

APRIL 16,

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RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
April 16, 2024
4:00 p.m. to 5:07 p.m.

IN ATTENDANCE: Mr. Christopher Peterson, President
Mr. Michael Sullivan, Vice-President
Mr. Stanley Czeck, Board Member
Mr. Darren Biggs, Supt. of Utilities
Ms. Cinthia Slusarczyk, Clerk
Mr. Christopher Kogelnik, Engineer
Atty. Matthew Ries, Solicitor

ALSO PRESENT: Ms. Jackie Woodward, Mayor
Ms. Jessica Blank, Utilities Committee
Mr. Robert Bond, Village Council
Mr. Tom Cowie, Imperial Communities
Mr. Ron Radtka, Imperial Communities

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 16th of April, 2024.

MR. PETERSON: I'd like to call this regular meeting of the Board to order. Please stand for the Lord's Prayer and Pledge of Allegiance.

LORD'S PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

MR. PETERSON: Welcome everyone. Roll call please.
MS. SLUSARCZYK: Christopher Peterson.
MR. PETERSON: Here.
MS. SLUSARCZYK: Michael Sullivan.
MR. SULLIVAN: Here.
MS. SLUSARCZYK: Stanley Czeck.
MR. CZECK: Here.
MS. SLUSARCZYK: Darren Biggs.
MR. BIGGS: Here.
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.
MR. KOGELNIK: Present.
MS. SLUSARCZYK: Matt Ries.
ATTY. RIES: Present.

APPROVAL AND CORRECTION OF MINUTES:

MR. PETERSON: Approval and correction of the minutes. Do you want to do those individually? The minutes for March 14 I think there was some changes we need to make to them, correct Cindy.

MS. SLUSARCZYK: There's -- yes. But I'm not able to correct them until I can get the software from the recording up to make the change.

MR. PETERSON: So do you just want to table, everyone, to make that -- is everyone okay with that? Minutes from March 19, 2024. Did everybody get a chance to review them?

MR. SULLIVAN: I make a motion to approve.

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MR. PETERSON: Motion. I'll second. All in favor?
(All respond aye.)

MR. PETERSON: Opposed?
(No response.)

MR. PETERSON: Motion passed. Minutes from the March 21,
2024 meeting.

MR. CZECK: Make a motion.

MR. PETERSON: I'll second. All in favor?
(All respond aye.)

MR. PETERSON: Opposed?
(No response.)

MR. PETERSON: Motion passed.

CORRESPONDENCE:

MR. PETERSON: Any correspondence tonight?
MS. SLUSARCZYK: No.

PUBLIC COMMENTS:

MR. PETERSON: Public Comments. Is there any public
comments? Okay. Seeing none --

NEW BUSINESS:

MR. PETERSON: There is no new business listed, so we'll
move right on to Old Business.

OLD BUSINESS:

1. Trumbull Energy Center - Warren Water Line

MR. PETERSON: First item is the Trumbull Energy Center
Warren Water Line.

MR. KOGELNIK: No updates. I did call Steve Remillard just
before the meeting to see if I can get any fresh updates but no reply.
He must have been busy.

MR. PETERSON: Okay. Did anybody have any questions about
that? Seeing none --

2. Trumbull Energy Center - Sanitary Sewer

MR. PETERSON: Trumbull Energy Center Sanitary Sewer.

MR. KOGELNIK: That was brought up at the last meeting.
There was a proposal from the developer for the BPA to consider.

MR. PETERSON: Did anybody have any comments?

MR. SULLIVAN: I was ill.

MR. CZECK: That was to connect to 45 instead of going --

MR. PETERSON: They wanted to connect to -- down 45 to
Trumbull instead of us. My feelings are they need to connect to us. I
don't know how you guys feel.

MR. SULLIVAN: I agree.

MR. CZECK: Yeah, I think they should be in our system.

MR. PETERSON: So I guess I'll reach out to them and --
Chris, do you want to do it? It's up to you.

MR. KOGELNIK: I can just tell them as a matter of fact
that BPA decided at their meeting today just that.

MR. PETERSON: Okay. That's fine.

MR. KOGELNIK: All right.

MR. PETERSON: Anything else on that? Seeing none --

3. Project Funding

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MR. PETERSON: Project Funding.

MR. KOGELNIK: I'll go over that in my report, but two things. We submitted a capital budget request for a replacement of the Water and Sewer Department building to Senator Sandra O'Brien -- that one was on April 8 -- and we submitted a CPF request to Congressman Joyce for the six sanitary sewer extensions throughout the Village. I think that one was on March 24 something or March 15. Both were in the neighborhood of \$8 million and had no local share, so there's no commitment by the Village on either of those. It would be nice if, you know, the recipients would oblige; but that's just a political type of request and so we're just in a waiting pattern. Typically, they make some sort of an announcement around June from what I understood. Now in terms of other funding, the O.D.O.D. was supposed to make a decision or an announcement of what they were gonna award funds to on Monday, April 15, yesterday. But that didn't happen. In fact, we learned that they are moving that to May 6. So they didn't say anything about moving the deadline, but I suspect that most communities are gonna say that when they get awarded, you know, some funding. So there's no point in meeting with MVSD to discuss, you know, that project moving forward until you can be assured that you've got the bulk of the funding. So I'll keep you apprised. Now with regard to project funding, Mike, have you heard anything more from Trumbull County Commissioners about the ARPA funds?

MR. SULLIVAN: No, huh-uh. I'll reach out to them this week and see.

MR. KOGELNIK: Okay. OPWC is coming up at the end of August. If you have some time -- I know that the Village would probably be looking at some roadway projects so -- but Water and Sewer should probably look at a few projects too. I'll cover more in my report.

MR. PETERSON: Okay. Anybody got anything else on that? Seeing none --

4. Proposed Hallock Young Road Water Line Improvements

MR. PETERSON: Proposed Hallock Young Water Line Improvements.

MR. KOGELNIK: This one again is waiting for construction funding. It's ready to go. There's been no change on this. We're pretty much done with what we need to do on the design end, so we're actually more focused on the next item, five.

