

Vivian Olson
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^{with} January 15, 2019
MARCH 28,

Council
Town of Wadena
Box 730
Wadena, SK S0A 4J0
wadadmin@sasktel.net

Dear Mayor Greg Linnen and Council:

On January 15, 2019 I registered a formal complaint with then CAO Hebig using the Town of Wadena Official Complaint Form. In that complaint I provided details of my request for a refund of overcharges to my utility account which have resulted from Town staff incorrectly recording my meter readings (actual and estimated) as being in cubic metres rather than gallons. In CAO Hebig's final response to my request it is implied that there will be no refund as the volumes on these bills are realistic and my meter is reading "to low". Per her "executive" decision, in response to my complaint the Town will be replacing my meter as soon as possible.

This action does not in any way deal with fact that the Town staff issued bills which calculated usage by taking my meter readings (which were already in gallons) and multiplied by a factor of 220 to get the gallon usage I was billed for and overcharging me. Further this "executive" decision the Administrator has made regarding timing of this meter replacement will also cause unnecessary hardship for myself and extra cost for the taxpayer.

I am appealing the former CAO's administrative decision on my complaint:

- **I am requesting that Council recalculate the amount owed for each of the billing periods beginning with Dec 1 2016 - Feb 28 2017 where I was overcharged based on an inflated volume used. I was billed for a volume used which was calculated by multiplying the actual gallons used (as measured by my meter) by a rate of 220 which resulted in inflated gallons used and**

significant charges for overuse. Former CAO Hebig stated that my meter is reading to low and I investigated that possibility by comparing my bills to a resident who like me is a single person and as a result I am willing to compromise that request based on a 'normal' charge for a single which according to my research is approximately 3500 gal. **Through 2017, I strongly contend that I used less than the 5000 gal per quarter minimum and I should therefore only have paid the minimum charge. In 2018 with the change to a 2500 gal minimum I believe that I should be charged a normal charge for a single person ... that is a charge for 3500 gal per quarter NOT 15,000 gal. I estimate the refund owing at \$326.24 this is the total overcharge less credits already allowed by CAO Hebig.**

- **I am requesting that Council make an executive decision to repair the curbstoep to my water service by hydro-vac in the summer of 2019 and replace the old gallon rate meter with a new cubic metre unit at that time rather than replacing the meter as soon as possible (prior to May 31). I am asking Council to minimize cost, to taxpayers as well as myself, by completing this repair after the frost is out of the ground. This is not an emergency situation and I cannot believe the cost of digging while frost is in the ground is necessary.**

The following details key points of the situation and my appeal and I appreciate your consideration:

- When the Town implemented the cubic metre water metre system, which I believe happened in late 2015, the Town did not replace my meter which measured use in gallons.
- At that time of the changeover, a Town worker told me that the curbstoep to my house was paved over and because the turn off valve in my house is above the meter the meter could not be changed at that time. At a later date, in 2016 or 2017 a Town employees read my meter, told me it needed to be changed but because the shut off valve is above the meter the Town would get back to me. No one contacted me after this.

- In 2016 my utility bills were higher than 2015, however, in 2017 and 2018 my utility bills went up radically as I have detailed in my attached spreadsheet. Estimates and Actuals volume went up to volumes ranging from 11,000 to 15,000 gallons per quarter (due to the incorrect conversion) with resulting bills. This was absolutely unreasonable as I am a single person who does not waste water.
- I approached the office staff numerous times to ask for an explanation for these bills and have been told repeatedly this was my plumbing problem – I must have a tap leaking or a toilet running or a line leaking. Over the time period I was checking for leaks by using dye regularly in the toilet and repaired my toilet as soon as it developed a leak in 2017. I had a plumber check over my system and there were no leaks or problems. I continued to verbally complain to the Office staff that this was totally unreasonable, and by 2018 I was conserving water religiously!
- On the March 1 to May 30 2018 billing, in response to my repeated complaints, it is my understanding that CAO Hebig gave Lovely Magnaye authorization to give me a credit of \$54.22. The next billing was once again for an outrageous 11,440 gallons. I once again complained to the Office staff, and was told to contact the Foreman Garrett Cull. When Garrett examined my system in November of 2018, he immediately found the problem -- my meter is one of the few left in Town which is in GALLONS NOT CUBIC METRES. Therefore when the Town estimated my water use at 74 **cubic metres, rather than gallons**, the conversion to gallons resulted in me being charged for **16,280 gallons!** I had no idea that my meter was in gallons not cubic metres. Believe me if I had known I would have pointed it out to the Town staff!
- Foreman Cull also told me at this time that the meter needed to be replaced with a cubic metre unit and to do that the Town would be replacing the curbstop and then shutting the water off and replacing the meter. My understanding at that time was that to save the Town money and minimize damage to my paved driveway, the Town would complete the repair in the summer of 2019.
- Following this conversation I was advised by Lovely on November 26, 2018 by email that she had made an adjustment (per Garrett's advice) on my account for the current quarter with a credit of \$128.10 now on the account.

