

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

RECORD OF PROCEEDINGS  
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS  
1455 Salt Springs Road, Lordstown, Ohio  
August 19, 2025  
4:00 p.m. to 5:40 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:** Mr. Ernie Bowen, Village Council  
Mr. Liam Mathews, Verdantas  
Mr. Ted Harvey, TEC  
Mr. Jewoo Cho, TEC

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 19th of August, 2025.

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

**LORD'S PRAYER**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

MR. PETERSON: Welcome everyone. Roll call please.  
MS. SLUSARCZYK: Chris 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:**

**July 17, 2025**

MR. PETERSON: Okay. Everybody get a chance to look over the minutes for July 17 meeting? Motion to approve?  
MR. CZECK: So moved.  
MR. SULLIVAN: Second.  
MR. PETERSON: Motion by Czeck. Second by Sullivan. All in favor?  
(All respond aye.)  
MR. PETERSON: Opposed?  
(No response.)  
MR. PETERSON: Motion passed.

**CORRESPONDENCE:**

MR. PETERSON: Cindy, do we have any correspondence?  
MS. SLUSARCZYK: No.

**PUBLIC COMMENTS:**

MR. PETERSON: Seeing none, any Public Comments? You guys are on

**Village of Lordstown Board of Trustees of Public Affairs**

**August 19**

**25**

our agenda. Any other public comments? Seeing none --

**NEW BUSINESS:**

**1. Interviews**

MR. PETERSON: New Business, interviews. Darren, you said 5:00, right?

MR. BIGGS: Yes.

MR. PETERSON: Okay, so we'll --

MR. BIGGS: Or they're at the end. I told them 5:00. If I need to go tell them closer, we can do that.

MR. PETERSON: Are you guys okay with that, doing the interviews at the end?

MR. SULLIVAN: Yeah.

MR. PETERSON: All right. So, no other new business.

**OLD BUSINESS:**

**1. Clean Energy Future - Trumbull, LLC - Sanitary Sewers in Lordstown & Ohio EPA PTI**

MR. PETERSON: Going on to Old Business. Item number 1, Clean Energy Future - Trumbull, LLC Sanitary Sewers in Lordstown, Ohio and the E.P.A. PTI.

MR. HARVEY: Ted Harvey, Trumbull Energy Center. Mr. Ries, I believe you've been in communication with our attorneys with regard to the sewer connection and the language that we're trying to get developed with the Village of Lordstown. And I believe he explained the path forward for us is that we have to go to our lenders and for us to share that language with our lenders. And then so it kind of -- rather than submit language to the Village without that conversation with our lenders first, we thought it would be best that we reach out to our lender, so we did it right the first time as we're going into the discussion on the language.

ATTY. RIES: All right. And that's my understanding. So, I spoke with their attorney, TEC's attorney. Everything is kind of on hold right now. They proposed in lieu of using our sewer system two different models that would financially compensate us, but our biggest concern is making sure there is appropriate restrictive covenant and deed restriction language that if there's a subsequent owner of that parcel they would have to connect to our system. So, the two obstacles to that are getting the lender approval, which is an issue that was just recently raised, due to the loan involved in this project. So, they're going to run that through the lender's counsel, make sure they're okay with that language before it comes to us so we're not revising a bunch of language before the lender sees it. And then the other thing that the attorney and I -- Attorney Warnock and I -- discussed was Trumbull County's consent, having their blessing to this agreement. My understanding is there's not an agreement between Clean Energy Future - Trumbull and Trumbull County that's been executed, so an appropriate provision where they acknowledge that, so we don't have a fight 30 years down the road with the County. So those are the two action items that need addressed before the BPA considers the alternative terms being proposed by Clean Energy Future - Trumbull. So right now, we're waiting to hear back, the company is waiting to hear back from the lender, and then they'll contact me.

MR. HARVEY: Right. And to that, we have submitted everything over to our lender's attorneys, so that is in process. So, we have provided that to our lender's attorneys.

ATTY. RIES: All right, sounds good. Thank you. Okay.

MR. PETERSON: And then their bulk water, would that be the bulk water they're receiving?

ATTY. RIES: Where are we on the bulk water agreement? Did Gemma come in to apply to renew it, because it ended at the end of July.

MS. SLUSARCZYK: They did. They came in, I think, just the day after the last meeting and they signed an agreement that covers them for the month of August. Instead of just a termination date of today, I encouraged it for the month. And that is in place providing your decision to go further

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

or as to how long they would need it or if you have permitted it without an agreement.