MR. PETERSON: Okay. Mike, did you go to the Finance Committee meeting?

MR. SULLIVAN: I did, and they wanted to know dollars and cents what we were talking about.

MR. PETERSON: Which you sent out, correct?

MR. KOGELNIK: I'm sorry?

MR. PETERSON: Yeah, the cost --

MR. KOGELNIK: The cost estimating.

MR. PETERSON: For the Hallock Young --

MR. KOGELNIK: Yeah, I did send that to -- I believe it was you.

MR. PETERSON: Did you only send -- I didn't realize you only sent it to me.

MR. KOGELNIK: Was the information that was sent from me the annual rate for paying the loan?

MR. PETERSON: Yes.

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MR. KOGELNIK: Yeah, I did send that. I can -- do you want to see this, Mike? I don't recall what the figure was.

MR. SULLIVAN: Yeah. The Finance Committee has wanted to see it.

MR. PETERSON: I thought Mike was on it.

MR. KOGELNIK: Who at the Finance Committee should I send it to? Bob?

MR. SULLIVAN: Is that right, Bob? Isn't that the information you wanted?

MR. BOND: We wanted to know what the amounts were and stuff, yes. You didn't have the monetary information when you talked to us before.

MR. KOGELNIK: Yeah, we calculated that. Now we might have to recalculate that because I think the OBDA rate changes, doesn't it?

MR. PETERSON: It does. I don't know when though.

MR. KOGELNIK: I'll have to talk with our finance --

MR. BOND: Let's have an up to date one when we get it.

MR. PETERSON: When is your next Finance meeting, Bob?

MR. BOND: Well, generally the weeks that we don't have Council meetings.

MR. PETERSON: Mondays at 1:00?

MR. BOND: 3:00.

MR. KOGELNIK: We should be able to get you an answer this week, Bob.

5. Salt Springs Road Booster Station Relocation

MR. PETERSON: All right. The Salt Springs Road Booster Station location.

MR. KOGELNIK: This is the one we're waiting for, you know, the property owner's legal team to, you know, give us the coordination approval to create the easements we need to create. Matt, is there any update from their attorneys?

ATTY. RIES: No. I've actually sent two emails to him in the past three weeks following up on this. And I get the same response, my client is considering this and I'm just not able to get back to you right now on this but we're considering it. My last e-mail I kind of pushed him a little bit, said can you give me a time frame; and he said I can't give you a specifically time frame, my client's still considering this. So that's basically what we're dealing with.

MR. KOGELNIK: Just to let everybody know, we have had more time spent on easements on this issue than we've dreamed of. So we're gonna need to submit for a work authorization request for the -- to cover the easement things that we've experienced along the way here. So I'll be submitting a work authorization request to the Board.

MR. PETERSON: Okay.

MR. KOGELNIK: I don't have it today.

MR. PETERSON: Yeah, no, that's fine.

ATTY. RIES: I'll send him another e-mail, we need to move forward with something, or if there's a hold-up let me know, just to get some transparency on it.

MR. KOGELNIK: Let them know it's costing the Village money. We're not gonna spend any more time on this. We stopped spending time on this issue a couple weeks ago after we had our meeting with -- what was the name of the gentleman, Adam Glassman?

ATTY. RIES: Glassman, yeah. He represents the property owner.

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MR. KOGELNIK: So we're not gonna spend any more time on this, we're just waiting. But we got some work ahead of us to finish this off.

6. Imperial Sewer Agreement

MR. PETERSON: Okay. Imperial Sewer Agreement, item 6.

MR. KOGELNIK: I don't have anything.

MR. PETERSON: Yeah, I know you don't.

MR. CZECK: Unless you want to do -- so the -- this has been going on for about 10 years, this amount calculation so -- and they tracked it and there's a lot of hearsay. We don't know what is true and what is not true, we don't know. But I'd like to clear this up. It's been around for like 10 years, right? Is that right? So, the amount was around \$48,000. But I thought if we would meet halfway, like at \$24,000, and either give them a credit or pay it or however we have to do it legally to clear this item up.

ATTY. RIES: It could be whatever you guys negotiate. It would need to be a settlement agreement so that it's understood. It would actually have to be with the Village because the BPA is not a separate legal entity, but it would need to be a settlement agreement; so the resolution from the BPA and passed by ordinance through the Village approving the settlement agreement. It would need to be everyone, just a release of claims that no one's coming back for any more money at this point in time if that's what is done. And if you guys want to update the agreement -- I think one of the agreements goes back to '86 maybe. If you guys want new agreements in place that reflect the current -- you know, just have an updated agreement that would be the time to do it as well if that's the BPA's desire.

MR. SULLIVAN: I would think that if we're gonna do what you said that we would need to update those agreements and understand where we are going forward.

MR. CZECK: So, at this point that's what I'm proposing. So it depends on how you feel and what your, you know, opinion is on that.

MR. RADTKA: I guess my only question is are we mixing water and sewer now, because we've only been on sewer since '14, not '85.

MR. SULLIVAN: Right.

ATTY. RIES: Well, there's two separate agreements. It would be -- if you guys want to update both or one or the other or what.

MR. CZECK: Well, I know this one needs to be cleared up.

MR. RADTKA: Yeah.

MR. CZECK: This has been 10 years.

MR. PETERSON: It definitely needs cleared up.

MR. RADTKA: We're kind of mixing apples and oranges with our agreement.

MR. COWIE: The agreement is separate from what they are billing for the sewer. I mean, they are two separate issues at this point. I don't think we would be opposed to hear what you say about them; but you know, clearing up what Stanley is saying about the billing issue, then that would be one part of it.

MR. RADTKA: The billing, metering.

MR. COWIE: The metering would be one separate item. Now if you're talking about looking at the agreements, then that's a whole other -- that's gonna take a while too because we don't know what you

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have in mind.

MR. CZECK: Well now, I think everything going into that park is metered, correct?

MR. RADTKA: Yes. It always has been.

