

## **Village of Shawnee Hills Council Meeting Minutes**

**September 12, 2022**

Mayor Mathews called the meeting to order at 7:00 p.m.

Council in Attendance: Mary Gates, Kathy Isern, Justin LaRosa, Renee Matney, Robert Thatcher and Todd Zimmerman

Also Present: Fiscal Officer Shirley Roskoski, Administrator Russell Baron and Solicitor Brian Zets

### **Minutes**

It was moved by Matney, seconded by Zimmerman to approve the minutes of August 22, 2022 with the following amendment: on page one, under Solicitor, change *as* to *has*. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

### **Agenda**

It was moved by Thatcher, seconded by Zimmerman to approve the agenda. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

### **Solicitor**

Brian said while the Village of Shawnee Hills legal department was very busy last month most of that work came before last council meeting. Since then I just had miscellaneous things. There is a BPA meeting tomorrow that Mark asked me to attend so I will be back in the village tomorrow night. Thursday, we have the Evans Farm JEDD Board meeting at two in the afternoon so I will be back on Thursday. There will be conversations about the income tax collection on things that have happened in the past and on a going forward basis. More to come on that.

### **Village Administrator**

Russ said I wanted to hit on the flooding. I'm sure everyone saw the Facebook postings. We had a lot of upset residents. We had about five inches of rain fall in a matter of a few hours.

Delaware, Powell, Columbus flooded. Everywhere around us flooded. We are not without our faults here in the village but it could have been worse. We have been making improvements to the storm water system. We did identify a couple of areas that I should have for UST some repairs that need to be made. Hiawatha is one of them. We are starting to lose the side of the roadway. Chris looked at it today. The biggest problem, when we get these big rainfalls, is residents aren't cleaning out the ditches in the back yard or the front yard, wherever the ditch is or maintaining them. Some of our residents might not even know they have to maintain them. If you have stormwater issues, Delaware Soil and Water is a good resource. It is free. They will come out and tell you what you have to do.

In the case of W. Hiawatha, they had no problem saying well the village needs to do this and you need to do this when in fact there were some village issues there. The storm sewer basins and the

drainage ditches, we just need to make sure we are keeping them clear; that way the systems we have in place work the way they are supposed to.

Mayor Mathews asked if the contact for Soil and Water is on our Website.

Russ said I am sure there is something on our website from Delaware Soil and Water.

Russ said on the agenda tonight, you have the EMA agreement. The only changes to the EMA agreement are adding the City of Sunbury and because we added the City of Sunbury to the EMA Executive Board to be able to keep a good number for a quorum they are adding the Health District who previously was on the EMA Board as well. This does not need to be an emergency.

Paving will begin soon. I do not have a start date.

### **Visitors**

Jay Sell, Aspen Energy, said we have been helping you guys with gas and electric aggregation for a number of years. Since the old supplier, Volunteer Energy, filed for bankruptcy, we were left without an aggregation program. That was back in March. We have been watching the market hoping for it to come down to be able to strike at a reasonable price for the community. The war in Ukraine broke out. World energy markets hit fourteen-year highs. It's been difficult for a lot of communities all over the State of Ohio on trying to figure out what to do with their aggregation programs. I had sent some wording on potential legislation over to Shirley that she shared with the Solicitor. It's a little bit too broad I believe. It was basically asking to have Council approve to give Russ the authority to enter into a contract when terms are favorable, which we have been doing with a lot of communities around the State right now because volatility is so high. Typically, I'd come in and I would have an offer. We would have that price, we would be able to agree on it, you pass something, it's signed the following day, no big deal, business as normal. Now, with the volatility I really have a hard time coming in, offering a price, not knowing whether or not I am going to get that price the next day. It's just a different landscape than we have ever been in before and we really need to be flexible and as dexterous as we can about how to lock in gas prices. I really just wanted to see if there was any way we could work out some sort of verbiage that was maybe a little bit more specific of once we hit a certain strike price that we could lock in rates. Then I can send a contract that day over to Russ, have him execute and then sign. Most communities that I work with are entering into some sort of legislation to pass something to do it as quickly as we can rather than waiting every couple of weeks for council meetings and trying to line up prices with today's market. It's just not feasible.

