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RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
August 17, 2021
4:00 p.m. to 6:15 p.m.

IN ATTENDANCE: Mr. Kevin Campbell, President
Mr. Michael Sullivan, Vice-President
Mr. Thomas Dietz, Board Member
Mr. Darren Biggs, Supt. of Utilities
Ms. Cinthia Slusarczyk, Clerk
Mr. Christopher Kogelnik, Engineer
Atty. Paul Dutton, Solicitor

ALSO PRESENT: Mayor Arno Hill, Mayor of Lordstown
Mr. Bill Blank, Village Clerk
Mr. Don Reider, Village Council
Mr. Lamar Liming, Village Council
Mr. Franco Lucarelli, City of Warren
Mr. Tom Cowie, Imperial Communities
Mr. Chris Peterson

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 17th of August, 2021.

MR. CAMPBELL: I'm going to call the meeting to order. Would you please stand with me for the Lord's Prayer and Pledge of Allegiance.

ROLL CALL:

MR. CAMPBELL: All right. Thank everybody for coming. Roll call please.

MS. SLUSARCZYK: Kevin Campbell.

MR. CAMPBELL: Here.

MS. SLUSARCZYK: Thomas Dietz.

MR. DIETZ: Here.

MS. SLUSARCZYK: Michael Sullivan.

MR. SULLIVAN: Here.

MS. SLUSARCZYK: Darren Biggs.

MR. BIGGS: Here.

MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.

MR. KOGELNIK: Present.

APPROVAL AND CORRECTION OF MINUTES:

MR. CAMPBELL: All right. Approval and Correction of Minutes. We only have one set from July 20, 2021.

MR. SULLIVAN: I make a motion to approve the 2021 minutes.

MR. DIETZ: I'll second it.

MR. CAMPBELL: All in favor?

(All respond aye.)

MR. CAMPBELL: Thanks for the work again into our minutes.

CORRESPONDENCE:

MR. CAMPBELL: Cindy, any correspondence?

MS. SLUSARCZYK: (Shakes her head negatively.)

PUBLIC COMMENTS:

MR. CAMPBELL: Public Comments. Any public comments?

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NEW BUSINESS:

1. City of Warren - Bulk Water (Warren Water)

MR. CAMPBELL: We'll move on down to New Business. I appreciate Franco coming tonight. So we got the City of Warren bulk water, Warren water. I guess we kicked off to have a warm-up meeting to kind of get us rolling. Sent Franco backed to kind of do some calculations on his side. He was struggling with how to come up with something we could with as a Village, and we talked on the phone; and we have a meeting, so I offered for him to go ahead and come tonight and present, I guess, where he's at so e can understand a little better and see if we can find something that works with us. I know that the actual water rate will be -- actual figures need to get negotiated with Council outside of this Board, so that leaves us with the inability to go into executive session. So with that I recommend we can talk about concept and idea and where you're looking to go, and if you want to use figures just use, I guess, generic figures at this point. So that's kind of out of the picture. So is there anything you want to add to that, Paul?

ATTY. DUTTON: NO, you said it pretty well.

MR. CAMPBELL: All right. With that I guess I'll turn it over it Mr. Franco and you can, I guess, lead us off to where you're at with your dilemma on your side.

MR. LUCARELLI: Well, thank you for the invitation today. As Kevin stated, we had discussions the week before last week I think on a Thursday; and one of the topics of discussion for the rate structure was -- it was two-fold in essence. It was -- we were talking about the potential -- the excess capacity on what is -- what we can call it -- the TEC connector which is the 24-inch water main that would be coming from Main Street -- corner of Main and Dover in the City of Warren, and it would be coming to the Village of Lordstown to supply the Trumbull Energy Center water for production. In that 24-inch main, our consultants are telling us there is -- it's oversized so we'll have excess capacity. That excess capacity is being offered to the Village at a discounted rate because it is just that, it's excess capacity. We have -- at the end of that potential line is the Trumbull Energy Center. The City of Warren's stance on that line and that water essentially is the Village of Lordstown at any point can tap into that 24-inch main and they can use the excess capacity in that water line. At the time that day we spoke, and I understand we're gonna speak in generalities tonight, we spoke of a discounted rate for that excess capacity which can be, as we've been told through our consultants, roughly 2 million, 2.5 million gallons a day. And to put that in perspective I did some calculations today. And everybody in here I'm sure is familiar with Matalco down the street here. They do -- is it aluminum extrusion?

MR. CAMPBELL: Uh-huh.

MR. LUCARELLI: They use roughly 50 to 75 thousand gallons of water a day for their processes. And I did a tour, but I'm not familiar with their processes. If you look at that facility at 50 to 75 thousand and the employees that they employ, a million gallons of excess capacity gives the Village of Lordstown approximately ten more Matalco's off that excess capacity of the 24-inch main. That's -- that will be coming into the Village from, I'm calling it the back side, the State Route 45. Also there is excess capacity as it stands right now in the current water line that comes from the pump station on Tod Avenue, and it runs all the way down to Hallock Young to what is now Lordstown Motors facility. The capacity we're told on that line is roughly 900 thousand to a million gallons of water per day. That's available for the Village of Lordstown to use for whatever purposes they deem necessary. As we stated the last time I was in this room -- I think Kevin was here, the Mayor and I think a couple Council members

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and Cindy, and I have spoke about this and Kevin and I have spoke about this -- we want to set up a master -- essentially a master rate agreement because there's not a meter pit on the old line generally speaking. Like I'll give examples of with Trumbull County. Whenever we sell water to Trumbull County, we have meter pits at certain locations and we have master meter agreements with Trumbull County. We sell them the bulk water, we sell them at that rate. The honest answer is I don't know what they sell it for and I don't care because it's not my business. All I care about is the rate at the meter. And the same thing would apply here from the 24-inch line. However Lordstown wishes to sell that water, disburse that water, is of no interest to the City of Warren. The only thing that would be of interest, and that's because Trumbull Energy Center would be paying for the capital cost the -- of that line, would be that the water not be sold to a competitor of Trumbull Energy Center. Anybody else is whatever the Village of Lordstown wishes to do with it. So just by giving the example of Matalco, if using round numbers, the excess water was purchased from the City of Warren at a dollar per thousand gallons and that price was given out to the public or whoever comes into the Village at \$3 per thousand gallons, a facility like Matalco would make roughly \$50,000 to \$60,000 a year for the Village just on the water services alone, not counting the employees, income tax and so on and so forth. And I want to express because I think sometimes we have been fortunate, and sometimes we have a tendency to forget -- well, I don't because I live in this world every day -- how much a million gallons of water really is. And million-gallon users, as fortunate as this area has been with LEC and with Ultium, they're like unicorns, they don't come around very often. But the ancillary businesses that will be supporting the energy center, the Ultiums, and I want to stress all the jobs, the union jobs and the income tax that will be brought into the Village of Lordstown through the construction of the energy center and the project, the portion of the projects that are in the Village of Lordstown is quite a sum of money. And I just wanted to -- I know I had a chance to talk to Kevin, but I wanted to talk to the rest of the BPA in the sense of letting you know and understand that that line, a size like that, specifically to have extra capacity and what the Village chooses to do with that extra capacity at a very discounted rate is up to you. And frankly, there's money to be made on that excess capacity. And I, you know -- Kevin and Chris, if anybody had any questions, I would be glad to answer any questions on this process and the agreements and where also the City of Warren is also open to negotiate a rate structure for the excess capacity on the existing 16-inch line that's coming in and that excess capacity. Because right now in the simplest of terms, nobody here is making money off the excess capacity. So if the Village of Lordstown can provide businesses to tap off of that 16-inch line and sell that water, it's good for all of us. And I just wanted to bring that to the attention of the BPA, members of the BPA, and sit here and see if anybody has any questions.

MR. CAMPBELL: So I guess to recap, one of the things that we talked about as a concept was a bulk water rate including both the 24 and the old 16. And we talked -- you said there's such different beasts that it's very difficult for you to come up with just a one rate for the Village, right? I mean, that's why we're kind of looking to simplify our position and the bill and things like that. So I guess the question before us, from what you described, is are you looking at two different bulk rates, one like this would be the bulk rate on the old 16 and this would be the bulk rate on the new 24? Is that --

MR. LUCARELLI: Essentially, yes. And the reason why is that the existing line that was built for General Motors back in 1960.

MR. SULLIVAN: '66.

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MR. LUCARELLI: 1960s is that, it's that old. Every time you see us doing a repair on that water line it's a minimum of 18 to 20 thousand dollars because it's not your Average Joe water line. It's a -- how do I -- it's a cast iron encased in concrete water main. There's literally one company in the United States that makes the fittings to fix those breaks on that line and they're in Texas, and there's literally a six-week lay-up time for parts. That's why we have roughly \$100,000 worth of parts in a warehouse, so in case there is a break we're not waiting. When we use those parts, we order more parts to keep them on the shelves. With the new 24-inch main that would be constructed, obviously the O&M cost, the operating and maintenance costs, are completely different beasts. As I was telling Darren before this started, we have had nine main breaks on two streets in the last month-and-a-half. It just so happens those streets, the mains were put in in 1925. So that should be having water main breaks. I don't have to like it, but it's the nature of the beast. So inherently, there's more operating and maintenance costs with the Lordstown Route 45 line versus the Trumbull Energy Center line which is gonna be a brand-new line. So by the time that -- realistically speaking, there will be maintenance on that line, but it won't be maintenance in the sense of costly \$20,000 repairs because it's gonna be a newer line. And frankly, most of us will be retired or with the good Lord before it starts having issues like the existing 60-some year old line. So that's what makes it -- that's what creates the difficulty of one rate for both lines because of just the maintenance and the cost. Again, the pump station on Tod Avenue is 50 years old versus the pump station on Main Street that is gonna be brand-new. So there's an inherent cost difference of running both of those lines. That's why that makes that very difficult to do. It could still be made to the sense that it's just -- and Cindy and I -- I just threw your name out, we were working on some issues today. But the essence of it is, is one number. Whatever that number may be, \$3, \$5, \$10, Cindy wants one number to make life easier to calculate the bill and/or the expenses to the Village. And I'm fine with that. There just has to be one number for the old line and its cost and one number which is gonna be substantially lower for the new line. And being that the City of Warren isn't going to inherit any capital improvement costs for that new line, the cost when -- and since we're doing round figures here, the cost of the excess capacity will be very close to the cost of production at the filtration plant. And that's not getting offered to anybody anywhere. That doesn't get offered to the citizens of Warren because we have costs built in our aged system. So that's what the City of Warren is -- and I have the backing of Mayor Franklin and the Service Director. We're here and we're ready to get this done and move forward.

MR. CAMPBELL: So at this point, if you guys -- what, two separate cost models? Is that something we could work with in our system.

MS. SLUSARCZYK: When you originally spoke, you said there would be a charge for the excess capacity in the existing 16-inch. So you're telling me that would be a different rate than the rate that's currently on the 16 for the excess future excess capacity in that line.

MR. LUCARELLI: Yes.

MS. SLUSARCZYK: So we could end up with three different water rate structures?

MR. LUCARELLI: Two.

MS. SLUSARCZYK: The 16-inch as it is today and the excess capacity.

MR. LUCARELLI: And that excess capacity, when we were in that meeting a couple weeks ago, was very low and it's not near the rate of the existing line.

MR. KOGELNIK: I have a question regarding the existing 16.

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You stated like a million in reserve capacity on the existing 16.

MR. LUCARELLI: That's what StanTech is telling us, yes.

MR. KOGELNIK: Does that take into account the promise or obligation to Lordstown Motors?

MR. LUCARELLI: Lordstown Motors and the Village and ourselves never came to an agreement because of their inflated numbers.

MR. KOGELNIK: Okay.

MR. CAMPBELL: Well before we go on, Paul has a question.