MR. CZECK: So, sewer should be billed accordingly in my opinion.

MR. COWIE: The sewer should be billed -- it is billed off every individual meter.

MR. CZECK: Yeah. So --

MR. COWIE: And the flow meter that we're talking about, that is for I&I, that isn't for sewer. That's what it's called, but it's for -- to pick up any extra water above the sewer that goes through.

MR. CZECK: Right. Well, for this moment now I'd just like to clear this 10 year -- get that -- let's get that done. And then anything that we need to do from there, we can move ahead, and we can talk about it and --

MR. SULLIVAN: Are we talking about all from the I&I, the money?

MR. PETERSON: It's part of it, yes.

MR. SULLIVAN: So, we wouldn't need to understand what we're going to do going forward before we went into any agreement.

MR. CZECK: Yeah, that would clear this whole past bill up. Let's get that cleared up first.

MR. PETERSON: Yes.

MR. CZECK: And then we'll move on from there. That's what I'm proposing.

MR. PETERSON: Okay. I'm --

MR. CZECK: And then we'll draw up whatever paperwork we have to.

MR. COWIE: Just be mindful, I don't think we can take a credit because we would never make that, we'll never get that back.

MR. CZECK: We can determine how --

MR. COWIE: That would -- just be mindful of that. That's a long make-up.

MR. CZECK: That's fine. That's fine.

MR. PETERSON: Yeah, that's fine. And we'd have to figure out where the money would come from and that.

MR. CZECK: Now do you need time to ponder it, or have you already discussed it? If you're okay with it, we'll move ahead and have the attorney work on a proposed --

MR. RADTKA: No, we haven't really discussed it, not knowing what, you know, what the Board's, you know, feelings and considerations are, so --

MR. COWIE: We can get back to you.

MR. RADTKA: We can get back to you very quickly within the next day or two.

MR. PETERSON: Okay. And then if they're okay with it --

MR. SULLIVAN: But not just the splitting the money but where we go, how we're gonna meter from this point forward.

MR. CZECK: Yeah.

MR. RADTKA: Depending on -- right.

MR. CZECK: We close this item out.

MR. PETERSON: We can close this out and work on the agreement.

MR. CZECK: Ten years is a long time.

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MR. RADTKA: Correct, I agree. Ten years is time to put it to rest.

MR. PETERSON: So if you guys are okay with it and then we can call Matt. And are you okay with that and then just we have you move forward with the resolution --

ATTY. RIES: Yeah.

MR. PETERSON: -- of what we need to do?

MR. COWIE: Who do you want us to contact once we --

MR. PETERSON: Do you want them to call me?

MR. CZECK: Just call Chris.

MR. PETERSON: That's fine. Just give me a call.

MR. CZECK: Matt, should we have a vote on that or wait until they --

MR. SULLIVAN: Wait until they see --

ATTY. RIES: The understanding would be there's no firm offer until it's actually been voted and approved on. But it would have to be accepted by them first, and then we would tie in an actual formal agreement. So, the offer would be contingent upon approval by BPA and Village Council ultimately because Village Council would be party to the agreement as a legal entity. It's contingent upon BPA and Council approval subject to you guys accepting it.

MR. PETERSON: Okay.

MR. CZECK: That's all I have on that.

MR. PETERSON: Mike, have you got anything else?

MR. SULLIVAN: No.

MR. PETERSON: Okay. Seeing none --

7. Utility Department Building

MR. PETERSON: Utility Department Building. I think you pretty much gave us an update on it. Any questions? Hearing none --

8. I&I

MR. PETERSON: I&I.

MR. KOGELNIK: I would like to get the flow records from January until present day if we can for water and wastewater if you can for the tributary to Pump Station 2 please.

MR. PETERSON: Okay.

MR. SULLIVAN: Is that so you can move forward with --

MR. KOGELNIK: Yeah. I want to back-check and see how severe it is. We have had a really wet --

MR. CZECK: Yes.

MR. KOGELNIK: -- late winter and early spring here, and so I want to see how that looks in the grand scheme of things.

MR. SULLIVAN: Yeah. And we've been talking about this for eight years, eight-and-a-half. And that was one of the problems I was gonna bring up today is if you would recall the first couple years, we were able to track the I&I, every quarter it would show how much I&I cost us.

MR. KOGELNIK: Now are we tracking that? I don't recall how we were doing that.

MR. SULLIVAN: Well if you remember, I gave you sheets quarterly sheets and we were -- it was from six to nine thousand a quarter. And then what happened that we weren't able to track anymore, we tied into --

MS. SLUSARCZYK: Lordstown Energy Center tied into the east side sewer system. We were monitoring the usage on the customers'

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meters that were connected to the sewer system, that's water in and what hit the pump station.

MR. KOGELNIK: And with the connection of LEC that basically screwed up the understanding of calculation of how that came to be.

MS. SLUSARCZYK: Yeah, because the variants each day could be what LEC is or is not putting in the sewer system.

MR. KOGELNIK: We could always deduct LEC's flow from their flow meter. Not always, but I mean we can probably isolate certain time spans or dates when we could do that, Mike.

MR. SULLIVAN: Well, and my thought was I don't know of any systems, unless there was some action taken, that got perfect --

MR. KOGELNIK: There are no systems in the world that get better.

MR. SULLIVAN: So, we're spending back then six to nine thousand dollars, so I'm sure it's more than that a quarter.

MR. KOGELNIK: When you say you're spending six to nine thousand, that's the amount of wastewater that you're conveying to Warren over what you -- over what you feel is the theoretical --

MR. SULLIVAN: Yes.

MR. KOGELNIK: Okay, okay. Gotcha.

MR. SULLIVAN: And you know, at the time I think one of your experts told us that a new system should be about .10 as far as --

MR. CZECK: Infiltration.

MR. SULLIVAN: And we were at 2.4 over.

