

## THE MONROE TOWNSHIP WATER AND SEWER DISTRICT

Regular Meeting of the Board of Trustees of the  
Monroe Township Water and Sewer District  
April 8, 2019

President Scott Vagedes called the meeting to order at 6:00 pm and lead the members in the Pledge of Allegiance. Members in attendance also included Dave Eilerman, and Rob Voisard. Monroe Twp. Trustee Ron Thuma and Administrator Marilyn Fennell were present. Those signing the register were: Searl Daugherty, Mauriciot Loretta HC, Danny Hamlin, Sheila Davis, David Glaser, Amanda Jones Riffell, Russell Lee, and Dennis Walker.

Minutes of the March 11, 2019 meeting were reviewed. Mr. Eilerman moved to approve the minutes as presented. Mr. Vagedes seconded the motion. Motion passed 3-0.

**Comments from Public:** Mr. Vagedes asked for comments from the audience. Mr. David Glaser, 964 Hunters Ridge, Tipp City came forward. He received the letter regarding an error in the billing. Mr. Vagedes asked if he received the letter provided to his attorney. The billing has been for one Equivalent Single Family Unit (ESFU), whereas it should be for 3 in the 4-unit building. Mr. Glaser said he received that. Mr. Glaser said the meter shows the sewer amount. Mr. Vagedes said the \$30 fee is for the water availability and when the District was established it was 1 ESFU per single family unit and apartments are billed at .75 ESFUs. Mr. Glaser thought it would be cheaper if they would annex to the City. Mr. Vagedes said he could not address that. Mr. Vagedes continued that the County was found not to be billing properly for the multi-unit buildings. They were only charging for 1 ESFU and not the 3 ESFUs for a 4-unit apartment building. The Water line installation is a different charge per Mr. Thuma. The availability charge was for the construction of the line. The meter on the well is being charged on the sanitary usage. The water bill is for the 3 ESFUs and the water availability. Mr. Glaser thought he was being charged triple on the sewer billing. Mr. Thuma advised Mr. Vagedes to check with the County. Photos of Mr. Glaser's billing were taken. Mr. Glaser provided his phone number to Mr. Vagedes. Mr. Vagedes said to all the guests that Miami County was only charging for one ESFU, whereas the apartments and condos should have been billed at the reduced rate of .75 ESFU per unit.

Mr. Herrera, 4635 Rosedale Ave, said he spoken to the Board previously regarding his septic problem. The neighbors want some form that explains what is going on between the City and the Township regarding the sewer. Mr. Thuma said he could address this problem as he met with the City today regarding the sewer project that the City is proposing thru Floral Acres. A line is to be run from Abbott into the Floral Acres subdivision and there is a plan to run it down Rosedale, but this has not been finalized. Mr. Thuma said this access has nothing to do with this Monroe Twp Water and Sewer District. He asked Mr. Herrera to step out of the meeting room so that he could explain the matter that is being discussed. Mr. Herrera also explained he has a sump pump that is creating a problem. Mr. Thuma said that would also not be under this Board's jurisdiction. Mr. Thuma said he just met with the City and was glad to speak to Mr. and

Mrs. Herrera. Mr. and Mrs. Herrera left the room with Mr. Thuma to discuss their situation separately from the others in the audience.