ATTY. DUTTON: I just wanted to clarify. I normally don't attend the meetings of the BPA without being invited by the BPA. Punish the Village Council had a meeting last night, and they requested that I attend this meeting; and the Mayor encouraged other members of Council, so we have a few members of Council -- two members of Council here. And we need to clarify something before we get locked into a mindset that is different in Warren than it is in Lordstown. The Village -- by statute, Council contracts for utility agreements outside the Village. So if we're going to sell utility service, water, sewer, to customers outside the Village, Council is the one who negotiates that. If we purchase utility service from outside the Village, Warren, Niles, Trumbull County, we have to negotiate that through Village Council. Residents within the Village, businesses within the Village, the BPA is responsible for that; and there's a tiered rate system that is established by the BPA. And I am certain on reflecting the sentiment of Village Council and I'm here to reflect that sentiment, they would welcome a bulk rate agreement with Warren. We just went through an arduous about nine-month process negotiating a bulk rate agreement with Niles and MVSD. And it enables the Village to establish rates for large customers, and it provides a redundant supply of water if we have a similar agreement with Niles -- or I mean with Warren. All this discussion about TEC and a special rate for TEC is fine, but the Village and Village Council is not bound by a rate that TEC may have negotiated with Warren for the ultimate cost of that water. And Village Council, working with the BPA, is going to establish that rate. Now obviously the less that we have to pay Warren for that bulk rate when we put our surcharge on it gives us more room, so we would be stupid here not to say give us the lowest rate you possibly can. But my sense is, from meeting with Village Council on this over several, several meetings, is that for many public policy reasons that the rate that LEC is currently paying is probably the rate that's gonna be charged to TEC, and that's \$2.63 per 1,000 gallons from Warren water. Is that correct?

MS. SLUSARCZYK: \$2.66 from Niles.

ATTY. DUTTON: \$2.66 from Niles. And how much from Warren, \$2.70?

MS. SLUSARCZYK: Warren varies each month based on the usage.

ATTY. DUTTON: Round figure.

MS. SLUSARCZYK: The lowest rate has been \$2.72, our purchase price.

ATTY. DUTTON: Okay. So -- and why, because there's not much difference between LEC and TEC. Now for you THERE'S a big difference. But for the Village, very little difference. They're gonna end up with 20 employees. The construction revenue and income tax disappears after the construction is up. Both of them will be given 100 percent tax abatement for 15 years. So there will be no meaningful real estate tax. Both of them will have negotiated a pilot payment in lieu of taxes with the school system. And fortunately, TEC has agreed preliminarily to a pilot that doesn't last that -- I think it's like 7 or 8 million dollars over 15 years with the Village. So the sentiment is why treat one different than the other, particularly when water is gold for this project. And as we move forward, as a very savvy person who we've been talking with recently said 20 years

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from now water will be gold. Just look at the trends all over the country. There's another reason for that. We have the capacity to provide water through our agreement with Niles for TEC. So we would like to see some competition. In other words, if you can give us a better price than Niles, I'm sure Council and the BPA would be more than willing to work a deal with Warren to provide water to TEC. But all of this conversation about a 10 percent or a 10 cent or actually a 7 cent surcharge based upon 97 cent cost of water is fantasy. It's not going to happen. And I think we need to get realistic about it now. If I'm sitting where Doug Franklin is sitting, he's going to say but they're investing 17 to 20 million dollars into the Warren water utility system. That's great. That's Warren, that's not Lordstown. Number two, Ultium is investing \$15.5 million into a water tower infrastructure and they've been granted only 75 percent tax abatement, plus they are bringing 1,100 jobs, plus they're using our sewer system which TEC won't through Trumbull County, and Ultium is paying upwards of \$5, right? What's Ultium going to be --

MS. SLUSARCZYK: Ultium actually will pay \$7.26 a thousand gallons for sanitary sewer.

ATTY. DUTTON: 1,100 jobs, \$15.5 million investment, sewer revenue, plus that water rate. So as a matter of public policy, I don't think Village Council wants to be put in the position of anointing winners and losers in this thing. And I think their belief is that there's very little difference ultimately between TEC and LEC and their water rate should be somewhat parallel. So did I reflect Council's position accurately? Okay.

MR. LUCARELLI: So if I may, because I'm not -- off the top of my head I'm not sure what the difference is in the rates of TEC and LEC off the top of my head.

ATTY. DUTTON: LEC pays, you said, \$2.63?

MS. SLUSARCZYK: If we're talking Warren only, their average price per thousand gallons, the best price that Warren has sold it to Lordstown for averages \$2.72 a thousand gallons.

ATTY. DUTTON: And we make 10 cents?

MS. SLUSARCZYK: Thirteen right now. We're in Phase 2.

ATTY. DUTTON: And what is the Niles rate?

MS. SLUSARCZYK: Niles right is \$2.53.

ATTY. DUTTON: Okay. Plus 10 cents.

MS. SLUSARCZYK: Thirteen cents. \$2.66.

ATTY. DUTTON: So right now Niles is even --

MS. SLUSARCZYK: Has beat the price.

ATTY. DUTTON: -- is less than what Warren's is. Is that your question, the difference, what --

MR. LUCARELLI: I'm just stating I don't know -- when you say TEC should pay the same rate as LEC, I don't know what the difference is between those two numbers off the top of my head.

ATTY. DUTTON: Not your rate, what we're gonna charge. What we're gonna charge. You can charge -- you can charge the Village what is in your interest and what's negotiated, whether it be the 16-inch line or the new 24-inch line. As you know, there are other factors that you negotiated or had discussions with TEC that are, I hate to say, irrelevant; but they are certainly incidental to what the Village is doing here. And more power to you. But we're not gonna be put in the same position of anointing winners and losers in that scenario, especially if it's something you have to live with for four years.

MR. LUCARELLI: I understand that. The only thing I would like to bring up is that there isn't the second 24-inch water main coming into the Village from Warren without the Trumbull Energy Center.

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ATTY. DUTTON: Right. But when LEC came in, Mr. Siderewicz was negotiating the same deal for LEC and TEC. They invested, I think, \$6.5 million in infrastructures and water lines. And I didn't know what the cost of the 24-inch line, is but it probably is somewhat comparable.

MR. LUCARELLI: Yeah, I would think so, depending --

ATTY. DUTTON: So it's really apples to apples here.

MR. LUCARELLI: Depending on the length of the run. And they are also having to put in the pump station. You don't know if they are putting in a pump station.

ATTY. DUTTON: They put in two and upgraded one.

MR. KOGELNIK: LEC? LEC upgraded three and installed one new water booster station.

MR. LUCARELLI: Yes, I upgraded the lift station.

ATTY. DUTTON: In a redundant station.

MR. KOGELNIK: Upgraded three lift stations, installed one new water booster station.

MR. LUCARELLI: And the lift stations were from the sewer.

MR. KOGELNIK: Yes.

MR. LUCARELLI: I'm just --

ATTY. DUTTON: But we want to do business with you because if we can do business with you, we can make money off of this.

MR. LUCARELLI: There's no doubt there's money to be made. What we have to do is find a solution in which case the volume is such that the rates could be matched to it and the volume that will be coming in this direction for TEC would allow the City of Warren for the rates to be lower because of that volume. But none of that can happen. And at one point, Chris and I had spoke about, for lack of a better term, an interconnection between the new line and the existing line for something similar to what we have. The E.P.A. requires the City of Warren and the City of Niles to have an interconnection where we have lines outside our waste water treatment plant, so in a emergency the City of Niles -- we can open those valves and they can get water and vice versa. And the same thing can be applied here too, to essentially make a looped connection coming from the City of Warren, if one goes down the other one feeds and so on and so forth.

ATTY. DUTTON: Well, we're not assuming that if we're gonna be charging \$2.63, right, to TEC that you're gonna be selling us water at 97 cents. We're not assuming that, okay. That's what TEC assumes, but that's not what we're assuming. So it's some number where we can make a override and it will benefit Warren. The volumes are gonna be there. The plant's gonna use 2.5 million gallons a day when it's operational, whether it's from you or from Niles or a combination. And I might say it's not lost on us that the rate that LEC is paying makes them profitable, or at least we assume. Why wouldn't the same rate make TEC profitable?

MR. LUCARELLI: I'm not a developer, I sell water. So that would be a question for Bill Siderewicz, and I'm sure he would have the answers for you on that. All I can speak to is the portion that the City of Warren was responsible for and what Warren can bring to the table and offer the Village of Lordstown.

ATTY. DUTTON: And on the 16-inch line, that's really something for the BPA and Council. I mean that I'm just here to talk about the TEC situation and what legal constraints. But Council, along with the BPA, would welcome some type of a bulk rate, some type of a -- where we would know going in when a project comes in that's not TEC and wants to use Warren water that we can make it available and we know what the price is. So that would be beneficial to everybody.

MR. LUCARELLI: Right. No, and I understand that. I understand that from just our conversations today with Cindy and myself.

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The question remains what the development of TEC will bring or won't bring is the million dollar question so to speak.

ATTY DUTTON: You mean the ancillary businesses?

MR. LUCARELLI: No, what -- because the bulk rate would have to be figured upon the assumption that LEC -- or excuse me, TEC is coming to market. And that volume of daily consumption obviously with the economies of scale would run into the cost of the City of Warren producing water and how we can provide, at what rate we can provide the water and still be of benefit to the City of Warren, TEC and the Village of Lordstown. That rate itself is only based on the fact of the TEC numbers. If TEC doesn't come to fruition, those numbers don't exist because that volume of water is not heading towards the Village.

ATTY. DUTTON: Right. And one other request that I think the BPA will make at the ultimate negotiations with TEC is that currently -- and we learned a lot from LEC -- that we're capped at a fixed 10 cents, now 13 cents, per 1,000 gallons. So Warren has the right, Niles has the right previously under the LEC agreement to raise rates periodically, and we're capped for literally 40 years with just incremental increases. So I think that one of the factors that we would want to be negotiating is that if Warren increases its rate, we would have the ability to increase our override, our surcharge, by the same percentage, so that we're in parallel for 40 years or whoever is left here in 40 years.

MR. LUCARELLI: And that's understandable, and I had brought that up to the BPA in previous conversations. Because again, you have to understand the position of Warren. Once we sell the water to the Village of Lordstown, it falls under the not-our-business. We sell it. Whom you sell it to, how much you sell it for, is not our business.

MR. SULLIVAN: Well, that's not completely true. When we met, your position was you wouldn't negotiate with TEC without us; and then you went and negotiated the 97 cents.

MR. LUCARELLI: No, no, no. The 97 cents is not TEC's rate. That's completely different. The 97 cents that Kevin told us about is the excess capacity in that water line. The 97 cents was the rate that we had spoke about for the excess capacity and the cost to the Village of Lordstown for that capacity at 97 cents.

MR. SULLIVAN: But you met with TEC and told them that that was gonna be the rate.

MR. LUCARELLI: No. It has nothing -- in the -- in the TEC agreements that have been drafted up, the same with the LEC agreements, there's nothing in there that stops the Village of Lordstown from using the excess capacity from those lines. The same thing with TEC. The rate for the Village of Lordstown is what the City of Warren is offering the Village of Lordstown. TEC has no -- they have no say-so in what we charge the Village of Lordstown for that excess capacity.

MR. KOGELNIK: Can I say something, Franco? To your question, his cost of 97 cents is only the production, the cost to produce that water for that reserve capacity. I think that's where that number came from.

MR. LUCARELLI: Correct.

MR. KOGELNIK: You know, that is not anything affiliated with TEC.

MR. SULLIVAN: I really didn't have a question.

MR. KOGELNIK: Okay.

MR. SULLIVAN: I had a point.

MR. KOGELNIK: Sorry.

MR. SULLIVAN: The point was Franco had said before if there was any discussions with TEC he would meet with us and TEC.

MR. KOGELNIK: Okay.

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MR. SULLIVAN: That didn't happen.

MR. KOGELNIK: Okay.