MR. KOGELNIK: There is a acceptable amount of infiltration. I don't recall exactly where the Village's level was at with regards to like an industry standard. But there's an easy calculation you can run for acceptable infiltration. You know, for the Village's system I think you guys were -- your free LEC -- you were running around 150, 180 thousand gallons per day. That's just all residential wastewater though.

MR. SULLIVAN: Right.

MR. KOGELNIK: But with LEC that could go up to 1.4 or 1.5. So, I do want to look at that, I want to see how severe it is. It's not gonna get better, you're right about that, and so we need to look at it.

MR. PETERSON: Is there a timeline we can --

MR. KOGELNIK: I want to look from January until now for right now to see, you know, the water consumed in the tributary of Pump Station No. 2 and the wastewater generated. So that's the focus area because that project was to develop like a pilot that can be utilized at the 1, 3 and 4.

MR. PETERSON: Okay. Any more questions on that? Seeing none --

9. CEF-L Valve Replacement Along 24" Water Transmission Line

MR. PETERSON: The valve replacement along the existing 24-inch water line. I know you gave an update at the last meeting, but pretty much at this point we can probably just take it off the agenda.

ATTY. RIES: Yeah.

MR. PETERSON: Are you guys okay with that?

MR. SULLIVAN: Does that mean we're not gonna do it?

MR. PETERSON: Yeah. You weren't at the last meeting, I'm sorry.

ATTY. RIES: The question was whether or not we can --

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under our contract with LEC, whether or not we can get reimbursed for the cost of that. The contract said we could, but there was a sunset provision starting -- there was a five-year sunset provision. It was basically triggered as of the effective date of the agreement March 2016. For whatever reason, by the time we asked them if they would go with the reimbursement, we were already out of time on that. I followed up with their attorney as of recently, and they didn't budge at all. They said no, we're sticking to our position. And there's nothing in the contract I would see that would allow us to try to enforce that. It's just -- you know, it's a five-year term, there's not much we can do.

MR. SULLIVAN: Do we have to replace those now?

MR. KOGELNIK: No, you don't. There was a provisional consideration when the LEC master agreement was voted.

MR. SULLIVAN: Right. Well, I understand that portion of it. But I didn't know if that meant we still had to go forward with it on our own nickel or --

MR. KOGELNIK: So what you really need to concentrate on are the air release valves and their replacements, okay. Those are the little guys that sit on top of the pipe that basically burp it. With these bigger valves we can actually bring the bigger valves into the overall project if we plan it out right. So, think about that.

MR. PETERSON: Into the new 24 you're saying?

MR. KOGELNIK: So, there's -- we're trying to get that funding. Let's see what funding comes up. You know, from right now it is pretty clear from what Matt has told all of us it's unlikely LEC is gonna be able to contribute a dollar for those main line valves.

MR. SULLIVAN: Great partners.

MR. PETERSON: Darren, do you exercise them at all or have you had any issues with any of them yet?

MR. BIGGS: We haven't had any issues. They get exercised every year. I haven't seen any problems, correct.

MR. PETERSON: No issues, okay. Any other Old Business? Seeing none --

PUBLIC COMMENTS:

MR. PETERSON: Public Comments. Okay. Seeing none, that gets us down to Reports.

REPORTS:

1. Solicitor's Report

MR. PETERSON: Solicitor's Report.

ATTY. RIES: No report other than we need to put the Niles master bulk water service agreement issue back on our agenda because they started charging us based on the variable rates instead of using the Meander rate that was set by the District Court of \$2.53 per thousand gallons. So, for a while -- we met with them, for a while last year they were charging us at the Meander rate and everything was okay. But as of recently they've gone back to charging us a variable rate based on MVSD. I put a letter together for the law director Phil Zuzolo in Niles, I sent that to Cindy. We need to get that sent out and resolved so we're on the same page going forward. So, we need to put that back on the agenda.

MR. PETERSON: Can do. Any questions for Matt? Seeing none --

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2. Engineer's Report

MR. PETERSON: Engineer's Report.

MR. KOGELNIK: For the project funding, we're gonna try and have a meeting with the Village staff sometime the week of April 29 to go over some new things, and with that, you know, some planning, because a lot of times the funding is a derivative of planning. On Hallock Young Road on the water line, we had a question come in from Darren last week regarding pressure out there at Foxconn, and apparently -- was it Foxconn that had told you, Darren, that the air pressure was how many pounds higher than Lordstown's.

MR. BIGGS: Warren is 20 psi higher than Lordstown's in their building.

MR. KOGELNIK: Yeah, okay. So, we looked at it, we did our calculations, we don't know how they're saying that. But from what we can see, we sit higher, and our pressure is calculated to be higher. So, they might have something happening in their building, you know, another booster or something.

MR. PETERSON: Another booster pump or something.

MR. KOGELNIK: We don't know. But our staff have run the calculations, and we're higher by about I think it's five pounds or so. So that concern does not need to be there. I don't have any other new information aside from what I've already stated there. Now the air release valve question or comment on the existing 24-inch water line, do we have -- did the Village render a decision on open cutting and/or boring?

MR. PETERSON: I don't know the answer to that.

MR. KOGELNIK: I thought we were talking about the Village has decided to open cut the road or allow open cutting for that Warren cross-connect. No?

MR. PETERSON: Do any of you have any updates or, Bob, do you know of anything?

MR. BOND: Anything new on that?

MR. PETERSON: Yeah.

MR. BOND: Not really.

MR. KOGELNIK: So we can't -- in other words, we cannot give the developer any answer from the Village on open cutting that road so --

MR. BOND: That's my understanding at this point.

MR. KOGELNIK: So this water line project, it just won't move forward so because you're not gonna permit him to bore and jack the road.

MR. PETERSON: Correct, yeah. Until the Village makes a determination -- I don't know, that would be Lamar's committee, correct?

MS. SLUSARCZYK: Streets.

MR. PETERSON: There's been no updates or --

MR. KOGELNIK: Why I'm bringing that up now is because that

--

MR. BIGGS: That meeting, that's all they have to -- they are holding up the developer.

MAYOR WOODWARD: There was no decision.