- My subsequent bill did not appear to reflect this adjustment and from looking at my Utility Bills I believed that I had clearly been overcharged for years because the bills consistently used the conversion from cubic meters on my gallon reading. As a result I submitted a formal complaint on January 15, 2019 using the Town of Wadena official complaint form and sent a detailed letter of complaint to CAO Hebig.
- On February 20, 2019 CAO Hebig replied to my complaint. In that email she stated that a credit of \$138.10 had been applied and she was prepared to offer a refund of the amounts overcharged during billing periods between Sept 1, 2017 and August 30, 2018, but not for earlier bills due to concerns regarding a running toilet. An amount of \$197.22 was offered as net owing for these billing periods.
- I did not believe this was fair as I had been overbilled significantly through to August 30, 2017 and refused the partial payment offer. I requested a full refund of the amounts I could calculate from the utility bills I had found and the ledger report the CAO provided. Based on meter readings I should have paid only minimum charge through this entire time period from December 1, 2016 to August 30, 2018. I assured her I replaced the toilet ASAP when it started to run and the meter was read after this. I also requested 2016 overcharges and I requested information to help calculate the difference between what I was charged in 2016 and what minimum charge would be.
- Please note that Office staff have repeatedly told me that they cannot provide me with copies of my Utility Bills for these time periods. The CAO also neglected to provide me with copies of 2016 rate bylaws despite my written request.
- On March 22, 2019 CAO Hebig advised me that *"From what I see of your consumption ledger, between 2012 - August 2015 your actual usage was reasonably consistent in the past"* but then proceeds to say that my meter was reading *"... way too low and with all of the troubles with readings on that old meter, we are going to simply require it to be replaced with a new one."* Please note, I have never at any time told Town staff that they cannot replace the meter, all discussions with staff were about replacing the meter while minimizing damage to my driveway. Hydro vac repair will be a better option for me and the Town! The email implies that no refund will be given because this is a problem with a faulty meter.

I feel this final email from CAO reflects an unfair decision and in considering my appeal please consider:

- Since my utility bills skyrocketed in 2017 I have been very careful in my water use. I do not do waste water and do not water my garden or lawn.
- I have repeatedly approached Office staff asking for a solution to this problem. Before November 2018 no effort was made to investigate what was going wrong with the account.
- The amounts the Town has recorded as the official meter readings for my service show I have always been below minimum use when one takes the per gallon rate the meter reads. My understanding of CAO Hebig's email is that she is implying that meter readings which were taken and recorded for years (many were actuals) are not in fact official nor legally binding. My understanding of her email is that the estimated and actual readings can be judged as "too low" by staff and therefore bills based on far over minimum use are more realistic and fair despite the fact that the volume on those bills is incorrectly inflated due to a miscalculation by the Town staff. I do not believe this retroactive judging of meter readings is fair and I wonder if it is even legal. I am willing to compromise about a 'normal' use for a single person as explained below.
- After receiving this email I contacted a single resident who has similar habits regarding water use, and who had kept their bills and found that in their case quarterly volume used ranged from 13 cu m (2860 gal) to 15 cu m (3300 gal). I am willing to compromise and would consider it fair if Council used a 'normal' quarterly use for a single person in the 3500 gal range. I found a resident who mirrors my use, Town staff have access to numerous examples. In calculating a refund I used a 'normal' single person use of 3500 gal in my calculations which is in fact higher than the average use for the resident whose bills I looked at.
- When I began this complaint process I was concerned that I had been overcharged in 2016 as well the following years, however in looking at other resident's bills and comparing them to the ledger report for my account I see that the billings commencing Feb 29 2016 to Dec 15 2016 were basically at minimum. I am no longer claiming a refund for that billing period.