MR. LUCARELLI: And prior to our conversation with that, when TEC approached us prior to that conversation, and the essence of the conversation was contractually -- since there were multiple contracts involved, we would structure the contracts in a similar way if the Village was amenable to those contracts being set up that way. Since that time we have not -- in essence, the 97 cents of the excess capacity that the Village of Lordstown would have the opportunity to use for whatever they want is the cost of Warren producing the water. And the reason why is because TEC would be putting in the capital, as the solicitor had mentioned, to bring that water line to the Village of Lordstown. I can say in very good confidence that I do not see an opportunity for the Village of Lordstown to purchase water at 97 cents per thousand gallons anywhere on this earth because frankly it just can't be done for potable water. And what I'm trying to say tonight to the members and the citizens here and the Village is 2 million gallons is a lot of water, and it gives a lot of opportunity for the Village of Lordstown to bring in business and mark up whatever the cost is gonna be above that 97 cents for multiple businesses. So I'm not here to just talk about just one entity of TEC. It's the opportunity of all of the other businesses that are capable of coming in and the Village of Lordstown having the opportunity, and frankly the advantage, of offering them a rate that could either be very palatable for a company coming in, or if they want, if they make one rate across the Board and very profitable for the Village of Lordstown with that excess capacity.

ATTY. DUTTON: Right, but to make it lower. Whether you sell the water to us for 97 cents or \$1.97, my understanding is the Village Council will charge or insist that TEC be charged the same rate that LEC is paying. So we're not gonna have a deal here where TEC is anointed with a special rate that is uncompetitive with essentially the same plant. Not that we favor them, but we can't give Ultium such a high rate without them coming to us saying we want our rate reduced. We're trying to make good public policy here. And frankly, if we were -- part of Mike's comment, if we were part of these negotiations from day one we wouldn't have that issue, we would be more on the same page.

MR. LUCARELLI: And that is -- that is an issue in essence. So if I'm understanding this correctly, the Village of Lordstown essentially wants TEC to pay the same rate structure as LEC?

ATTY. DUTTON: Correct.

MR. LUCARELLI: But you want the Village of Lordstown to pay that rate structure after a bulk water rate from the City of Warren. Or am I missing something?

ATTY. DUTTON: You're selling us water now for LEC.

MR. LUCARELLI: Correct.

ATTY. DUTTON: Only we make a dime or 13 cents on it.

MR. LUCARELLI: Okay.

ATTY. DUTTON: So we're assuming if you can sell it to -- for 97 cents that there's a big gap between 97 cents and whatever they are selling it for now. So -- but we're gonna make more. We're not gonna make just a dime on it. If there's room for you -- because you're calling it excess water that it only costs you 97 cents to produce and there's room for us, and TEC is gonna be charged the same rate that LEC is so that they can both be competitive, and if that was an attractive rate five years ago for LEC it still should be an attractive rate for TEC.

MR. BLANK: Are you counting the surcharge? Are you talking about the surcharge too? You have to be, right?

ATTY. DUTTON: Yes.

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MR. BLANK: Do you understand what he's saying? He's talking about -- say it's a dollar you're selling for and we sell it for whatever it was.

ATTY. DUTTON: \$2.63.

MR. BLANK: He wants them to be close, counting the surcharge, correct?

ATTY. DUTTON: Our surcharge would be \$1.63. If we buy it for 97 cents, we make \$1.61. But you're gonna want to sell it for more than 97 cents.

MR. LUCARELLI: Correct. I have to because there was -- there's -- the 97 cents is based off the idea that LEC is paying a rate structure, in which case that makes the 97 cents a possibility.

ATTY. DUTTON: Well, and they're investing again some \$20 million in your system and paying for the water line. The water line is a given because they pay for the infrastructure for LEC. It's the same thing, same project, only we're not gonna walk away earning a dime for every thousand gallons of water. So --

MR. SULLIVAN: Amen to that.

MR. CAMPBELL: All right. So I guess if we're gonna make any progress forward we'll at least have an idea of what we need from Franco and we can work with. And at least then if we ask him all right, here's what we need if we're gonna try and move forward with this, we can get this number and give it to our engineers and our cost model and we can say okay, here's what they can do for us, here's what we can go through our cost model at, here's what your rate's gonna be. So the part I'm confused about is I was under the impression that we're gonna do exactly what we said. We're gonna get a bulk water rate from Warren, put it into our cost model, we know where we're at, that's what TEC is gonna pay, not what the current agreement is. See, LEC is not on our water tier structure.

ATTY. DUTTON: I know. There's a separate agreement. There will be a separate agreement for TEC. There's gonna be a separate dedicated water line. What you're negotiating is the 16-inch line, and you're negotiating what rate the excess water is for the rest of the Village.

MR. CAMPBELL: I understand that.

ATTY. DUTTON: That's what you're negotiating. Council is gonna negotiate the TEC deal.

MR. SULLIVAN: Why would that be?

ATTY. DUTTON: That's Council's prerogative. By statute.

MS. SLUSARCZYK: To purchase the water, not to sell the water, right?

MR. SULLIVAN: It's us to sell the water.

ATTY. DUTTON: Yeah. So we would have to set the rate, what we're gonna sell it for.

MR. CAMPBELL: Obviously we're getting on different pages here already.

MR. SULLIVAN: Well, we need to know.

MR. LUCARELLI: So whom am I to speak to for the rate?

ATTY. DUTTON: To sell water to the Village?

MR. LUCARELLI: To sell water to the Village.

ATTY. DUTTON: Council.

MR. LUCARELLI: Okay. I was under the impression that I was supposed to speak to the BPA. That's where I --

ATTY. DUTTON: Well, they're part of the team here. But legislation and the contract jurisdiction rests with Village Council to purchase utility services from outside the Village. And this water's coming from -- you know, we have no source of water so we have to purchase that, whether it be with Niles, MVSD --

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MR. KOGELNIK: And the BPA has to be involved because TEC would otherwise be a facility in Lordstown that the Village ends up providing water to. That's why the BPA --

ATTY. DUTTON: They become a customer of the BPA.

MR. LUCARELLI: Now I'm getting --

MR. KOGELNIK: It is convoluted but --

ATTY. DUTTON: It's not so convoluted. It's really not convoluted. It's -- there are two agreements. We have an agreement with Warren to purchase water for LEC, we have an agreement with --

MR. SULLIVAN: LEC would have to come to us.

ATTY. DUTTON: They're two separate agreements. You're not a party to supply water to TEC or LEC, it's the Village. We're just buying a resource, and you're telling us what it's gonna cost us. Then we'll tell our customer -- the BPA will tell our customer what they're gonna be charged for it.

MR. DIETZ: Can I ask a question? That line is gonna deliver 4 million gallons of water a day. TEC wants three, right?

MR. LUCARELLI: No, they want 4 million gallons a day on average.

MR. DIETZ: How much water is that line gonna push a day, flow?

MR. LUCARELLI: The engineers are telling us that the excess capacity from what is being -- will be used at TEC will be roughly 2.5 million gallons.

MR. DIETZ: All right. So you're talking excess water being 97 cents to us.

MR. LUCARELLI: Yes.

MR. DIETZ: So what is the price of the water that is going to TEC if we're buying the excess for 97 cents?

MR. SULLIVAN: That would be up to us to say.

MS. SLUSARCZYK: No, he's asking the purchase price from Warren --

MR. DIETZ: Right.

MS. SLUSARCZYK: -- not the selling price.

ATTY. DUTTON: Is the cost the same?

MR. LUCARELLI: Why, that -- we would have to go -- I would have to go back and do the figures on it because again, all that comes into play with TEC coming to fruition; and their basis on their return on investment is a water rate structure of this over here by changing the water rate structure to here. So say hypothetically Warren comes back to Council, Village Council, and says we can sell the bulk water rate on that 24-inch line at \$1.57 -- and I'm just throwing out numbers, I don't know any numbers. At that point then the Village says yes or no. And then the Village, through the BPA, would negotiate rates with TEC. Whether or not TEC -- that's palatable to TEC or not, I don't know. But the bulk rate can only exist if the volume from TEC exists. So it's almost like we're in a --

MR. CAMPBELL: Catch 22 kind of.

MR. LUCARELLI: Yeah, we're in catch 22 position of yeah, it's easy for me to come up with a number of say hey, we can sell bulk water to the Village of Lordstown because there's gonna be this much consumption on that line for \$1.57.

ATTY. DUTTON: Well, you know that TEC will need to have available between 3 and 5 million gallons a day because that's the experience with LEC. So let's take 4 million. So you have to be in a position to produce 4 million gallons. When you say excess capacity, that's aspirational, you don't know how much would be there, you don't know what it would cost, but you do know you can produce 4 million. I think we need to think in terms of the excess capacity as being aspirational. And if it

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happens, great; if it doesn't happen, it's not gonna happen.

MR. LUCARELLI: It's only aspirational in the sense of whether the Village buys it or not.

ATTY. DUTTON: Correct, correct.

MR. LUCARELLI: As Chris, I think, the only engineer in the room, can attest to, but with what our consultants are telling us with the capacity at the filtration plant, the capacity at the pump station and the capacity of that line, the excess isn't aspirational. What is aspirational is what Village of Lordstown would do with it.

ATTY. DUTTON: Correct.

MR. LUCARELLI: So if you tapped off of it and had ten businesses, then that's the aspiration.

ATTY. DUTTON: We don't have ten businesses, we don't have one business. We hopefully will and may. But we don't negotiate this agreement, which the primary beneficiary is gonna be TEC, and assume that part of the consideration is we've got water for ten other businesses that don't exist.

MR. LUCARELLI: Sure.

MR. SULLIVAN: I must have misunderstood. I thought his like sales point was we got a 24-inch line that will produce 6 million or 6.5 million, and with the excess I understood that it was at the same rate. But apparently I was wrong.

ATTY. DUTTON: No, no. It's what --

MR. LUCARELLI: It's a very discounted rate.

ATTY. DUTTON: We should put the excess gallons away, you know, aside, and just negotiate on what we know will exist because we have a pretty firm number on that.

MR. LUCARELLI: On what?

ATTY. DUTTON: Four million gallons.

MR. LUCARELLI: So what would be excess, yes. And if TEC would to come to fruition --

ATTY. DUTTON: And you pretty much know what it will cost you to produce that. What we're talking about is what you will charge us, and we pretty much know what we're gonna charge TEC, or LEC -- I mean TEC, excuse me.

MR. LUCARELLI: Right, I get that.

MR. CAMPBELL: We've been talking in circles somewhat. We need to get a direction moving forward. So who from Council would he be talking with.

MS. SLUSARCZYK: Lamar.

MR. LIMING: I'm public utilities and --

ATTY. DUTTON: President of Council.

MR. LIMING: Either or.

MR. CAMPBELL: You guys, I guess, need to exchange contact --

MR. LUCARELLI: And we'll go from there.

MR. CAMPBELL: But I guess at this point, because the Village -- the BPA was moving forward with more the concept of TEC being in our rate structure and our tier like everyone else. So if that's not the direction that things are gonna be going with Council then one, our engineer needs to know because --

MR. KOGELNIK: That's what I wanted to say.

MR. CAMPBELL: -- our engineer is --

MR. KOGELNIK: You're either in a tier structure or you go with the old version of the agreement. It's one or the other, make up your mind.

MR. CAMPBELL: That's outside of Franco's --

MR. KOGELNIK: That has nothing to do with --

MR. CAMPBELL: It's internal to us.

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MR. LUCARELLI: And I did believe -- and again, Cindy's the numbers person here -- but the tier structure that LEC pays does not average \$2.71 per thousand gallons, because there are three tiers there and they are decreasing in price. So that number is substantially lower than \$2.71.

MS. SLUSARCZYK: Huh-uh. Check your bills.

MR. SULLIVAN: She was giving you the lowest --

MS. SLUSARCZYK: That was the best price you sold water to us for Lordstown Energy Center.

MR. SULLIVAN: It wasn't even the mid.

ATTY. DUTTON: And you say Niles is 10 cents less.

MS. SLUSARCZYK: Niles is at \$2.53.

ATTY. DUTTON: Yeah.

MR. KOGELNIK: Roughly.

MR. LUCARELLI: Yeah, because there's flow tiers.

MS. SLUSARCZYK: \$2.91, \$2.47 and \$2.06. But when you take your bill and you divide the cost of your bill and the water sold, the best sold price to the Village of Lordstown is \$2.72 a thousand gallons.