Mr. Danny Hamlin approached the Board. He represented the Country Estates Condominium on Kiltrina. There is an issue with the cost of applying the ESFUs to the building. He said they have done their own "straw-poll" around the area and they were unable to find anyone using the ESFU method. The last bill for the apartments and the condos tripled or quadrupled the minimum cost. They want to know what is entailed in that minimum and why it is the amount it is. Mr. Vagedes said there was an audit by the State of Ohio and our District was set up on 109.5 ESFUs and the billings were only billed at 89.5 ESFUs. None of the current Board members are from the original Board. A single-family house is not equal to 4 apartments/condos. There 4 families compared to 1 family. Mr. Hamlin said they understood the ESFUs were being applied during the construction phase. He added if someone moves out the electric and gas are shut-off and there is no minimum, but with this water deal, if someone moves out, he still has to pay the minimum for the folks that don't live there any more. The minimum is an undue burden on the owners. Some owners go to Florida for the winter and there is no usage. The \$40 for water and \$40 for sewer is the rub. The other problem is how the charges are applied to the apartments and condos, the owners cannot rent the apartments and if some new owner from Jersey buys the buildings, the upkeep, etc will not be to the standards there are now. Mr. Vagedes said the Board needs to discuss this matter further with the County. The income needed to pay the bills was not collected in the manner that it had been intended and the corrections are being made. Mr. Hamlin said they were charged for construction assessments according to the ESFUs. Mr. Vagedes said he was familiar with the use of ESFUs for Storm Sewer construction for quite some time but he was not familiar with this application. Mr. Hamlin added that for 45 years those buildings have been one customer, the sewer usage was paid as "one" customer. They still consider themselves one customer. There is one pipe, one valve, one meter and one bill is sent to one customer. The building was originally 4 apartments, but is now 4 condos. Traditionally, Mr. Vagedes said each condo would have its own single service. Mr. Eilerman asked if one of the condos sells, how are the new bills negotiated. Mr. Hamlin said it is based upon how many persons are living in the unit. Mr. Voisard asked if someone leaves the water running, then all must bear that cost? Mr. Hamlin said that is correct. He said something like that, a leak, has happened twice. Mr. Voisard said that if each unit was metered then that owner would pay for 1 unit, as it is they are only being charged .75, so therefore a discount. Mr. Hamlin said If they had been built that way, yes, but there is no way at this point to plumb them separately. Mr. Voisard said this is another matter to take up with Miami County. Mr. Eilerman asked how the County recognizes the units for taxes. Mr. Hamlin said they each pay their taxes for their units. Mr. Vagedes said this will need further discussion by the Board and the County. The District was set up and the monies collected was not done the way it was set up and now there is a shortage in payment of the bills for the District. Mr. Vagedes said he will have to take a look and see how the minimum charge was established.

Searl Daugherty came forward to address the Board. He asked if the apartments and the condos have to bear the whole brunt of the shortfall. Mr. Vagedes said those units are not being back-billed. Mr. Daugherty said the threshold is 109.5 ESFUs, so the shortfall is being

made up. Mr. Vagedes said the correct amount is now being billed. Mr. Daugherty asked if the audit was an internal or external audit. Mr. Vagedes replied that it was done by the State of Ohio. He asked if there was a written copy of it. Mr. Voisard said it appears on the State of Ohio Auditor's website. Mr. Daugherty said he thought the solution would be to get rid of the ESFU system since no one else seems to use that method. He had also called other water entities. He asked if when the ESFUs were raised, was that run by the attorneys. Mr. Vagedes said the Board was following what had been set up originally. Mr. Daugherty said that the ESFUs table has nothing to do with water and sewer. He said it is only used by the EPA to build a system with a minimum capacity. He said he called the EPA to verify that. Mr. Vagedes said that the .75 applied to an apartment is less charge than on a single-family dwelling. Mr. Daugherty thought the size of the house or apartment is irrelevant. The amount of usage is what is relevant. He and Mr. Glaser took the District to court over the construction costs. Mr. Vagedes said that did not apply to the usage calculations. Mr. Eilerman said the District has some things to look at, but was it fair that single-family units are considered the same as a 4-apartment building? Mr. Daugherty said he thought it was fair in that there is one line going in as you do with a single-family house, you are paying for the water that is being used. He said it was unfair in that the apartments are going to reach the 3000 gallon threshold with ease. Some homes do not. After 3,000 gallons the apartments pay the overage. His solution is that you pay for whatever water you use. He feels it is too complicated the way it is now. He added that the County's bills make no sense. He said the billings did not add up correctly this month. He feels he was overcharged on his units.

Mr. Daugherty thought annexation might be a solution. He said the water is good water. He felt he would need to up the rents \$50 to cover the "new" rating system. He has renters that would not be able to afford that increase. He said this is just not working for him and for others. Mr. Vagedes said he does need to check the numbers, but over the past year the billings were not billed as the District was intended. With the correction, it does appear there needs to be further review. Mr. Voisard asked what would be the rate if there was annexation. Mr. Thuma said the debt would still be the same. Mr. Daugherty said people are lead to believe that being in the City would bring higher taxes. Mr. Thuma said the price of the water would go down, but the debt would still be owed. The surcharges would not be applied to the water and sewer. Mr. Thuma said that any area that wishes to annex has never been opposed by the Trustees, but the City does not seem interested unless annexation is bringing in more income. Mr. Daugherty said he would be willing to speak to Mr. Eggleston at the City.