Mayor Mathews asked Brian how lenient can that verbiage be.

Brian said I thought it was a little too broad. It was like just enter into a contract with anyone for any price that seemed to be good. I had a lot of problems with that. I think it is difficult to be able to authorize you to enter into a contract to lock this in for this rate when you, as Council, or me, you don't know who that is or what that price is. It just seemed to be a bit too vague for my comfort.

Mayor Mathews said I think we have to figure out what we would deem, I think UST would probably be the best to maybe meet and deem what a favorable price is considered.

Council member Isern said at least a range.

Council member Thatcher said we don't know much about that.

Jay said right now we are looking at a price in the mid-eighties. With Columbia Gas you are looking at probably a \$1.10 per ccf. We could get a fixed price in the mid-eighties right now. I would really like to get that under \$0.80 before we lock in. That is really the strike price that I have defined, is to say, once we get under eighty, lets move.

There's a lot of global uncertainty on gas and electric, everything. I think it's important to try and lock in a price. If, for some reason, we lock in a price, for discussion, we lock in a price of seventy-five cents. If the market drops below that folks can either opt out on their own at any time at no cost so they are not stuck in the program at all. We could also look at down the road if the market drops and we have had some time to look at a blend and extend which means we will blend the rate down for the whole community and extend the term further.

Mayor Mathews said if we lock in at something under eighty, you would have to have a significant drop in the market rate though to opt out to go with Columbia Gas on your own.

Jay said once you get through the wintertime, as you look at the forward strips on the market, it drops so it does come down pretty significantly once you get out of winter. Once you look at April forward prices are better but do you want to leave everybody kind of unprotected this wintertime. That's really what the question is.

Council member Gates asked what is the current market like here in the US? We drill or we used to up to a couple of years ago lots of natural gas. I understand the Ukraine thing, but that's Europe's situation.

Jay said we are actually net exporters of natural gas. We ship it out to China, Europe, Asia and different places around the world. We can get twenty or thirty dollars per MMBtu where today it is trading at eight bucks which is really high for here. We do still produce natural gas. We still drill for it but in the last several years things got pretty stagnant with gas because it was always at \$2.50, \$3.00, \$3.50 per MMBtu. Now it is at \$8.00. It's just a different landscape, being a net exporter, instead of being able to bring it in. It's changed.

Council member Thatcher said we can call a UST meeting for the 26<sup>th</sup>.

Mayor Mathews asked do we feel comfortable locking it in if the market dips below eighty.

Council member Thatcher said that doesn't sound unreasonable to me. I don't know what number we have had on prior ones.

Council member Matney asked what did we go with in the past.

Jay said we typically went with a variable rate because the market was traditionally low on the index so we went with the variable and we got a discount off of the adder for the Columbia Standard Choice offer and just ride variable, but, with this wintertime, riding variable is going to be tough. People are going to be hit with really high bills. If we can lock in something, give them some sort of savings during the winter, that would be good and if the market changes they can opt out or we can look at a blend and extend. There are some different exit ramps. I think passing legislation or something just agreeing to lock in under eighty cents and leaving the term open because the longer out you go the lower you get. We might have to go thirty-six or forty-eight months but having that be open ended will help me be able to get you something under eighty cents for this winter.

Council member Thatcher said we have done two- and three-year terms before.

Mayor Mathew asked Brian if we could do an open-ended agreement.

Brian said you can do whatever you want. This is making me all very nervous. My legal mind is like, there's all these open-ended things, nothing is concrete. I have no idea really what you guys are going to vote on or do. From where I stand that is just a recipe for not goodness.

Council member LaRosa said I think we have to have a UST meeting.