MR. LUCARELLI: On the water, on the 2.5 million.

ATTY. DUTTON: And again, we've learned a lot from LEC. When LEC came to town, you were the only show in town for water. Now we've got redundant supply. And what is the infrastructure cost to build a 24-inch line if we were gonna tap Niles water to supply TEC.

MR. KOGELNIK: It was around, I think, seventeen. Where's the Mayor at?

MR. DIETZ: He left.

ATTY. DUTTON: It's how much.

MR. KOGELNIK: Around seventeen. We have a cost estimate.

ATTY. DUTTON: Seventeen million?

MR. KOGELNIK: Yeah.

MR. CAMPBELL: Yes, Lamar.

MR. LIMING: And I -- Council and BPA needs to have more discussion on that pricing for TEC.

MR. SULLIVAN: For sure.

MR. LIMING: On what you guys, you know, want to do going forward.

MR. CAMPBELL: Okay.

ATTY. DUTTON: So there's a cost that would be passed on to TEC to access Warren water. If Niles came in and wanted to be a player in this thing, there's a cost there, so -- and that's not a cost that the Village is going to undertake. We cannot afford that for a customer. So it's either Warren or passing it onto TEC; one way or the other, that's where it's gonna come from.

MR. CAMPBELL: Okay. So I guess we can recap so we can move on. The -- we'll do some internal work here with Council so we're getting more on the same page of what our intent was and what the Board believes -- the BPA believes is what we want to structure with. And you can work on like -- I'm not -- Lamar, step in if I'm saying something wrong. What do you want from Warren? Do you want them to work on a bulk water for the old existing and new 24, how do you want the rate --

MR. LIMING: What I hear, they can't give us one rate.

MR. CAMPBELL: It doesn't sound like it works well for our situation.

MR. LIMING: But one rate for the old and one rate for the new.

MR. CAMPBELL: Are we able to bill and work with a structure like that?

MS. SLUSARCZYK: You can. It's just that everything goes back to the individual special contracts. And it's not a standard, it's that

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every month.

MR. LUCARELLI: But if you have a bulk rate in --

MS. SLUSARCZYK: If you have one bulk rate, yes. But when you connect that line and you say the excess but you connect it to the 16-inch, so what rate am I billing that new customer, that aspirational new customer? Am I billing it at the rate over here?

MR. LUCARELLI: No, no. Because the rate that -- when Chris and I spoke about this is that inner connection's there, it's there physically and it's there in place, for emergency purposes. If the new line were to go down, the valve can be opened and there would be water flowing through from the old line. If the old line were to go down, you co-op the valve.

MR. CAMPBELL: It won't be an issue delegating use, it would be used for emergency.

MR. KOGELNIK: What we had stated, Paul, with the meeting Wednesday with Franco was for him to come to the Village and be able to say here is a more complete plan in the event you like it, okay. What we first started getting when we started off that meeting a couple weeks ago was new information that we didn't know how to handle, it was a hot potato. And so I think what we're hearing today is the beginning of a more complete plan from Warren at least for you guys to consider. And I think that Paul stated something absolutely very clearly that was important for, you know, our -- you know, the future of Lordstown. And I stated that at the meeting. That 16 has 20 more useful -- 20 more years of useful life probably. That will be here before we know it. And so plan accordingly. The price of water is going up and, you know, there is room in between the price of production in Warren and the price of sale. And there should be a comfortable enough room in there to have a sustained rate of pay, not a gift or whatever like Bill Siderewicz called it, because when you have a gift -- when something is too good to be true it probably is. You need to have something -- a sustainable rate for, you know, paying for a water system. I just want to make sure that everybody understands that.

MS. SLUSARCZYK: Then I agree with exactly what Chris said. And my concern is by having two different rates is that 16-inch, in the next 16 years it's gonna start costing Warren more money. And if they don't contribute all their water production to all their expenses, they're gonna take those customers along that 16-inch water line and they're gonna raise that rate from \$2.51 to maybe \$4.51, yet our tier stays the same. So then our profit could decrease on those customers, the Matalco, Old Dominion and Lordstown Motors. By having one rate throughout the community, we can adjust that rate without saying these customers get a rate increase and the rest of them don't. We were in a similar situation with the water tower maintenance. Well, Lordstown's Motors water doesn't flow through that tower, it doesn't matter. The water rates have to be based on our costs and expenses to operate our department, not on where it flows from and what bills are associated to that. It would be ridiculous to try to tweeze out every bill and associate it to a different line and different expenses for each provider.

MR. CAMPBELL: Yeah, that's what we would be stepping into on that.

MS. SLUSARCZYK: Right, right.

MR. LUCARELLI: That's correct. In the sense that if we raised -- if we raised rates via an individual contract. But we don't raise rates but -- we raise either industrial/commercial rates and residential rates or one or the other. We don't raise rates based on individual contracts.

MR. CAMPBELL: But you would -- if we had a bulk on the 16 and a bulk on the new 24, she's saying that in time you're gonna raise that bulk

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rate on the 16 because it's getting more expensive to maintain.

MR. LUCARELLI: The rate increase would have to be universal. I don't get to pick and choose if I'm raising a rate.

MR. CAMPBELL: You're saying that the new 24 and the old 16, that if there was a rate increase they are both getting it?

MR. LUCARELLI: It's like you have to think of the City of Warren as a whole. If there's a water rate increase, the rate increase is spread out through the whole 300 miles of distribution, not just individual.

MS. SLUSARCZYK: Well then, how can your rate now be different for the 16-inch and the 24 if it's all spread out equally throughout your distribution? You would have one rate.

MR. LUCARELLI: Because the capital cost of the 24-inch is non-existent to the City of Warren, so we can afford to do that. And the sale of the volume of water in that 24-inch doesn't just pertain to the sale of that -- of the water coming from that 24-inch main, it gets distributed with the other 18 million gallons of water that are being distributed on a given day.

MR. KOGELNIK: Okay. That was good question and answer. My next question is how is the existing 16 factored in for its debt, its service life? You know, when -- what's the -- what's Warren's plan for ultimately replacing the 16 if the rate payers in Warren aren't, you know, paying a distributed cost for that? Is there a plan to --

MR. LUCARELLI: It falls in the plan with the rest of the 300 miles of water mains that we have.

MR. KOGELNIK: So that is built into every --

MR. LUCARELLI: The 16 inch that comes into the Village of Lordstown presently, it is already calculated into the cost of our rate structure with the rest of the water mains throughout the distribution system.

MR. KOGELNIK: Okay. Interesting

MR. LUCARELLI: So that line leak, any other line leak -- I was telling Darren about those old lines that were built in 1925 that are gonna have to be replaced here very soon. Those are all based -- those are all built into the cost structure or the rate structure for the citizens of Warren and the community and whom we sell water to in the outskirts and when we sell water to Trumbull County, when we sell water to the Village of Lordstown.

MR. CAMPBELL: So what are we asking of Warren then, one rate? I mean, is that what we're saying, come up with one rate or we won't use it, or are we gonna live with two separate rates.

ATTY. DUTTON: I think you need to let them work it out. I don't know if anybody can agree to that.

MR. CAMPBELL: I'm just trying to get some idea that he can work on, or else we're just gonna be sitting here waiting for some kind of answer.

MR. LUCARELLI: I'll look at it both ways.

MR. CAMPBELL: That will be appreciated for the Village.

MR. LUCARELLI: And we'll go from there.

MR. CAMPBELL: You can work with Lamar.

MR. LUCARELLI: Whom should I contact? I want to make sure I contact the right --

MR. CAMPBELL: That would be Lamar. If you don't have his contact, you guys can exchange or I can get it to you.

MR. LUCARELLI: If you can send me the contact information.

ATTY. DUTTON: And it would be a good idea to keep Kevin or Cindy in those meetings or both so that everybody ends up being on the same page.

MR. LUCARELLI: Very good.

MR. CAMPBELL: All right.

ATTY. DUTTON: But if you look at the country, three-quarters

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of the country is in a drought, and we're in a part of the country where we have unlimited water.

MR. LUCARELLI: We're very fortunate. And whoever told that you water is the next gold is -- they're absolutely correct.

ATTY. DUTTON: The guy who runs the TEC plant -- I mean the LEC plant.

MR. LUCARELLI: Yes.

MR. CAMPBELL: All right. So I'm good with that topic are we ready to move on? It's been an hour, we have other items.

MR. DIETZ: We beat that horse to death.

MR. CAMPBELL: If you don't need anything else from what's on our agenda, you're free to run. If no one has signed in, make sure you sign in on your way out please. I think we have a couple gentlemen -- did you guys sign in?

(At this time, Atty. Dutton, Don Reeder, Bill Blank, Franco Lucarelli, and Lamar Liming leaves.)

MR. CAMPBELL: I appreciate everyone's information. It's patience. It's information and it's helpful for the Village.

2. 3322 Mae Drive

MR. CAMPBELL: Number 2, 3322 Mae Drive. I believe this is in Imperial; is that correct.

MS. SLUSARCZYK: Correct. That was discussed last month in executive session. And you had asked for the deposit to be applied and to submit the balance to you, and I did that.

MR. CAMPBELL: Oh, okay. Okay. This is the one --

MS. SULLIVAN: Yeah, where they --

MR. DIETZ: They bought it at court.

MR. CAMPBELL: Yeah. It went through a hearing because it was abandoned and it was shut off until April. It's still shut off at this point, right?

MR. COWIE: Right. The owner passed away, and then we obtained it through abandoned title after they did nothing with it through the court. And that's where we're at. And it was just a matter of days before the other person bought it, you know, the people now that are living there. So -- not living there but --

MR. CAMPBELL: They are wanting to get in it. So at this point there was an outstanding balance on that old account, and Imperial was asking what to do with that account. I came to the Board asking to waive the existing account to clean up the account and start with a new one is what I believe.

MR. SULLIVAN: But I don't think we finished cleaning that up.

MR. CAMPBELL: We -- at the present time that's why it's still on there. The last meeting -- we want to make sure that the water was off.

MR. SULLIVAN: They weren't using it during that period.

MR. CAMPBELL: And Darren validated those things fall into place.

MR. SULLIVAN: I would make a motion that we accept the deposit that was left, correct?

MS. SLUSARCZYK: That had been applied to the account.

MR. DIETZ: How much is left?

MS. SLUSARCZYK: Several hundred dollars.

MR. CAMPBELL: That's with late fees and everything else in that figure, right? That wasn't just water usage?

MS. SLUSARCZYK: There's rate penalties on every bill.

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MR. CAMPBELL: I understand that.

MR. SULLIVAN: But they have never used any water.

MS. SLUSARCZYK: Yes. In that balance there was a large use with the previous customer. She extended her payment plan, and then the owner of the home that was living there passed away. There are water charges outstanding in that sum. I didn't --

MR. CAMPBELL: Yes, that is correct. So -- and I know Imperial's asking that -- if I understand correctly, I know that they are working to get that account cleaned up and go in the right direction. They've taken a hit from their side on the lot rent and lost that money that they've lost and the court fees that they had to pay. So that's why they came to us and asking the Board to waive the existing fee to clean up the account to move forward. So it's the board's decision at this point to either submit the outstanding bill to Imperial or to waive the outstanding bill and clean up the account and get the new customers in. Is that a proper place of where we're at with it. So that's what our decision is. Tom?

MR. DIETZ: I would like Imperial to work with us on the their contract with us about maybe possibly doing away with the three meter pits and then just charge off the house meters.

MR. CAMPBELL: Well, that's a whole separate -- that's not what we're on for this.

MR. DIETZ: I said I would like them to work with us if we forgive this bill on thinking about --

MR. CAMPBELL: I don't understand how you relate --

MS. SLUSARCZYK: That didn't give me how to proceed one way or the other. That's not a resolution at this time.

MR. CAMPBELL: We can't do that based on this one account for one in the park. I mean, that's a big topic versus one account that's in there.

MR. DIETZ: All right.