Mr. Russell Lee said the ESFUs are not a good system. When it was presented in the beginning the cost was agreed upon, but changing it up now and adding an additional charge is not good. Mr. Vagedes said he understands what is being said, but this is not an additional charge, not something new and created. This is the charge that was not charged properly for the past year. The County was billing incorrectly during this period of time. Mr. Hamlin recalls that they were told they would be billed as one unit since they had one line into the building. And this was told to them before the water was turned on. He said the \$45-55 increase for each unit. Mr. Hamlin said Mr. Orlan Ketrow (condo association) asked these questions around 2016-2017 regarding this matter. Mr. Vagedes asked Mrs. Fennell to do some research on this.

Mr. Daugherty asked if the payments could be placed in escrow until the matter is settled. Mr. Vagedes said he was not sure, since these monies are collected by the County. Mr. Daugherty said he cannot live with this increase. Mrs. Glaser said they lost a buyer when they heard the water/sewer charges.

Mr. Vagedes said the Board will be checking with the County. And the next meeting will be posted on the District's website.

**Treasurer's Report:** Mr. Vagedes said Mr. Siefring has prepared Resolution 2019-05 to pay the bills totaling approximately \$12,000. Mr. Eilerman moved to approve Resolution 2019-05. Mr. Voisard seconded the motion. Motion passed 3-0.

Resolution 2016-06 involves 3 property owners that are in arrears as of the end of the year. They are past the 60-days overdue and the only way to collect is to have it assessed to their taxes. It can be done once a year and this would need to be passed by August so that they are assessed in September. Mr. Vagedes said the County does a 3-letter notice to them. This Resolution certifies unpaid sewer rate for collection via County taxes per Ohio Revised Code. Mr. Vagedes said if the County does not receive payments for water after 60 days, the water is shut off at the curb-stop. There is still usage of the sewer. Mr. Vagedes said his opinion was to add the unpaid water and sewer charges. He said he could handwrite that in. Mr. Vagedes said he felt the Board should add the water charges in. The Board agreed to add the Water charges. Mr. Voisard moved to approve the amended Resolution 2019-06 adding Water charges. Mr. Eilerman seconded the motion. Motion passed as amended 3-0.

Mr. Thuma said the County should be alerted that there are properties in arrears.

**Old Business:** Mr. Vagedes said the phone calls received have been addressed.

The Monroe Twp. Water/Sewer District Agreement forwarded by the City was next for discussion. Mr. Thuma said he spoke to Mr. Eggleston this date and informed the City that there were still questions to be answered. Mr. Eggleston is to provide the specifications needed. The Board members will e-mail comments to each other regarding this matter.

**New Business:** There are 14 properties that are not metered on their wells. They were paying the flat rate for sewer and nothing on the well, a minimum charge of \$30. In talking to the County, they charge 7,500 gallons per month for a sanitary sewer minimum usage when the well is unmetered. That rate is \$70.30. That is what is invoiced. A letter has been created to send to these property owners. The letter will be typed by Mrs. Fennell and mailed to these 14 properties. These rates were to be effective April 1 for the May billing. Mr. Eilerman asked for clarification the reason for doing this. Mr. Vagedes said anyone using their own well can discharge any amount of water into the sewer and they only get charged the minimum amount and not the actual discharge. Once the meter is installed then that is what they will be charged for sewer. Mr. Thuma thought meters were installed on all wells. Mr. Vagedes was under the same understanding, but meters were not set on these wells. Mrs. Fennell was given the list of

names and properties and the letter along with 3 attachments that need to be prepared and mailed.

Summer Meeting Dates were discussed and Mr. Vagedes said he has a problem with the 2<sup>nd</sup> Monday during May-October. The Board is required to meet quarterly, but due to the questions brought up tonight, it appears that a monthly schedule needs to be kept. The Board agreed to hold meetings on the 2<sup>nd</sup> Wednesday of the month at 6pm. This will be posted on the website.

Mr. Voisard will work with Mr. Archer on the District website as Mr. Archer is looking to retire from that duty. Mr. Vagedes said he will inform the County and have the new meeting date placed on the billing.

**Final Comments:** There being no further business, Mr. Voisard moved to adjourn the meeting and Mr. Eilerman seconded the motion. Meeting adjourned at 8:15pm.

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**President**

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**Acting Secretary**