MR. PETERSON: I didn't know if anything happened I hadn't heard.

MR. KOGELNIK: That decision kind of complicates the release valve so -- and I'm fine with either way you guys decide on that. But I'm just reminding you that the air release valve

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replacement was thought to be at one point paid for by the developer. It was a cost of around \$200,000 I think I estimated.

MR. PETERSON: Yeah, I think it was \$180,000 if I remember right.

MR. KOGELNIK: That's all I have.

MR. PETERSON: Okay. Any questions for Chris?

3. Utility Committee Report

MR. PETERSON: Utility Committee Report. Does anybody have anything?

MS. SLUSARCZYK: Terry said he had some errand this evening and wouldn't be able to make it.

4. Clerk's Report

MR. PETERSON: Clerk's Report.

MS. SLUSARCZYK: I have one account issue where the account is delinquent over \$1,300 which far exceeds the deposit. There're delinquent taxes on it as well, and I don't know how you -- what to do or how to proceed with seeking payment on the account with the owner. It's not something that I can assess property taxes on.

MR. PETERSON: Is there any agreements on the property that we have?

MR. SULLIVAN: Is it one in the park?

MR. PETERSON: Yeah.

MR. CZECK: Well, the property owner -- the previous property owner or same property owner.

MS. SLUSARCZYK: To the best of my knowledge, yes.

MR. PETERSON: They still own the property, correct?

MR. SULLIVAN: This is in the park?

MS. SLUSARCZYK: The service address. Let's not say property.

MR. PETERSON: Yeah, the service address.

MS. SLUSARCZYK: It's still -- the account holder matches.

MR. SULLIVAN: And they are delinquent?

MS. SLUSARCZYK: Yes.

MR. SULLIVAN: How much?

MS. SLUSARCZYK: It's account protected information, for the record I can't say. Over \$1,000.

MR. CZECK: But what part of it's the actual bill before all the penalties and everything? How much is it prior?

MS. SLUSARCZYK: I don't know.

MR. SULLIVAN: Is there anybody living at that address?

MS. SLUSARCZYK: No.

ATTY. RIES: Was it being used as a rental or is it vacated?

MR. SULLIVAN: Do you know, Ron?

MR. RADTKA: Without an address or a name --

MS. SLUSARCZYK: That's why I sent it to you in an e-mail because that's account protected information, I can't share that. You have to get it from the e-mail.

MR. CZECK: How long is the delinquencies, how old?

MS. SLUSARCZYK: It's been growing since '19.

MR. CZECK: 2019?

MS. SLUSARCZYK: Uh-huh. It keeps growing.

MR. CZECK: There's no action there, correct? There's nothing going on at the location?

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MS. SLUSARCZYK: I can't tell you that, I don't know.

MR. PETERSON: She would have no way of knowing that.

MR. SULLIVAN: Well, I think before we make a decision --

MR. PETERSON: We'll share the e-mail with you and see --

ATTY. RIES: Forward me the e-mail and send a letter. My copy to keep?

MS. SLUSARCZYK: Yes.

ATTY. RIES: All right. Maybe I can send her a letter -- him or her a letter and see what happens.

MS. SLUSARCZYK: Becky did send a letter out last year I believe it was and with no --

MR. SULLIVAN: No response.

MS. SLUSARCZYK: No response. So, she just brought that back to my attention. And the day that I told her to send the e-mail and then I shared the e-mail.

ATTY. RIES: I'll send you something to review and we'll get it sent out. See if we can shake things up a little. Okay.

MS. SLUSARCZYK: The only other thing we had was the clarification on the charge for tap fees, which we looked over and feel that's adequate. We'll send it to Matt now that we're both back and make sure that it covers all the bases. And then other than that I don't have anything else for my report.

MR. PETERSON: Okay. Any questions for Cindy? Seeing none --

5. Superintendent's Report

MR. PETERSON: Superintendent's Report.

MR. BIGGS: First thing, just to elaborate little bit more about Foxconn. I got a phone call from them because they were cutting in the ST 45, so Foxconn lost water from Warren, so they tried to supply the whole building by us. If you remember, we went to them and said how would you like it if the Village just supplied, you know, you guys, so they're saying it can't happen. And that's why I contacted Chris, so that we can at least give them a reason or whatnot that it's not us, it's in your building somewhere. That was the whole thing with that. And at the time we went out to the road, we took pressures, there was no problem with that. They have not got back to me on what pressures they were getting inside the building to be able to try to help them out with it. That's why it was brought up. I was worried that they were thinking we couldn't supply them, and that's just not the case.

MR. PETERSON: That's not gonna be the case.

MR. BIGGS: I don't believe so. It was something in the building.

MR. CZECK: We have one connection for the whole facility.

MR. BIGGS: We do and Warren has one.

MR. CZECK: There's not like multiple --

MR. BIGGS: There's not, correct. There's just the two. And once it goes inside there's a valve that keeps it separate; but they had that open, hoping that the Village can supply while Warren's side was down. So how everything is exactly working there I -- it's anybody's guess. But there is -- there was obviously something wrong at the time, they were trying it off of our pressures and it just didn't happen.

MR. CZECK: Okay.

MR. PETERSON: Which part of the Hallock Young the water

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line extension would be connecting them to our line also, correct?

MR. BIGGS: What was that, Chris?

MR. PETERSON: Part of the Hallock Young line water extension is connecting them to that line, correct?

MR. BIGGS: Warren's line?

MR. PETERSON: No, Lordstown's, when we extend the water line.

MR. BIGGS: That will finish the loop over there but it just won't make -- I mean, it could make a difference. You're getting them a little bit more, it ain't gonna increase any pressure.

MR. PETERSON: Correct.

MR. BIGGS: So I'm not -- am I misunderstanding your question?

MR. PETERSON: No. They would be connected -- where Warren's connected now they would be connected to us.

MR. BIGGS: That's different. That can happen at any time.

MR. PETERSON: Correct, yes.

MR. BIGGS: Now will that happen when that line goes on? No. You will need to make a decision to take them over first, we can't just connect them.