MR. CAMPBELL: We can sit and talk about other options dealing with the water agreement and the meter stuff. But for this right now it's one account that the existing account had water usage on it, they were working to pay the money back, they passed, the house just sat in abandonment. They had to file court costs to get the house back, went through all that headache, got it back. They did find somebody that's interested in it, and that's where we're at at this point.

MR. DIETZ: I know what you're saying. I am just saying I am wishing that they would work with us too on other problems.

MR. CAMPBELL: They do. I believe they do.

MR. SULLIVAN: I'll make a motion we forgive the --

MR. CAMPBELL: That's Mike's motion. All right.

MS. SLUSARCZYK: The entire bill?

MR. CAMPBELL: She's asking the entire bill.

MS. SLUSARCZYK: You're writing off the entire bill.

MR. SULLIVAN: I assume that's what they came and asked.

MR. CAMPBELL: That's what they asked, but what's your motion? Is that what your motion is?

MR. SULLIVAN: Yes.

MR. CAMPBELL: Okay. Tom, how do you feel? Do you second?

MR. DIETZ: I'll second.

MR. SULLIVAN: The total bill is 200- something.

MS. SLUSARCZYK: No.

MR. DIETZ: It's \$900.

MS. SLUSARCZYK: It's more than that. It's still several hundred. Unfortunately, it's account-protected information. That's why I e-mailed you the balances. It's a lot to write off.

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MR. SULLIVAN: How about if we go 50 percent of the total balance.

MS. SLUSARCZYK: That would be a shared expense between the two entities.

MR. CAMPBELL: Tom?

MR. COWIE: Just to be clear, that bill -- there was still an owner of that home when that bill was incurred?

MR. CAMPBELL: Correct.

MR. COWIE: As soon as we were aware that somebody left that home and it was basically abandoned, we shut the water off in the ground to protect things from breaking. So we never -- we never --

MR. CAMPBELL: Imperial never used that water.

MR. COWIE: Never even secured that water usage, it was all with the old owner. But we did our due diligence to ensure that no water was used once they were -- we were aware that nobody was there as well.

MR. CAMPBELL: And it's been off ever since, and we appreciate that aspect.

MS. SLUSARCZYK: But a minimum bill is about \$63. So for a year's time that has passed approximately, that \$240, \$250 is still about less than half of that bill. So just for -- if you weren't charging them. But it was verified, Imperial sent the notice, the water was off, but the balance is still the balance on the account.

MR. CAMPBELL: And some of that is fees, not actual water usage, so -- if you.

MS. SLUSARCZYK: Yeah, about a year's worth at \$63 a quarter. So about \$250 would be for --

MR. SULLIVAN: I think the 50 percent we both take a hit.

MR. CAMPBELL: Tom, how do you feel? Are you okay with that?

MR. DIETZ: I'm all right with it. I just get tired of losing money over there.

MR. CAMPBELL: Well, this was -- again, this is nothing they used.

MR. DIETZ: All right.

MR. CAMPBELL: I mean, it wasn't something Imperial actually did. They just happen to own the park. So -- and they have -- they have losses up to this point on their end just to get it to where it's a customer that we can start selling water to.

MR. KOGELNIK: It's part of doing business.

MR. CAMPBELL: I understand. But still, it's not -- we're all losing at this point. I mean, that's the point of it, we're all losing at this point. Unless we move forward and get another paying customer, it's not gonna be anything we can make money on. So we have to make a decision one way or the other. **So I mean, I thought we could do all or nothing and we suggested something in the middle. Maybe that's the way to go. Is that -- Mike is that your position?**

MR. SULLIVAN: (Nodding head.)

MR. CAMPBELL: I'll second that option. All in favor?

(All respond aye.)

MR. CAMPBELL: All opposed?

(No response.)

MR. CAMPBELL: All right. So that's where we're at with it.

MS. SLUSARCZYK: Okay. I will make the adjustment to the account as soon as possible.

3. Ultium Sewer Connection

MR. CAMPBELL: All right. Ultium sewer connection. Any I know we had a couple things that were still hanging out there.

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MR. KOGELNIK: Yeah. They stated that they had repaired the leaky joint at the connection to the County interceptor sewer and that they had discharged some waste water to -- well, initial water to the interceptor sewer. Did that get metered and totaled?

MS. SLUSARCZYK: I don't know. I know Trumbull County has billed us for some in June. I don't know if it's been -- I asked Darren if they could get me some readings over there for before they started putting water that actually flowed through the plant. Because when you say flushed water, I need to know where that -- the water originated from, whether it was Barton Malow or -- for metering purposes.

MR. KOGELNIK: We had a good conversation with Barton Malow, and he was basically able to say he would help, I think -- correct me if I'm wrong, Darren -- in reading the meters if Darren couldn't be there. And you know, Tom assured us that he would send us the internal video televising illustrating that the leak had been repaired and that's, of course, of interest to us. There are some things that Ultium still needs to do with regard to their waste water system; like for example, starting up the other meter on their property line just before it goes into the 1,600 foot new sewer. So they have to prove to us that that meter works. So those are the things that I can tell you, Kevin, that we have for the sewer connection for Ultium.

MR. CAMPBELL: Okay. Do you guys have any questions for that topic? Darren, you're all good with things as they are sitting now.

MR. BIGGS: We started up a sheet. We probably only got four readings on there since we talked. We've not been able to get in there. It's an absolute nightmare, I can't wait until it's over.

MR. CAMPBELL: I'm sorry. That's all you need is a big headache.

4. County Sewer Bill

MR. CAMPBELL: Number 4, Country Sewer Bill. I think Cindy has an update with that.

MS. SLUSARCZYK: Yeah. Earlier -- or last month I should say -- we had an invoice for the bill we invoiced Trumbull County for in January. And when I came back after being off work the invoice remained unpaid. So I asked you about -- I sent the invoice to them, the County sent a check paid, the bill. But it did not include the penalty for paying late invoices. After speaking with the Board, you directed me to bill the penalty amount on the thing; and then since then, their department contacted me what's this for. She basically told me well, you know, I was off and because I was off it's their problem, blah-blah-blah. It was not a very nice phone call. And then the -- it appears that the controllers at the Sanitary Engineer's office did write a letter to the Mayor where they're asking that penalty that you said to bill to be waived. So now they want the penalty or the new invoice for the penalty to be waived.

MR. CAMPBELL: So they have not paid it at this point?

MS. SLUSARCZYK: They paid the original invoice.

MR. CAMPBELL: But they have not paid the penalty.

MS. SLUSARCZYK: They have not paid the penalty, that is correct.

MR. CAMPBELL: And I know at our last meeting we discussed we were upset that they just took it upon themselves not to pay the penalty without any request of the Village.

MR. SULLIVAN: Well, I think to put on top of that getting nasty with Cindy.

MR. CAMPBELL: Well, that's what I mean. Now at this point they've said that we were in the wrong of what we did, and we did not do

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anything out of place with it. So at this point, it's still up to the Board to stand, pay it or waive it.

MR. SULLIVAN: Stand, pay it.

MR. CAMPBELL: I've got a couple stand piles. What was it, like \$88?

MS. SLUSARCZYK: Actually I have the invoice. \$88.40.

MR. CAMPBELL: Do we need a motion with that?

MS. SLUSARCZYK: All I would do is --

MR. CAMPBELL: We're not changing anything from what we have, it's not a -- it's what we're structured to do.

MS. SLUSARCZYK: I just -- it was your decision to make. I will reply and let them know that the invoice stands.

MR. SULLIVAN: And then if you get another --

MS. SLUSARCZYK: I won't deal with -- I'll reply to the e-mail that was sent to the Mayor, to the supervisor, not to the employee.

MR. CAMPBELL: Good way to handle it.

5. Imperial Sewer Agreement

MR. CAMPBELL: All right. Number 5, Imperial Sewer Agreement. So there's been a development. We had a meeting with Cindy, Darren and I and Imperial on trying to hash-out an answer understand the sewer bill. Remember at our last meeting there was a question about why are we being billed this and how much is that. So we sat and looked at it, referenced our agreement, found the agreement confusing with how it was stated. And how we read it, it didn't, I guess, align to how we believe it should be calculated. I don't think anyone -- I didn't get a chance to say anything to Chris on the verbiage that we had in it, but -- so I guess at this point we wanted to revisit that agreement to make sure it is worded correctly. And if we need to adjust it, I know you were involved when we put it together. And I think if it's -- if it is okay the way it's stated, I think we need to add an example or something in there. Because obviously if we're reading it and we got five or six people reading it and we're all interpreting it a little different on the way it was calculated --

MR. KOGELNIK: Okay.

MR. CAMPBELL: But we have the flow master, the water meter that goes into Imperial, and we have a master sewer meter. And the intent of the agreement was to catch I&I out of the park. And the way that it's worded in there is confusing to the fact of what you're subtracting from what and what you're billing on the balance of the difference of it. So that's where part of your discrepancy was. We went and looked over the bill because it's only been about a year of bills with that new meter in place. And once we get the agreement, I guess, so it's clear on both sides, then Cindy can adjust appropriately for the bill on this last year. I guess that's the -- sort of it because you get into figures and it gets confusing again to start digging into that.

MR. COWIE: Just -- we went back and looked at it after we talked, and we do think that it stated right. Cindy and I talked about something else to do, but we do think it's stated right in there. It's just confusing without maybe an example.

MR. KOGELNIK: Okay.

MR. CAMPBELL: I'll make a note to send it to Chris.

MR. KOGELNIK: I actually think we talked about putting an example in that, we just didn't do that.

MR. COWIE: And we've only had three bills since the flow meter, since we started billing off the flow meter. And they were all three a little different, so it just -- just some clarification, I guess, is all we're looking for.

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MR. KOGELNIK: Okay, Tom.

MR. CAMPBELL: All right. So is -- the BPA will also aggregate all bulk water meetings entering Imperial and subtract that volume from the bulk sewer readings at the master meter. Those are the exact words in it. I'll send it to you so you can take it and actually think it over.

MR. KOGELNIK: But in concept, it was to sum up the three water meters and compare it against what was metered in the sewer meter.

MR. CAMPBELL: Yes.

MR. KOGELNIK: And we can make sure that that's more clear.

MR. CAMPBELL: Like I said, an example would probably help. For example, if it's this, this and this, here's what you do.

MR. KOGELNIK: No problem.

MR. CAMPBELL: And then like I said, we can adjust because we have one bill that's calculated one way and a couple bills calculated a different way. I guess the topic of discussion is because they have the weekly individual readings that Darren provides them. Like Darren says, it's a lot of work for more headaches.

MR. BIGGS: Daily.

MR. CAMPBELL: Then we have a reading at the beginning of the bill cycle and a ready go at the ending of the bill cycle, and that's what they calculate the billing off. We have all these individual readings. How come if you do those it doesn't exactly line up the periods that you're looking at? But it's like one had like a negative of 90 and we had like a positive of like 6. We're like if there's so much negative, how did we end up with any kind of positive. I'm not sure if we ever really came up to a definitive reason on that.

MR. COWIE: Again, we were just pointing that out and trying to figure out how that can be.

MR. CAMPBELL: Let's start with the agreement because it definitely needs some clarification, so -- okay.

OLD BUSINESS:

1. Meter Bypassed (Acct 78.3)

MR. CAMPBELL: We'll keep rolling because it's getting long as it is. Old Business, the meter bypassed on the account of 78.3. Paul said that he needed some kind of figure that we can move forward with. We talked about taking at least a history of that account. That's the only thing we've got. We don't know how much was missing because of how it was altered. So the only thing we have for a figure to put to it is what that history was of usage and put that for the period we suspect that altered meter was in place.

MR. SULLIVAN: Is that the one on Highland?

MS. SLUSARCZYK: Yes.

MR. CAMPBELL: So. And then once we have that, we can send that to Paul and he can put something to it. Like you said, don't expect, you know, results for somebody doing what they are doing, but at least we'll have something in place. And if it comes back it's at least titled to his name of this is what happened. All right.

MR. BIGGS: Yeah. I'd like to add to that, Kevin, that that's fine with the solicitor's opinion on this. But what's to stop everybody from doing this and saying just average it, then every time they get caught if they're just paying the same amount --

MR. CAMPBELL: Maybe we need to look at our bylaws too.