Brian said you have no real idea about what these number are, what the terms are, what's the real rate today. What it really looks like in January? What it really looks like in April?

Council member Thatcher asked when is the drop-dead date.

Jay said I would meet soon as UST. We have to do something. For a December start, you have to do something by the first week of October.

Council member Gates said the things I am seeing on the news and online with regards to just what Europe is going to be experiencing, they are experiencing it already. It is alarming because if we are exporting so much that is increasing the price here at home and we are going to feel that pinch too. I think it is more urgent than it ever has been, to be honest.

Jay said if you could define the term to be, say thirty-six months and under eighty cents, to have it be defined as we can within the market that we are working with, I think that would probably help maybe ease some concerns from the legal standpoint. A lot of communities are doing this exact same thing right now, like many communities, and a lot of them are leaving it open. I understand the legal concerns as well. I am available if you want me to come to UST sometime soon. I'm happy to dive in depth with it.

Council member Thatcher said UST can meet before Finance before the next council meeting.

Carol Kender said this kind of fits into what everybody is talking about. This is an excerpt from an email the Chamber of Commerce received from the stormwater management people. October 16 through the 22 is designated a stormwater awareness week. They are suggesting the

stormwater week and it is a Statewide effort that encourages communities and groups that care about them to utilize newsletters, social media posts, educational events, to raise awareness of how rainwater moves through the infrastructure and our environment. They are suggesting that now is the time to start planning a litter pick up, stream quality monitoring, tree planting to improve the stormwater quality in our community.

### **Communications**

Mayor Mathews said my communication is basically surrounding the Maronda proposal. The attorneys and the engineers got together and discussed alternatives so Maronda's concept for their next go around will look a little different. What that is, is yet to be seen.

In addition to that I met with two groups of families directly affected by any development back there. Just on options and updates and basic conversation.

### **Pro Tem Report**

Pro Tem Thatcher said he is still working on the Veteran's Day Celebration. We are going to have this the Saturday before Veteran's Day. I am working with the American Legion.

Steve Smith and the Chamber of Commerce are doing a shred it day on Saturday, September 17 from 11:00p.m. to 1:30p.m.

### **Legislative Actions**

Second Reading – Ordinance 19-2022 -An Ordinance creating and establishing Fund Number 2901 (State of Ohio Opioid Litigation Settlement Fund)

First Reading – Resolution 11-2022 – A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and declaring an emergency.

It was moved by Gates, seconded by Isern to suspend with the second and third readings and declare Resolution 11-2022 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

It was moved by Thatcher, seconded by Zimmerman to adopt Resolution 11-2022 as an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

First Reading – Resolution 12-2022 – A Resolution to approve the Delaware County Office of Homeland Security and Emergency Management Fifth amended Countywide Emergency Management Plan

### **Bills**

It was moved by Gates, seconded by Isern to approve the bills in the amount of \$120,538.11. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

**Treasurer’s Report**

It was moved by Matney, seconded by Zimmerman to approve the following treasurer’s report:

General Fund	357,276.42	Enfct. and Education	1,245.85
Street Fund	487,535.56	Fire Fund	70,672.93
State Highway	27,356.13	TIF Fund	97,855.06
PD Body Armor	2,753.48	TIF 2 Fund	32,683.44
Cont. Pro. Training	2,535.48	Police District Fund	180,213.72
Evans Farm JEDD	.91	Veteran’s Memorial	248.97
Drug Law Enfct.	534.41	Sewer Operating	32,512.98
Indigent Drivers	385.84	Sewer Replacement	13,036.08
Law Enfct. Trust	6,678.33	Storm Sewer Fund	15,470.50
Am Rescue Plan	63,418.14	Debt Service Fund	67,329.64

For a total of \$1,459,743.87

Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

**Adjournment**

There being no further business, it was moved by Isern, seconded by Thatcher to adjourn.

Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. The meeting adjourned at 7:26 p.m.