MR. PETERSON: Correct, it would have to come to us.

MR. BIGGS: That line will not connect Warren or connect where Warren ties in at, which is my thought, until you guys make that decision to supply that whole building.

MR. PETERSON: Correct.

MR. BIGGS: So yes and no, Chris. Is that --

MR. PETERSON: That's -- yes. Yeah.

MR. BIGGS: Okay. Anything else?

MR. KOGELNIK: So, in the end you will have a feed from where Warren is connected now going into the building, and you will have a feed from Ellsworth-Bailey into the west side of the building. And then along the road was where your loop is gonna be.

MR. PETERSON: Loop is gonna be.

MR. SULLIVAN: So, it would be all Lordstown water?

MR. KOGELNIK: Yeah.

MR. PETERSON: Pending a decision from us.

MR. KOGELNIK: But to Darren's point, there's a whole bunch of administrative stuff that has to happen to say this is gonna happen at this particular spot at this particular time, get out of the way.

MR. PETERSON: Yes. Okay.

MR. BIGGS: Good. The next thing, our lift stations, our three big ones here, we've been having some issues with them that we can't fix. We had a gentleman come up, and he mentioned having an expert from them come out and check everything out to make sure everything is gonna be okay. We've got a problem with Warren of the BFPs in there, we have a hole in one of the casings, we've got a problem with the fuel that comes in there, the natural gas, with it being too lean or too rich. So, there's some things that are really above us that should be -- they haven't been done by them ever. It's been us since they've been there. So to have them just come out and do some things, find out what's going on to get us a price, is \$2,218 is the price that I got from them. So, I'd like permission to have them come out and check out all three of them to see what kind of maintenance they may need that we need them for or that we can take care of.

MR. PETERSON: Okay. I'm fine with it.

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MR. CZECK: Yeah. I'll make a motion --

MR. SULLIVAN: Okay.

MR. CZECK: -- to approve that.

MR. PETERSON: I'll second it. All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: Darren, you said all three lift stations.

MR. BIGGS: They're gonna check them out, correct.

MS. SLUSARCZYK: Three or four?

MR. BIGGS: Three. They -- only on the three. That other one over there is in --

MS. SLUSARCZYK: \$2,200?

MR. BIGGS: Three lift stations.

MR. PETERSON: Yes.

MR. BIGGS: Spectrum is saying that we owe them for a break that we caused. They want to charge us \$2,820.50. I had a third party contact me that does the research or to see what happened with it. They're getting a weak signal in an area that we replaced -- actually bored and fixed a service line that was leaking. The guys remember that line there, they hand-shoveled around it, they seen it. From what they're saying it is, it could have been kinked, nicked, because it didn't break. You know, if we're digging we break stuff, you know what I mean. So I don't know what's going on with that. They said that the work hasn't been done. This is from that third party then I actually got an invoice, an itemized, with that cost on there. So I e-mailed them back and I says was that work done, what was the issue that was found and do you have any pictures, and they won't e-mail me back. So they sent me a bill without it even being fixed. So just bringing you up to speed on this because I don't know where this is gonna go. I mean, you know, if we did something hey, that's fine, but prove it to me so that I can at least bring it to you guys. Right now I got nothing except them just saying. I don't understand how they can send me an itemized bill and it hasn't even been fixed yet, so I'll keep you updated --

MR. PETERSON: Yeah, just keep us updated.

MR. BIGGS: -- as things progress with that. Right now, I'm not submitting anything for -- what we're paying for we don't know yet. All right. The building Chris brought up, the grant applied for for a new building, now that could be who knows, five, ten years, fifteen, never. You know, I'll be in Florida by then, I don't know. In the meantime, what are we gonna do? I don't want to put any money into that building, but we have to because things just aren't moving like I'd like to see them. So, we gotta do something before we got major problems down there. Show, for one, who's paying for it because I'm gonna have to make a request, or somebody is, for certain upgrades or whatever and, I don't know, I don't know how that works. It's Council's building.

MR. SULLIVAN: Wasn't it historically the Council that would take care of the building?

MR. BIGGS: That's what I'm asking you, Mike. It's all over the place. Council owns it, they own all assets; but yet here in the recent past we're required to do any maintenance on it.

MR. SULLIVAN: But that was just in the recent past. For the first eon --

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MR. BIGGS: I'm asking how this works so that we can figure it out. That's what we need to find out.

MR. PETERSON: I know, Chris, last night at Council meeting you were gonna submit work authorizations to them to figure out what the building needed, correct?

MR. KOGELNIK: Yes, just on a minimalistic vantage point.

MR. PETERSON: Was that anything he's gonna need going forward? And you don't know what you need, Darren, I haven't --

MR. KOGELNIK: Well, we don't -- Darren and I don't exactly know that either. That was the purpose of the work authorization, to get our architect to take a look at it. We think that he might need a roof, we think that he might need a drain out in front to prevent that run-off from going into his high bay garage. We don't know. So let the architects determine, you know, what needs to be improved over the next couple of years, so that if you do get some money at least that building can buy you a few more years. That was the thought.

MR. SULLIVAN: Well, but going back to what he said, Council and the BPA need to determine who's gonna pay for that.

MR. KOGELNIK: That's right. And then you also need to understand is if you were to get a grant who does it go to. Does it go to the BPA, does it go to Council.

MR. PETERSON: It goes to the Village.

ATTY. RIES: It would have to go to the Village because the Village owns the building.

MR. BIGGS: That brought me to my other thing, and me and Chris had talked about it. Like when we apply for this grant for it, we can't because it will be the Village actually has to do it.

MR. SULLIVAN: Right.

MR. BIGGS: So you know, we gotta be careful with that. That was the other thing I was gonna mention, it has to go in the proper --

MR. PETERSON: Proper process.

MR. KOGELNIK: It definitely needs to be figured out. I mean, I've seen it firsthand. He needs -- that group of people in that building needs to operate, you know, some significant water and wastewater system equipment and there's some minimum things that need to be done. And we're gonna submit a work authorization request to Bill Blank and he can usher it through to the proper entity.