CAO Hebig also stated that *"I am going to make an executive decision here that we are replacing your water meter before the next billing period."*

- If the CAO means the Town will do this in the March to May billing period it is going to cost the Town a lot of unnecessary money to dig up a curbstop when the frost is still in the ground. Looking at the amount of work and the large areas barricaded off around Town due to water line repairs it is obvious digging in winter is more time consuming, costly and the area involved seems much larger than summer repairs. This is not an emergency and I cannot believe that Council would condone wasting tax payer money in this manner when doing the same work in summer would be less costly and less of a burden on workers and the public.
- Completing this action in winter is going to cause a lot of damage to my paved driveway and judging by the areas which have been dug up this winter I may not be able even get into my driveway for weeks especially through spring thaw and spring rains. Therefore, I find the tone of the CAO's email rather threatening. The Foreman's original plan to have the repairs done in the June to August billing period certainly makes more sense and minimizes cost for both me and the Town. If the hydro-vac repair does not work I will face the same costs to repair a damaged driveway, but at least I will be able to access my property by fixing that driveway!

I am attaching my calculation of the amounts owing to me for 2017 and 2018 as well as the utility notices and the utility ledger I have based these calculations on. I have also enclosed copies of the emails I have received from former CAO Hebig.

I sincerely hope that Council will consider this appeal favourably.

Regards,



Vivian Olson

Calculation of Refund Request

Vivian Olson Account # 067900 000

Time Period	Billing	Minimum Volume per Bylaw	Correct Use in GALLONS - Note billed for Cubic metres	Estimate based per single person in Wadena with a NEW Cu M meter	Minimum water charge under 5000 gallons per period	Minimum sewer charge under 5000 gallons per period	Residential GR	Water Charge Estimate for minimum \$5.5 per 1000 gal	Sewer charge estimate for minimum \$2 per 1000 gal	Correct Total Charge = Minimum water charge + Minimum sewer charge + Garbage Recycle charge	Other Adjustment Per Utility Bill Received or Ledger	New Charges Per Utility Bill Received or Ledger	Total Amount Billed = New Charges + Other Adjustments	Refund Requested = Total Amount Billed less Correct Total Charge
Dec 1 2016 - Feb 28 2017	3/15/2017	5000	70	3500	111.42	55.71	36	0	0	203.13		270.52	270.52	\$67.39
Mar 1 2017 - May 30 2017	6/15/2017	5000	bylaw	3500				0	0	203.13	Per ledger	213.50	213.50	\$10.37
01-Jun-2017 to 31-Aug-2017	9/15/2017	5000	112	3500	111.42	55.71	36	0	0	203.13		330.39	330.39	\$127.26
01-Sept 2017 - 30 Nov 2017	12/15/2017	5000	74	3500	111.42	55.71	36	0	0	203.13		276.22	276.22	\$73.09
01-Dec 2017 - 28 Feb 2018	3/15/2018	2500	72	3500	30.00	20.00	75.00	5.50	2.00	192.50	-\$54.22	225.05	170.83	\$38.33
01-March-2018 - 31 May 2018	6/15/2018	2500	25	3500	30.00	20.00	75.00	5.50	2.00	192.50		167.30	167.30	\$34.80
01 June 2018 -31 August 2018	9/15/2018	2500	52	3500	30.00	20.00	75.00	5.50	2.00	192.50	-\$138.10	253.10	115.00	-\$17.50
01 Sept 2018- Nov 30 2018	12/15/2018	2500	74	3500	30.00	20.00	75.00	5.50	2.00	192.50		125.00	125.00	-\$7.50
								22.00	8.00	1,342.52	192.32	1,861.08	1,668.76	\$ 326.24

Total Charged from the 3/15/2017 billing to Dec 31, 2018

1,861.08

Less CORRECT Minimum Charge Billing -1,342.52

Subtotal - Refund due before credits for the time period

518.56

Less Credits Applied

-192.32

TOTAL REFUND OUTSTANDING for the Dec 1, 2016 to Nov 30, 2018 billing periods

326.24