MR. HARVEY: Right. We have received an updated schedule from Gemma, and that schedule shows the need for water up until the end of November. But also, we want to make sure that we take into consideration when you're talking about this that we also -- you know, we have a safety factor that's also involved with the water and the necessity of the water because that supplies our fire water to the plant. It would leave us with no fire water protection. And we have an energized -- switch arm energized equipment at the plant, and it would put us in some serious peril. Also, we have chemicals that started arriving on the site, and that water supplies our safety showers and the eye washes in the areas where there's chemicals in the area. They did make the payment. I followed up with GPS, and there was -- when -- the balance that was due, I believe, was \$33,500, somewhere in that area. The check had already been through the process, the check had been cut, had been mailed but it had not been received by the Village. By the time the Village received it it made that payment late, so they have a late payment of \$3,350-ish, somewhere in there, plus the \$82 from a previous bill. And then so those two are being processed and the checks have been cut for those two, as well as the revenue to the Village for the July -- I believe it was the July to August, yeah, that's due on August 21. They have one that's for the 4-inch line that's \$4,580 for that, they've also cut that check; and they've cut the check for the other line in the amount of \$94,286. So, I believe we worked out the check issues. I explained it to GPS that -- to Gemma, you know, that they needed to talk to their -- there's -- the process is pretty -- it's pretty steep. There's like seven or eight different people that goes through. They get the bill, this guy signs it, it goes to the next person for signing off, sign off, sign off, it's like a seven-step sign-off. So that's caused some of the delay. And I talked to GPS about expediting the future invoices that would be coming to the Village -- from the Village, and that -- they agreed that they would work with us on expediting the payment to those bills that come in.

MR. PETERSON: Do you guys have any questions?

MR. CZECK: No.

MR. PETERSON: Any questions? So, do we need to make a motion to extend their bulk water?

ATTY. RIES: Yeah, because it's going to expire at the end of August. And it's going to have to be a motion to extend and you guys are going to have to decide how long you want to extend it for. Is there going to be an interim period of time where you don't need the water for construction anymore, say end of November, and when it will still be needed for fire prevention services before the Warren water line is ready to go?

MR. HARVEY: Yes, sir. But by that time, we'll be approaching our water line being completed and then we would be going into putting the water meter into Trumbull Energy Center's name and we would be going forward with our operating water at that time because we'd have the water line from the City of Warren.

ATTY. RIES: All right. So, November -- so end of November is when you expect to have the water line running?

MR. HARVEY: We may even be a little earlier than that. We're looking at the work now. It's -- we approached the contractor, see if there is anything we could do to expedite and assist in expediting. But it just comes down to you can't get the work done. So, it's now a process with the railroad crossings; and Mr. Kogelnik, you're aware of that situation with getting a flagger that slowed some of the process down. So, it's a matter of we can't expedite, but it does put us close to the middle -- it's looking like now we've got word we're meeting with the City of Warren Thursday. But it looks like right now it's like the end of September, September 30, that the water line is going to be completed; and then they'll start the commissioning of the pump station.

ATTY. RIES: Okay.

MR. HARVEY: We're trying to leave ourselves a little room with

August 19

25

that November.

MR. PETERSON: So, what's you guys' pleasure? Do you want to extend their bulk water agreement to the end of September at least? That gets them through --

MR. SULLIVAN: Yeah.

MR. PETERSON: -- for now.

MR. SULLIVAN: I'll make a motion, end of September.

MR. PETERSON: End of September.

MR. CZECK: I'll second.

MR. PETERSON: Second by Czeck. All in favor?

(All respond aye.)

MR. CZECK: Opposed?

(No response.)

MR. PETERSON: Motion passed.

ATTY. RIES: And that's for Gemma power systems?

MS. SLUSARCZYK: Yes. So, for clarity, you're extending Gemma Power Systems to purchase bulk water from the Warren water supply line through September 30.

MR. HARVEY: And Cindy, I guess I'll come visit with you, I'll bring Gemma in to fill out the paperwork that would extend the agreement because it does end in August.

MS. SLUSARCZYK: Yeah. And we talked about the date towards the end of the month before, you know, the 29th to come in.

MR. HARVEY: All right. Thank you.

MR. PETERSON: All right. Nothing else on that.

## 2. Rules and Regulations Governing Water Use and Service

MR. PETERSON: Item number 2, Rules and Regulations Governing Water Use and Service. Any updates on that?

## 3. Niles Bulk Water Agreement

MR. PETERSON: Okay. Item number 3, Niles Bulk Water Agreement. Any updates on your end?