MS. SLUSARCZYK: Well, our bylaws say that it's an offense, it's a misdemeanor or something like that. It clearly states that they shall be charged.

MR. CAMPBELL: All we can do is prosecute from what we have set

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up with the figure to it and just --

MR. BIGGS: Just a thought. I mean, it's nothing for everybody to pull it out and say I just average it every time they go and fill their pool or whatever they did and there's no penalty, no anything.

MR. CAMPBELL: But from his side, he goes you need some kind of value to put with it.

MR. BIGGS: I'm just throwing it out there, maybe we should be thinking about it.

MR. CAMPBELL: Maybe we have it in there as a fee instead of just the prosecution part, say if you're caught here's the fine and have a flat fine in there rather than just that you're gonna be prosecuted.

MR. SULLIVAN: I don't think we can do that. I think that's up to the judge or the prosecutor.

MS. SLUSARCZYK: That's why I asked that Paul handle this situation because it's --

MR. CAMPBELL: Well, that is what he said you need, you need some kind of figure.

MS. SLUSARCZYK: I can give him history, but the problem is I can't project where -- I can say well here they went from 15 down to 3 so I'm gonna say they were taking that meter out and switching it out from here, but that's argumentative. I mean, I can't prove that.

MR. CAMPBELL: No.

MS. SLUSARCZYK: So the value of that --

MR. SULLIVAN: Can it be put in our bylaws that it's a \$500 fine or --

MR. CAMPBELL: I don't see why we couldn't put something in there.

MR. KOGELNIK: I don't know why you couldn't either, I agree with Kevin.

MR. CAMPBELL: All right. We'll make a note maybe we can add that to our bylaws, and a fine. Okay, very good.

2. Rate Study - Water

MR. CAMPBELL: Rate Study, water rate study. So if --

MS. SLUSARCZYK: That just varies.

MR. CAMPBELL: Obviously, I guess we're still under some development and direction of things that I was even unaware of. So I guess it's -- the most polite way to put it that we still have some things up in the air. But I do agree we talked at last meeting, next month we need to pass something and put it on and get moving. If any of this other stuff comes that we're talking comes to be, we can adjust. But it's been three years waiting to see how things go to make some adjustment, and we need to make some adjustments. So that's what I recommend to the Board is that consider -- and to me, what CT has provided us for water rate study is to make a decision for where we're at right now to move forward. All this other stuff I don't want to say is pie-in-the-sky, but pie-in-the-sky agreements aren't in place, things aren't getting built. What we have right now are things that CT put into this water rate study and says here's what you have, here's where you're at. If things get better, we can come back, lower rates and do things. But if they don't, we can't continue to sink. And that's pretty much where we're at.

MS. SLUSARCZYK: When you have a chance, I would like to go over some of that information with you.

MR. CAMPBELL: Okay.

MS. SLUSARCZYK: Before the next meeting too, review some of that data.

MR. CAMPBELL: Okay.

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MR. SULLIVAN: And I would hope that that data was given to the Utility Committee if they're the ones gonna be meeting with Warren.

MS. SLUSARCZYK: But that's our rate tier, our rate structure. They're only gonna be talking about purchase price for us. We're talking about the selling price. So it's -- you need one to calculate the other.

MR. CAMPBELL: Correct. We need theirs to calculate into ours.

MS. SLUSARCZYK: And that's why I said I would like to talk to Kevin and go over some of that stuff first. Because if it's not going to be with TEC, I do feel our rates can hold off. We don't have to act in September for that purpose as our current customers, Ultium and hopefully Lordstown Motors ramp up and TJX, these new customers are using water. But that's why we need to review this stuff and see the meaning behind these figures.

MR. CAMPBELL: Okay, sounds good.

MR. SULLIVAN: Has that new plastic plant come on line yet?

MS. SLUSARCZYK: M&M? I don't believe they are using any significant water.

MR. CAMPBELL: Are there any dates you guys have heard yet?

MR. KOGELNIK: Well, they want to get Phase 2 -- that's another extension of their project -- approved here, and there's a meeting I think on September 1 I think it is to review that. So I think that, you know, they're gonna -- that Phase 2 is gonna bring in a railroad spur alongside their building which is gonna carry product so that they can manufacture those containers. To what extent they are doing manufacturing underneath their roof now, I don't know.

MR. CAMPBELL: Okay.

MR. SULLIVAN: Do you know if they're gonna be a big water user.

MR. KOGELNIK: I don't see them being as a big water user.

MR. CAMPBELL: Like Matalco or less?

MR. KOGELNIK: Oh, much less.

MR. CAMPBELL: But not like Old Dominion, more than Old Dominion? We got a ballpark.

MS. SLUSARCZYK: That's a big ballpark.

MR. CAMPBELL: I know, I know.

3. Lordstown Motors Draft Agreement with the City of Warren

MR. CAMPBELL: Number 3, Lordstown Motors Water Draft Agreement with the City of Warren.

MS. SLUSARCZYK: I'm happy to say that this morning Franco Lucarelli called me, and we went over the issues with the accounts and the differences and the different bill rates that we're currently experiencing, including Old Dominion, the problems that have transpired with that account. They have or are in the process of adjusting the accounts to the same selling price for all the accounts. I did ask him.

MR. CAMPBELL: Everything on that 16-inch line you're talking?

MS. SLUSARCZYK: Yes.

MR. CAMPBELL: But LEC --

MS. SLUSARCZYK: All the customers will be billed at the same rate for now; Lordstown Motors, Old Dominion, Matalco. There was an issue with one, the Lordstown Energy billing. They were billing us a minimum fee, the consumption is very, very low at the facility. So therefore, I cannot collect because my minimum rate exceeds their minimum rate so that account was costing us money. So I did ask him are you going to go back and adjust that, because our understanding last year was we were paying -- Lordstown Motors will pay the same for all their accounts. He said yes, but he had to go through there and talk to his billing clerk. Old Dominion's account, there was some back and forth on how it got to where it is today and that

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the water's on and they didn't know the water's on. And I made sure that he understood that they were there at the top, they were there when our superintendent had them moving the meter out of the building and into the meter pit. But the resolution today is our meter in the meter pit has been removed, Warren is installing their meter for their system to read it, and they are issuing me a statement or a bill for that consumption up to today's point in time, and next month we'll again receive normal bills from the City of Warren for that account. No agreements but an understanding of clearing up the problems that we have on the accounts.

MR. CAMPBELL: Yeah, okay.

MS. SLUSARCZYK: So I think today's meeting put a flame under the situation and we got some resolved.

MR. CAMPBELL: That's good, very good. Any questions on that, gentlemen? Good.

4. ODFL Draft Agreement with the City of Warren

MR. CAMPBELL: Okay. That covers the Old Dominion Draft Agreement.

MS. SLUSARCZYK: The only thing I would like to express since our Engineer is in the room, with Old Dominion, when I'm setting up the account for billing purposes there's no tap-in fee, there's no inspection, there's none of these traditional fees that a customer would incur. So I had it on the agenda tonight to discuss with you what if Warren bills me in the future for such expense. And Franco Lucarelli promised me that they would never bill me but they will bill the customer direct, and they will be billing Old Dominion for that connection to that top and cleaning up their things that were missed along the way since the customer came on line.

MR. CAMPBELL: All right. That is good news.

5. Gresham Smith - Battery Plant nka Ultium

MR. CAMPBELL: All right. Number 5, Gresham Smith Battery Plant known as Ultium. I guess this is just on here to keep us in touch with how we're dealing. Do we need anything?

MR. KOGELNIK: I don't think there are any updates. The construction contracts that are ongoing are proceeding. There aren't any issues that I'm aware of. As Tom had stated, that pipe is being delivered out there, et cetera. So I don't think that this is any issue to report at least.

MR. CAMPBELL: Good. Any questions for Chris on that? Great.

6. Utility Department Building

MR. CAMPBELL: All right. We have Utility Department Building, just keeping track on if that ever comes to be in a direction we can always keep an ear to it. Nothing?

MS. SLUSARCZYK: Do you want to keep it on the agenda, or do you feel it's active enough --

MR. CAMPBELL: Right now it's not.

MS. SLUSARCZYK: Right, inactive but --

MR. KOGELNIK: It's in your capital improvements plan or your master plan. You don't really have to, you know, keep it on your agenda. But I think that it's something that we -- everybody has a vested interest to keep trying to move it along in some way, shape or form. And then if there's some form of a report or update for it, we should do that. So --

MR. CAMPBELL: So are you saying keep it on the agenda or not?

MR. KOGELNIK: If your policy is to keep it on the agenda just in the event there's an update --

MR. CAMPBELL: That's exactly what I'm saying.

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7. I&I

MR. CAMPBELL: I&I.

MR. KOGELNIK: So I've been talking with Darren and with Cindy a little bit about this. And for Pump Station 2's tributary area there's 100 existing -- if you can allow me to speak a little bit about that tributary area. There's approximately 100 dwellings plus or minus 5. Cindy's gonna confirm tomorrow. And I was just running some quick numbers. And if you looked at it from a standpoint of a planning figure, normally when we do a new sanitary sewer we design the sewer for an average daily flow rate of around 400 gallons per day per dwelling, right? And so you would be looking at around 40,000 gallons per day. When I did the PTI -- that was the permit to install -- for LEC and we were figuring out the capacity existing of each one of the stations 1, 2 and 3, I saw there was a three-month running average high -- that's where three months continuously like a March, April, May or something like that -- it was 95,000 gallons per day. So that means that, you know, you had 95,000 gallons per day on an average for that high three-month period during 2016, okay. So if you compare that versus the 40,000 gallons per day planning area, there's a two-fold difference there if not more. Going forward, if you look at water consumption for that tributary two planning area, normally a dwelling in Lordstown you're looking at around between 200 and 275 gallons per day for water consumption. So you know when you're looking at this, you're looking at a water consumption of around 20 or so thousand gallons per day. And so there is -- there's like a four-time mark-up there on I&I. And then Cindy just gave me a sheet that illustrates billing in that area, and she's gonna confirm that too. But on one calculation I come up with 17,000 gallons per day consumption based on water usage. So that's close to the 20,000 on the projection of 200 to 275 gallons per day consumption. So the point there is that yes, you could state that we do have some I&I in that system. So what we're going to be doing is looking at that from the standpoint of walking the system with Darren and his staff when we get some time in the coming weeks. I would like to review specifically the gravity sanitary sewer portion of that. We already kind of know what we're doing with the grinder pump system portion of it. And then Darren has also done some work on -- what's the small street, the cul-de-sac street that has about 20 homes on it.

MS. SLUSARCZYK: Goldner.

MR. BIGGS: Brookhollow.

MR. KOGELNIK: We'll get to Goldner. Brookhollow, he's already done some flow monitoring on it, and the results for flow monitoring show an expected rate for waste water coming down that sanitary sewer and into Salt Springs Road as compared to water consumption. So that's not a huge concern there. My biggest concern is the one that Darren had pointed out there in that rolling area where we have Highland Avenue and those grinder pumps that sit low. And if we have a big rainstorm, water can get into those things and just keep perpetually pumping. It would be interesting to compare their electric costs. I state that because there's really not a good way to meter the flow from those grinder pumps because they all come into a header, and that header conveys the waste water up the hill back to the intersection of Salt Springs and Highland and then it just gravity flows back to Pump Station 2. So we should take a look at the electric consumptions of those grinder pumps. Is that possible to do that or no?

MR. BIGGS: You can ask the residents if you want, they pay it. Good luck.

MR. KOGELNIK: Okay. Okay. So there really isn't any practical way to do that.

MR. BIGGS: Not really.

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MR. KOGELNIK: So we'll have to somehow find a way to install a flow meter downstream of those. I'm sure you can help out, right? Okay.

MR. SULLIVAN: But you understand, I want to understand the figures you're using. I think we need to go back to the original figures we were getting off these until the computer system quit working and it was six to eight thousand a quarter.

