,101.26 and deposited into Debt Service Fund 8750. OWDA loan payment will be made with these funds in May.

District is working with Mr. Rennick, CPA to provide requested 2022 financial information to USDA for our East Regional Project.

An Audit and Finance Meeting will be held in April immediately prior to the regular Board Meeting. A time will be announced to the Committee in advance.

MOTION MADE BY MR. MILLER TO APPROVE THE MARCH 2023 TREASURER'S REPORT. Seconded by Mr. Gosnell. Motion carried 9-0.

8. CPA REPORT: Nothing to Report

9. **OLD BUSINESS:** Ms. Stiles explained the amendment to the agreement with Auglaize Township allows The District to assist with parts or materials for the repair of contract fire hydrants upon the showing of hardship and inability to pay provided by the township. Mr. Ewing asked if he should abstain due to being an Auglaize Township Trustee. Mr. Core asked if he would legally have to abstain. Mr. Huffman responded there is no conflict of interest but if Mr. Ewing wanted to abstain due to the appearance of conflict, he could.

RESOLUTION 23-009: BOARD OF TRUSTEES, ALLEN WATER DISTRICT, ALLEN COUNTY, OHIO, AUTHORIZES MR. GREG KESSEN, CHAIR, TO EXECUTE AN AMENDMENT TO THE FIRE HYDRANT MAINTENANCE AGREEMENT WITH AUGLAIZE TOWNSHIP TRUSTEES. Motion made by Mr. Neeper. Seconded by Mr. Leis. Roll Call: Mr. Miller – yes, Mr. Gosnell – yes, Mr. Kessen – yes, Mr. Neeper – yes, Mr. Leis – yes, Ms. Vickers – yes, Mr. Ingle – yes, Mr. Core – yes, Mr. Ewing – yes.

10. **NEW BUSINESS:** Mr. Kessen asked the Board if they would consider rescheduling the April 12th meeting to April 5th. After discussion, the Board agreed to April 5th.

MOTION MADE BY MR. MILLER TO MOVE THE BOARD MEETING SCHEDULED APRIL 12TH TO APRIL 5TH. Seconded by Ms. Vickers. Motion carried 9-0.

11. **BOARD MEMBER COMMENTS:** Nothing to report

12. **PUBLIC FORUM:** None

13. **EXECUTIVE SESSION:** None

14. **ADJOURNMENT:** Motion for adjournment made by Mr. Neeper at 2:52 p.m. Seconded by Mr. Ewing. Motion carried 9-0.

ATTESTED:

 4-6-2023
Chairman Date

 04/06/2023
Secretary Date