ATTY. RIES: It's basically a landlord/tenant relationship, but nobody has a lease document and who pays for what is the problem. Yeah.

MR. BIGGS: You're correct. Absolutely correct. And in the past, Matt, it's just whatever it seemed to be appropriate at the time. Yeah, we'll pay for it. Oh no, not this one. Oh no, you can't do that, that's ours. It just seemed to be a case-by-case basis and it makes it hard for me to understand. We put improvements in there, we've done things. I don't have a problem with doing the smaller stuff and everything else, but how long do I keep doing it for a building that I don't even own. I'm renting the place and wanting to move.

MR. SULLIVAN: As far as I remember there was kind of like an unwritten agreement that the BPA would supply the Village with any water they needed at no cost, they would take care of any maintenance of the building.

MR. BIGGS: That's what I thought too, Mike. But you know, that's what I mean, it changes depending on the day or who you talk to.

MR. PETERSON: If that's the deal it just needs to be in

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writing I would assume, yeah. I mean, whatever -- so I guess would that be buildings and grounds committee is where we start which would be -- is that Lamar too? Okay. So I guess if you guys are okay I will send Lamar an e-mail. Do you know if he has a meeting scheduled any time soon?

MAYOR WOODWARD: We just had one.

MR. PETERSON: Five minutes ago, last --

MS. SLUSARCZYK: Last night, 5:45, before the Council meeting.

MS. BLANK: That was Police. Wasn't it at 3:30 today? Or, no.

MAYOR WOODWARD: No, there was one last week so --

MR. PETERSON: I guess I'll just e-mail him and say at your next meeting we just need to start hashing it out and figuring it out. Is everybody okay with that? I mean, that's where -- it's gotta start somewhere.

MR. CZECK: It's an asset of the Village any way you look at it. I don't care who rents it, it's Village property. So you maintain what you have.

MR. KOGELNIK: When you're talking about an asset, you're trying to run your water and sewer system like a business. It's hard to do that when you've got a giant sinker, you know. This building that -- Darren, you know.

MR. PETERSON: I can tell you his garage would fit probably five of his garages in my garage, and I still don't have enough room. He -- so I mean, I get what you're saying. I mean, it's just -- and you're just trying to make it work for now until we figure out something else.

MR. BIGGS: I was putting it off because I don't want to put money into anything. It's like I said, I'm renting. How much money do I have to put into a rental, if anyhow, knowing that I want to move. I just don't do that. So I need --

MR. PETERSON: They're gonna do something with it. What are their future plans?

MR. BIGGS: It will still be there. It's not gonna be money wasted regardless. But now that we don't know where we're at with things with the grants, and who knows if there will be another building or if there won't be. There is some things that we gotta address. I can give you a short list, but they have to be addressed and they should have been addressed a while ago. It's just that we're waiting and who owns it and whatever else. Now I'm asking, we need to figure out who owns it, who's gonna pay for it, because I gotta get some things done. I just have to.

MR. PETERSON: I guess we'll start e-mailing him and ask him when his next meeting is gonna be, put me on the agenda for the next meeting, I'll let you guys know when the meeting is, and we'll go from there. Is that good enough?

MR. BIGGS: We're moving forward, Chris. That's good enough, yeah. Contingency plan. I have had it, I updated it, and it's delivered to everybody that needs a copy I got a copy to. That's done. The other thing I'd like to ask is some authorization from you guys for some overtime. We're getting into spring, we're getting busy, we're behind -- we're always behind. We gotta get some things done. How long it will take, I don't know if it's a month, two months, whatever. I'd like to do it when the weathers nice. Just some of the things that I'd like to get done is exercising the valves. We got 447 valves that

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we gotta exercise out there. Hydrants, 504 need flushed and exercised. Yards from all the work that we've been doing. We got two done today, we've got seven left to do. I got 40 lead and copper tests that need to go out, come July I got 40 more. Dead ends, 33. The marking is coming in a lot more work orders. We're about to get really busy and I'd like to get caught up. So like if we're working over and we just stay -- this is gonna be a time thing where maybe an hour-and-a-half four days a week that I'd actually like to work so that I can get caught up and get this stuff done.

MR. SULLIVAN: So you've been working short since the first of the year, correct?

MR. BIGGS: Been working short for --

MR. SULLIVAN: Well, what I mean --

MR. BIGGS: -- years.

MR. SULLIVAN: As far as your budget man hours.

MR. BIGGS: As for pay-wise?

MR. SULLIVAN: Yes.

MR. BIGGS: Cindy, have we ever run into that, running short on being able to pay?

MS. SLUSARCZYK: No. You have your budget for employees. Does it factor in that kind of overtime for it, I can't say it does. When Bill does your budget, it's based on what it was last year plus the known pay increases and a certain percentage for, you know, overtime. You had overtime last year, so of course that was factored in, a same amount would have been factored into this year's equation. But intentional 40 hours every week or something of overtime was not part of the scenario. I mean, he only appropriates the money that's known needed. The money can be moved; but for your payroll, your payroll is on track to date. There's no extra \$100,000 in your payroll account, no.

MR. PETERSON: Since the first of the year you have had some overtime because of breaks and stuff.

MR. BIGGS: We always have stuff. Absolutely. Recently because of the power outage a little bit more, but probably -- I can't guess, but it may average out to every year being about the same as far as that goes unless something major happens. We try not to work any, but we do have to come out -- I mean, we're 24/7.

MR. PETERSON: Yeah, yeah.

MR. BIGGS: You know, I mean that's just the way it is.

MR. PETERSON: You didn't even mention the big one, the 1,600 service lines you have to identify. You forgot that one.

MR. BIGGS: Thanks, Chris. I could go on and on, you know, the list that I gotta do. These are just things that I want to get out of the way so we can move on. So you're right, 1,600 service lines that the E.P.A. needs by October. I know, thank you. I mean, I don't have a problem with it. We can just watch the funds, but that's my opinion. What do you guys think?