MS. SLUSARCZYK: Well, he did confirm that, Mike. He said about 200, we were saying there's about 240 percent.

MR. CAMPBELL: He was using volume and you're using cost.

MR. SULLIVAN: Well the 240 was just, right, is what we figured back then.

MR. KOGELNIK: Okay. So, yeah. If you looked at it, Mike, from the standpoint of consumption isn't 20,000 gallons per day of water consumed, and then if you know on a high day that particular tributary area is around 95,000 gallons per day, you're approaching a factor of 2.5 or higher, much higher, like 3.75. So there's probably parts of the system that are tighter than others. We need to figure that out quickly. Goldner Lane. Darren sent me information for Goldner Lane. This is a road that is off of Hallock Young Road near the area where Lordstown Energy Center discharges into. I wasn't -- I accidentally started looking at that data on Goldner Lane that he had done the flow monitoring on, and there is a wide range of flows on Goldner Lane, and it can go anywhere from a couple hundred gallons per day to, you know, looks like ten or so thousand gallons per day.

MR. SULLIVAN: Does that include the condos?

MR. KOGELNIK: I don't think there's condos back there.

MR. SULLIVAN: On Goldner Lane do the condos --

MR. BIGGS: Wyland Estates across the street. No, they're separate.

MR. KOGELNIK: Yeah. So I think that, you know, those are the observations that are more critical to make right now. Because if you can figure out quickly where some of this is looking like it comes from, you can spend some time investing in figuring out that. So it couldn't take but any more than about a day to walk through the Goldner Lane system and just to do a manhole physical inspection, and that's what we're gonna do. So that's what I can report to you on the I&I. From there we'll be able to have a better understanding as to what we practically could do, especially for, you know, that low area there where the grinder pumps are at on Highland Avenue. But we do need to go back to Goldner Lane. Even though that is not in the scope of our work, I'm willing to do that with the Village.

MR. CAMPBELL: Thank you.

MR. KOGELNIK: Okay.

8. Sanitary Sewer Rate Review

MR. CAMPBELL: Yep. All right. Number 8, Sanitary Sewer Rate Review. I know we were planning to get to that right after we do the water.

PUBLIC COMMENTS:

MR. CAMPBELL: So we're down to our second set of Public Comments. You gentlemen stepped in, I assume you have -- or are you just here? What I'm getting at is if you have a public comment.

MR. SULLIVAN: If you want to talk, now is the time.

MR. CAMPBELL: He'll have to state his name so we have it for the record, and then we're gonna keep it to five minutes.

MR. Proverbs: I'm Ian Proverbs. I own Bare Root Landscaping. This is one of my foreman's. And the only reason that we're down here is to try to get a feel for what's going on around our town. But you know, I'm not gonna state any names, but we spent a lot of time with a lot of guys

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that are on maintenance and stuff, and there was word that there are stuff that is falling behind. And we didn't know if there was any room for us to come in and help clean out swales, maybe clean out ditch lines, haul, you know, anything like that along those lines.

MR. CAMPBELL: Well one, we appreciate you coming in and bringing it to the Village. Two, it's more of a Streets and Roads. We handle the water and sewer and the garbage for the Village. So like the roads, the ditches, the mowing, the clean-up, stuff like that, that would be --

MR. PROVERBS: Well I know drainage excavating, we've got wheel loaders and, you know. So we're not just cutting grass. We don't even cut grass.

MR. CAMPBELL: I'm just saying the best approach, you would probably want to make sure you go to a Council meeting and present that in their public comments so it's on their radar. And Darren would be the gentleman that needed to hear what you just said.

MR. PROVERBS: And he was the guy I was trying to track down actually. When are those meetings?

MS. SLUSARCZYK: The Council is the first and third Monday.

MR. SULLIVAN: First and third Mondays.

MR. CAMPBELL: Except they are back to two --

MS. SLUSARCZYK: The superintendent for the department too you could -- Ron Hickox, you could try to reach out to him and offer your services. If it was mowing or something to that effect, that would be the Planning and Zoning office for abandoned properties.

MR. CAMPBELL: He's on our website, right?

MS. SLUSARCZYK: It should be. If you go to Lordstown to the

--

MR. KOGELNIK: Lordstown roads is, yeah.

MR. CAMPBELL: Go to the Lordstown website and go to contacts.

MR. PROVERBS: It would be under roads you said? And what was his name again, Rick?

MS. SLUSARCZYK: Ron.

MR. KOGELNIK: Ron is also, by the Village code, in charge of the Village storm water. So swales --

MR. PROVERBS: That's us.

MR. KOGELNIK: He would be the gentleman.

MR. PROVERBS: We don't put in pump stations or lift stations, but we're trying. But that was it. I mean, that was all that -- that was the only reason we were here. It's nice to hear you guys talk, everybody's real professional up there. You guys are doing great.

MR. CAMPBELL: If that's all you got, we have just a couple more reports and well close up. You can stay or run for the hills.

MR. PROVERBS: We're heading out.

(At this time, Mr. Proverbs and his foreman leave the meeting.)

REPORTS:

1. Solicitor's Report

MR. CAMPBELL: Well, our Solicitor left. I don't think he had a report.

2. Engineer's Report

MR. CAMPBELL: Engineer's report, Chris.

MR. KOGELNIK: We've had some interesting discussions the past month, that's for sure. I don't even know where a lot of it lands to be honest with you.

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MR. CAMPBELL: A lot of it is still kind of up in the air.

MR. KOGELNIK: We had one interesting discussion with Lordstown Energy Center, and that's sort of unfinished business.

MR. CAMPBELL: You're talking with the Mud Creek?

MR. KOGELNIK: Yeah, regarding the waste water discharge and them wanting to pull out and that sort of thing. So again, unfinished business, there's nothing official there. You know, from a standpoint of Lordstown Energy Center and Trumbull Energy Center, I think I stated my point clearly to everybody. Those are two industries that sit on a good amount of industrial zoned property, and that industrial zoned property the Village was planning to collect revenue for water and sewer amongst, you know, taxes and everything like that. And all I can tell you and implore to you, what you don't make in apples you need to make in oranges. So a lot of people want to turn a deaf ear to that. But you know, it's incumbent upon you to understand that and do something about it. So in the event that Lordstown Energy Center is fortunate and Ohio E.P.A. says I don't care, go ahead and do it, then I think that the Village needs to plan accordingly to get industry to come into that new sewer line that was dedicated for only LEC. And I told that to LEC. Because all three of those pump stations and that gravity sewer line that we designed have a lot of capacity. So -- and furthermore, right at the tail end of LEC is a waste water flow meter that was specifically designed for high rates of flow, not little ones. So once they get their wish, that meter is kind of --

MR. CAMPBELL: Useless.

MR. KOGELNIK: Useless.

MS. SLUSARCZYK: Or inaccurate.

MR. KOGELNIK: Or grossly inaccurate, right. So you need -- you have -- yes, you have some big variables that you're dealing with; and a lot of that stuff that Kevin had stated could be, you know, pie-in-the-sky stuff, you're right. But you have these variables you can move into your favor. You just need to plan accordingly with that. So I just want to state that for Lordstown Energy Center. Darren and I talked with regards to that bulk water agreement with Warren. One thing that I think I'd like to recommend to the Board is when you're negotiating a bulk water agreement with Warren, if that 16-inch water line is gonna be in the ground for some time and providing water service to, you know, a few large businesses along 45, I think it's worthwhile to understand the rules and regulations that Lordstown has and that Warren has so that Darren can do the day-to-day operations of okay, who monitors that meter, who's to put a meter here, tap-in fees, who's to do all that. So I don't think we have a comprehensive understanding of all of that because Lordstown is a special place. I did say to Paul a couple minutes ago, or hours ago maybe, that it's kind of convoluted; and he said no, it isn't.

MR. CAMPBELL: It is.

MR. KOGELNIK: He's not here, but I'm gonna say it is convoluted. We need to put it in order. And one way to put it in order is to understand that each entity has a set of rules and regulations and they should be comparative. Meaning if Lordstown has a regulation for a meter, Warren should. If Lordstown has a requirement for a tap-in, what's Warren's. We should understand those on a one-to-one basis. So if you're talking with Franco and he's to talking with the Council, maybe they can align their thoughts on that too so that we can fill any gaps with regards to, you know, rules and regulations. I don't know if I have anything else with regards to my Engineer's report for tonight. Oh one other thing, House Bill 168. So we've attended -- we meaning myself, the Mayor, Lamar Liming and also Ron Hickox have attended a couple of these County meetings. And House Bill 168 has come along and -- within the past month or so and offered

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a small opportunity for funding for water and sanitary sewer projects, and then just last week we found out that storm water is also eligible. I have four projects that I have listed out for the Village and they are, I think, three water projects and one sewer project. I don't know what your position is on these, but I need to -- I need to, you know, finish these lists for these projects and make a submission on your behalf. If you don't want me to do that, that's okay, I'm fine with that. I just need to know one way or the other.

MR. SULLIVAN: No, we want you to.

MR. CAMPBELL: I was gonna say from what I saw of the project, I thought they were solid and warranted submitting. And I think Darren had a couple additions or tweaks to it.

MR. BIGGS: Right, I was gonna ask you about that. The ones I mentioned didn't make the list.

MR. CAMPBELL: What's up with that?

MR. BIGGS: There was a couple. We're allowed to list up to ten, correct? Why did you stop at four and left some of them off?

MR. KOGELNIK: Is each community allowed to list ten?

MR. BIGGS: I believe so.

MR. KOGELNIK: Because I know the Engineer can only nominate ten.

MR. BIGGS: We need to check into that. You can do it for the community. If you -- if we can do ten, there was four. But I can't remember what was left off of your list compared to the list I gave you, and I was curious on why.

MR. KOGELNIK: Darren, if I missed that list I'm sorry, I forgot that list. I'll have to go back and look at that. But there was one key project on there I think that everybody kind of understood was a good one was that water booster station for Pritchard-Ohltown.

MR. BIGGS: We talked about that. We also talked about if that had to do with --

MR. KOGELNIK: Another project, yes. I understand that. So --

MR. BIGGS: I didn't know if you remembered that part either. I'm refreshing you now, Chris.

MR. KOGELNIK: I do remember that part. So if we had to include that water booster station into another project we might be waiting a while, all right. This is an opportunity where you're requesting funding for potentially up to 50 percent of the project. It's a one-to-one opportunity, meaning that they'll give you half of the money and then you have to come in with a local share for your half. The water booster station they'd mentioned was around \$750,000 or \$800,000 total project cost. And what we would do with that booster station is we would pick it up from its location on Salt Springs Road, disconnect the, you know, the connections there, and then relocate that station over to Pritchard-Ohltown and upsize the pumps, et cetera. So that's what we had factored in, Bob McNutt and I. I'll go back to the list tomorrow, I'll review that with you. But I need to quickly get a narrative, an exhibit and a cost estimate produced and then send it over to the County Engineer. So -- and if you're good with all of that from a standpoint of cost and, you know, the expenses of that project and committing to them, it's not likely -- it's not likely that you'll have all of your projects even considered. There's only potentially between \$3 million and \$8 million per county, okay, depending on -- they haven't even really officially stated how they're going to distribute the funds, whether it's a population base or just the 88 counties in Ohio.

MR. BIGGS: That was part of it. It's gonna be a scoring as far as I know, population, need, what --

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MR. KOGELNIK: A hybrid.

MR. BIGGS: So I don't know where our projects would fit is why I'm asking. Let say we throw all 10 in there and you're thinking this one isn't more important but it scores higher. I believe that's the way they are doing that.

MR. KOGELNIK: So it's -- this is a whole lot of work, it really is. And then you have OPWC that's going to be due on the same date, the 27th. So House Bill 168 and OPWC are both due on the 27th. But I need to get that -- these projects from the Village into Randy Smith's hands as soon as possible.

MR. SULLIVAN: Do we think that the inner structure bill that was passed in even the Senate once it's passed by the House would be much greater?

MR. KOGELNIK: I don't know. That's also an interesting thing. And you know, I don't know what is gonna happen with that money, how it's gonna flow down to the state, how it's going to eventually get into the county.