MR. CZECK: Well, we should have some contingency.

MR. SULLIVAN: We can wait and do that without Bills okay?

MS. SLUSARCZYK: As you spend the money and if it needs to be moved, you're not gonna see any shortages or -- until the end of the year. And then at that time, as long as money is within the fund it can be moved, okay. Is there money in the fund, yes. Will there be enough money come the end of the year? We haven't realized any new money because the rates, we were just now billing against it for the first time so --

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MR. PETERSON: With the rate increase, yeah.

MS. SLUSARCZYK: In May you'll start to see revenue based on that rate increase from December. As that comes in it should help them, you know. But that money is only -- some of that money's appropriated to begin with. So I think you gotta do the work, and then as it -- as things -- you'll see, you know, where he's at three months down the road, you'll be able to better assess it and you'll see what's coming in.

MR. SULLIVAN: What are you like at like four 10s and an 8?

MR. BIGGS: Well yeah, something similar to that. Even if it's 9 1/2 and an 8. No weekends, still a 8 hour on a Friday. I don't want to burn the guys out either, but we got take get caught up. If it's raining, we're not gonna get the work done that day I wouldn't do it, it would be a normal time. Make adjustment as it goes. It just that it's not an emergency, it's not stuff we're already started we stay over a half an hour. This will actually be planned overtime. That's why I just come to you, it's a plan.

MR. SULLIVAN: I have no problem with it.

MR. CZECK: Yeah, we can propose it. You only need this for a couple months, right? Three months?

MR. BIGGS: Three months.

MR. CZECK: And see where you're at.

MR. BIGGS: That would be perfect. Hopefully not even that long, Stan. You're correct though, yeah.

MR. PETERSON: I guess can you just give us an update how everything is going at the next meeting.

MR. BIGGS: Absolutely.

MR. PETERSON: I don't know when you plan on implementing it or what your thoughts are.

MR. BIGGS: Well soon because I'm gonna have vacations coming up, I mean its summer. I got one person off, that's 33 percent of my labor force. Not one person, 33 percent. I gotta start it now, and these guys need the time off. They all have vacation; I might take a vacation.

MR. SULLIVAN: When are you gonna start the summer help?

MR. BIGGS: As soon as possible. As soon as I get anybody. I talked with Martin today, he may have some other ones. I have none right now. I have not one application. You're at, what is it, 29 hours at 13 bucks an hour. It's kind of hard, you know. So if you know anybody, send them over.

MR. PETERSON: Road Department got some, right?

MAYOR WOODWARD: The Road Department had resumes. I'm not sure that -- I think they were going to share resumes, if one didn't get hired he would pass it along back and forth.

MR. SULLIVAN: So you're talking about a permanent part-time, the 29 hours?

MR. BIGGS: No, no, summer help.

MR. PETERSON: Just summer help.

MS. BLANK: We approved three for the Road last night.

MR. PETERSON: I thought you prepared some --

MR. CZECK: Is the wage the same, what you're asking for is what the Road is and for what the Road is paying?

MR. BIGGS: For summer help it is, yes. Yeah, we stick right with them. They're allowed ten I believe, so they're still looking for seven. So we're both looking. We're trying anybody.

MR. CZECK: Well, we can give him -- we can grant you

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authorization to go ahead and do some other time, but we gotta limit it somehow, I would think.

ATTY. RIES: I would recommend not-to-exceed amount and then you need to put a time frame on it, whether it's a certain date in August -- you need to give him a drop-dead date so that, you know, it terminates -- that authorization terminates at a certain time. You can always extend it. Yeah.

MR. CZECK: We can do something like three months' worth or whatever; and you can come back and say we're almost there, we need whatever.

MR. PETERSON: Hey, we got caught up.

MR. SULLIVAN: We're already there, we don't need that. Hopefully.

MR. BIGGS: And I hope you're right, Mike. Nobody wants to work overtime. But we got things to do, you know what I mean. We gotta get things done. These things are not only for, I mean, the residents, these are requirements that I have to get done. They're not a well, if you get to it. That's not how it works. So you're right, hopefully I can be done before. I'll do my best to keep track.

MR. SULLIVAN: Before 90 days?

MR. BIGGS: The days, how many hours we're at by then. I will do that for you. I'm not trying to kill anybody, I'm not trying to spend all the money; but I gotta get things done, I gotta get caught up.

MR. PETERSON: Correct me if I'm wrong -- I guess I'll make a motion to allow Darren for the next three months to have mandatory overtime.

MR. BIGGS: You don't need to call it mandatory; it's just planned.

MR. PETERSON: Or planned overtime.

MR. CZECK: Yeah. The cap would be I'm thinking like 24 hours a week until we can see where you're at. That would give you 8 hours for three guys in the week.

MR. BIGGS: Oh --

MR. CZECK: So 24 hour cap on overtime per week.

MR. BIGGS: More than enough.

MR. CZECK: At least you have a guideline.

MR. PETERSON: We're giving you a cap up to 24 hours every week up to three months. And I'm saying up to because you might get done early. And if you need more, just come back and we'll see how everything is at. Is there a second on that.

MR. SULLIVAN: Second?

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MR. BIGGS: That's all I had unless you guys had something for me.

MEMBER COMMENTS:

MR. PETERSON: Okay. Member Comments.

MR. CZECK: I don't have any.

MR. PETERSON: Seeing none --

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QUARTERLY APPROVAL OF BILLING ADJUSTMENTS:

MR. PETERSON: Quarterly Approval of Billing Adjustments.
Did everybody get a chance to look at them?

MR. SULLIVAN: Motion to accept.

MR. PETERSON: Yeah.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Months passed.

ADJOURNMENT:

MR. PETERSON: Motion to adjourn.

MR. SULLIVAN: So moved.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

(Meeting ends at 5:07 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 6th day of May, 2024.

DEBORAH I. LAVELLE, Notary Public
My Commission expires 4/15/2027

Submitted:

Approved By:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President