MR. SULLIVAN: They were talking about replacing water pipes going to people's houses.

MR. KOGELNIK: Yeah. But all I know is we have an opportunity at hand right now through House Bill 168; but it's a very small one, Mike. And you wouldn't believe how much attention this is getting. But that's what it is, and I'm trying to do my best to help the communities I look after to get a slice of the pie so to speak.

MR. CAMPBELL: Okay.

MR. SULLIVAN: Is it the legislature who would decide or the county would decide which ones were approved inside the county?

MR. KOGELNIK: Yes. That's why the County Engineer has a say in this. He gets to at least list the best ones in the county. And then the communities have to submit their application, and everything is gonna be administered through the Ohio Department of Development. So --

MS. SLUSARCZYK: The time frame -- if your project is accepted and awarded, what is the time frame to --

MR. SULLIVAN: -- get the money.

MR. KOGELNIK: They're telling us approximately you have two years from the date of award to spend the money. So I mean, when this happened -- well, when the circumstances of stimulus occurred in 2008 and 2009 it was about the same process, it was an organized mess. And -- but we did understand that it was about two years to spend that money. Now they are telling us in Trumbull County, you know, you have to use union -- not union labor but organized labor, et cetera, like that. You have to have a records retention process, meaning that you're gonna keep the record for the project for up to five years. Those are two actually pretty critical things. Now, you know, your water booster station that we were just talking about, that one has a really good attribute; it serves a lot of people. So anyway, that's all I have.

2. Utility Committee Report

MR. CAMPBELL: Okay. Thank you, Chris. Cindy, Clerk's Report. Oh, sorry. Utility Committee. I went and skipped it because --

MS. SLUSARCZYK: He left.

4. Clerk's Report

MR. CAMPBELL: Clerk's Report, Cindy.

MS. SLUSARCZYK: The only thing I could put together today was the packet in the Imperial billing with the contract. The way I'm billing it is the way you want me to continue to bill until something further is

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resolved?

MR. CAMPBELL: Yeah, what you have is what we want. But we want to make sure that the agreement has it clear, and then we can go back and look at that first billing which was different is the best way to put it.

MS. SLUSARCZYK: Yes. Okay.

MR. CAMPBELL: Any questions for Cindy?

MS. SLUSARCZYK: Everything else we've kind of discussed.

MR. SULLIVAN: Glad you're back.

MS. SLUSARCZYK: I think I'm glad to be back.

5. Superintendent's Report

MR. CAMPBELL: Superintendent's report, Darren.

MR. BIGGS: Our new hire Scott will not be able to start until -- we're just waiting on the background. And I think he got the nod of approval last night from Council. So as soon as he get his background check he'll be able to start.

MR. SULLIVAN: Oh, good. I thought you said he didn't pass.

MR. BIGGS: We tried to get him here today to get started, but background check isn't back so -- we'll see what happens with that. 45 Tank is back on line now. Everything -- everything was good with the maintenance part of it and testing and all that stuff. The only thing we did have is a problem with the SCADA when it was all done. Not real sure what happened to it, it was down for, you know, a month, a little bit over. Don't know if it got hit by lightning in the meantime, we don't know. But I'll address that here in a second. Disinfectant by-products, we did that again, we're good, we passed that.

MR. CAMPBELL: Great.

MR. BIGGS: Doing good with that. That brings me to another thing. I have had a company down to MVSD to repair that totalizer down there. The total was \$1,275. I'll need approval for that.

MR. CAMPBELL: I'll make a motion to approve -- what was the company?

MR. BIGGS: And Robysis, R-O-B-Y-S-I-S.

MR. CAMPBELL: What was the total for that, twelve --

MR. BIGGS: \$1,275 I believe was that one.

MR. CAMPBELL: For \$1,275.

MR. BIGGS: That was of the ones that there was a problem down there at MVSD with the SCADA. Somebody was down there prior to that, worked on it. I called them, they wanted over \$9,000 to work on it. So I called somebody else, which was these guys; and they were over five but -- from Twinsburg. So they came down and there was their estimate. They were able to figure it out when they were there and charged us \$1,275.

MR. SULLIVAN: I'll second.

MR. CAMPBELL: All in favor?

(All respond aye.)

MR. CAMPBELL: All opposed?

(No response.)

MR. CAMPBELL: Very good.

MR. BIGGS: The other two was our SCADA guys, ProTech -- the PLC went out at Pritchard and PLC went out at a 45 tank. The Pritchard was \$1,450. The 45 tank was \$2,226. It's a little more to that one.

MR. CAMPBELL: I guess so. All right. I will make a motion -- who was that with?

MR. BIGGS: Both of those were ProTech.

MR. CAMPBELL: I make a motion to pay the ProTech SCADA bills for the lift station and the 45 tank.

MR. BIGGS: 45 tank and Pritchard pump station.

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MR. DIETZ: I'll second it.

MR. SULLIVAN: I'll second it.

MR. CAMPBELL: All in favor?

(All respond aye.)

MR. CAMPBELL: All opposed?

(No response.)

MR. CAMPBELL: Very good.

MR. SULLIVAN: Just a question.

MR. BIGGS: Yeah.

MR. SULLIVAN: I thought when we did the \$400,000 or whatever the figure was for the tanks that all that was --

MR. BIGGS: The tank is covered. The SCADA is totally different. They did come to us and they did ask to get into contract with them, and I believe the Board chose no. So we pay as we go now. It's different from the tank maintenance.

MR. CAMPBELL: It's the monitoring system. It's separate.

MR. SULLIVAN: It's got nothing to do with the tank itself other than monitoring.

MR. BIGGS: That's why I mentioned when the tank was down, it went back up and we had an issue with it. Something happened in the meantime. Not that it was the tank maintenance crew, lightning, anything, something went bad. And we didn't know what happened until we tried getting it back on line. As a matter of fact, we spent gees, about a week-and-a-half trying to figure out the SCADA just to get the levels back, and we just finally got --

MR. SULLIVAN: Both tanks.

MR. BIGGS: No, Bailey tank was okay. The one that went out was the communication between Bailey tank and the Pritchard-Ohltown pump station. We got a bunch of them. So yeah, they just all went. That's all I got.

MR. CAMPBELL: Any questions for him? Very good.

MEMBER COMMENTS:

MR. CAMPBELL: Member Comments.

MR. DIETZ: I got a question.

MR. CAMPBELL: Sure.

MR. DIETZ: I thought I was told one time that we couldn't mix the Niles water with the Warren water. Now they want to put a connection.

MR. BIGGS: I think you're thinking Newton Falls.

MR. CAMPBELL: Wait, back up a step. I think what leads to that question is what we were talking about earlier with Warren. Is that why you're asking that question?

MR. DIETZ: They want to put an --

MR. CAMPBELL: Between the new 24 and the old 16. That's the same water, Warren and Warren.

MR. BIGGS: Even with our new design we're gonna have a new connection with LEC in there. There still could be a way in there.

MR. CAMPBELL: But you got that now?

MR. BIGGS: That's -- okay. Go ahead. Go ahead.

MR. DIETZ: I am thinking --

MR. BIGGS: You're thinking Newton Falls. Newton Falls has a different treatment -- no. Newton Falls has a different treatment than both of these two.

MR. DIETZ: We can push water to Newton Falls. Down at the space center by 45 you have a connection that can be opened that shoves Warren water into the space center. You have a line that comes off Lyntz Road into the space center with Niles water.

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MR. BIGGS: Okay. Again, those two were treated the same. Warren and Niles is treated the same. Newton Falls is not treated the same. That's the connection that we gotta be careful with. For emergency we can still use them, it just not ideal.

MR. DIETZ: Well, we can fill them too. We can supply them water.

MR. BIGGS: Yeah, anything emergency we'll figure it out. I think what you were thinking was the treatment process which these two, Warren and Niles, is very similar. Newton Falls is different. That's the one that we gotta be careful mixing.

MR. DIETZ: I would -- I would say something, but it's being on the record.

MR. CAMPBELL: Okay. Mike.

MR. SULLIVAN: Yeah. Paul had mentioned five or six times about how we gotta do the same thing for TEC as LEC.

MR. CAMPBELL: Yeah, that's news to me too. I want to talk with Lamar and see because that's obviously some stuff that's been discussed that I was not aware of, that's a new direction. And I don't believe by your response you were aware of that either.

MR. KOGELNIK: I was just trying to gauge the look on your face. That's why I was asking to go in the other room.

MR. CAMPBELL: I understood what you were saying without you saying it.

MR. KOGELNIK: If -- yeah. Go ahead, I'm sorry.

MR. CAMPBELL: At this point, let me regroup with Lamar and see. Maybe it was just them taking an approach to not understanding where we're coming from. So I want to make sure that I tell him here's been our plan of moving forward with what we want as the goal of --

MR. SULLIVAN: Well, he didn't make any sense. He said that we're gonna be charging Ultium --

MR. CAMPBELL: Again, a lot of that was we're talking in circles with a lot. And like I said, yeah, I wouldn't try to understand a lot of what was conveyed there because until we have an agreement in place and understand where we're moving forward --

MR. SULLIVAN: Well but somebody, like Chris said, needs to get with the Utility Department and make sure that we kind of sing out of the same hymn book.

MR. CAMPBELL: Yeah, I agree. I agree.

MS. SLUSARCZYK: And in earlier conversations with Paul, I think he doesn't want Warren to undercut the price, not necessarily saying that we'll sell it for the same price but --

MR. CAMPBELL: What he was saying and maybe what he was thinking were two different things.

MS. SLUSARCZYK: He was comparing the gifts that one brought to the community, but TEC is not offering much. But whatever you sell the water rate to, it's not gonna be better than Lordstown Energy Center. Not saying that tops at that rate.

MR. SULLIVAN: That's not what he said.

MS. SLUSARCZYK: I know, exactly.

MR. CAMPBELL: Again, that's to work out.

MR. KOGELNIK: One thing that I didn't bring up when Franco was mentioning that additional reserve capacity that maybe you guys can factor into your conversations when you do have those talks is he stated that the 24-inch line is proposed -- what he's talking about -- was intentionally oversized for that reserve capacity. I thought I heard him say that. Mike?

MR. DIETZ: You did.

MR. SULLIVAN: You did.

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MR. KOGELNIK: I don't understand that.

MR. CAMPBELL: I don't either.

MR. KOGELNIK: Because if the request from the developer to Warren, a private request -- and you know, they're allowed -- the private developer is allowed to do that. But if they can request hey, how can you give me water, the request wasn't how can you give me water and part of the Village. I don't understand where that's coming from exactly. So you know, a 24-inch water line I'd wonder, okay, well how much is it gonna cost to bill a the water line for only the water that TEC needs. You know, it's just -- it was just a little bit puzzling. I'm still trying to unpack, so to speak, what we learned a couple weeks ago. But I think more and more the pieces are all starting to be better understood and -- so anyways, you definitely have some things to think about and you might have some real opportunities for more revenue, I don't know.

MR. CAMPBELL: I don't know. All right.

Quarterly Approval of Billing Adjustments:

MR. CAMPBELL: We don't have quarterly billing adjustment.

MS. SLUSARCZYK: No.

ADJOURNMENT:

MR. CAMPBELL: So I'll take a motion for adjournment.

MR. SULLIVAN: So moved.

MR. CAMPBELL: I'll second. All in favor?

(All respond aye.) (Meeting ends at 6:15 p.m.)

C E R T I F I C A T E

STATE OF OHIO)
TRUMBULL COUNTY) SS.

I, Deborah I. Lavelle, a Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the foregoing meeting before the Board of Public Affairs was written by me in the presence of the Members and transcribed by me using computer-aided transcription according to the stenotype notes taken at the time the said meeting took place.

I do further certify that I am not a relative, counsel or attorney of any Member, or otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Niles, Ohio on this 10th day of September, 2021.

DEBORAH I. LAVELLE, Notary Public
My Commission expires 4/16/2022

Submitted:

Approved by:

Cinthia Slusarczyk, clerk

Kevin Campbell, President