ATTY. RIES: No. I just -- I need to -- I'm working on drafting to merge the agreements. My plan is, once we have them completely merged for the facility and for the other agreement with Niles I'll circulate to you guys to make sure everything looks good, then I'll send it over to Phil Zuzolo.

MR. PETERSON: All right. Any questions for Matt on that?

## 4. Trumbull Energy Center - Warren Water Line

MR. PETERSON: Item number 4, Trumbull Energy Center Warren Water Line. Chris.

MR. KOGELNIK: Past couple weeks we have had pretty significant effort just coordinating with all the entities involved on the three road crossings. And last week we met out there on site with my inspector and the superintendent for the contractor, and we looked at the soil conditions out there on Brunstetter; and it was pretty severe even though it was relatively dry out at the time we were out there. And so that was, I believe, Wednesday or -- Tuesday or Wednesday and -- no, it was Tuesday and then Wednesday I made the site visit. And then on Wednesday we started talking about the conditions and concerns on Salt Springs Road after seeing what we saw on Brunstetter, and we decided at that time to make a few adjustments on Salt Springs Road at that crossing in order to, A) prevent as much as possible any kind of public and private, you know, human safety issue, and also we wanted to make sure that the road stayed open. So, we talked about how we could make the contractor put conditions and provisions in place that he can keep traffic safely going around the open-cut area and we also wanted to, of course, preserve the existing buried utilities. And so, shallowing up the depth of the Warren crossing underneath the road helps to assure a little bit that the conditions around the existing 24-inch water line would not be compromised. And so right now we're hopefully going to have the Warren contractor thread their proposed 24-inch -- they're crossing at a 24, not a

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

30, across the road in between the bottom of the Village 24-inch transmission line and above the Village 8-inch gravity sanitary sewer line. There's a plan drawing in front of you that illustrates that.

MR. PETERSON: Darren, did you get a chance to look this over.

MR. BIGGS: I just got handed it, Chris. No.

MR. KOGELNIK: So, the contractor is planning to do -- or to start the construction of the Salt Springs Road crossing on Monday. He has constructed a temporary berm on the south side of the road so that they could navigate traffic around the south edge of the roadway without, you know, compromising the safety of the vehicles passing there and also giving them enough space to keep traffic flowing around the open-cut excavation pit. They also have the temporary stop light out and also the big flashing sign. So, at the end of construction that temporary berm will be pulled out and that area will be converted to lawn. If there's a storm culvert in the area there and it gets damaged, that storm culvert will have to be replaced. But that's -- I think this is the best we can do with this contractor, soil conditions that we're seeing. It's what I recommend.

MR. BIGGS: Actually could -- Chris, do I have this, the drawing?

MR. KOGELNIK: Yeah, you do.

MR. BIGGS: Where would that be? Is that the e-mail you were saying it was.

MR. KOGELNIK: Yeah.

MR. BIGGS: That's the old one, correct? I need the new one.

MR. KOGELNIK: They have not yet submitted a new one.

MR. BIGGS: So, there isn't a new one and they are going to do the work on Monday?

MR. KOGELNIK: They are going to be doing the work on Monday. They're supposed to be sending the drawing to us this week sometime. So, I just reminded them of that yesterday.

MR. BIGGS: So, I haven't seen anything. I don't know.

MR. PETERSON: Okay. Any --

MR. KOGELNIK: TEC staff, I mean, you guys are the ones pulling the strings here. Could you please encourage Stantec to submit the updated drawing and the updated MOT to us.

MR. HARVEY: I will do so, sir.

MR. KOGELNIK: Thank you.

MR. PETERSON: And Chris, just to confirm, this will not affect us running our redundant 24?

MR. KOGELNIK: Correct. So, if you're looking -- can I give that drawing to Darren please. I didn't have enough then, and I apologize. So, if you're looking at the drawing, you'll see the profile underneath. The profile view obviously looks up through and to the west, and you can see the existing 24-inch water line and its elevation. If you could just picture the new 24-inch water line will be to the left of that existing 24-inch water line, that's where the future 24-inch water line will be. So Lordstown's future 24-inch water line will pass over their proposed transmission line.

MR. PETERSON: Okay.

MR. KOGELNIK: So that was part of my thinking when this whole issue came up last Tuesday and Wednesday with the concerns of the crossing.

MR. PETERSON: Was it actually in the agreement that they had to go under all our stuff? I thought that was in there, but --

MS. SLUSARCZYK: It was the Board's decision it had to go underneath the utility line. I don't know that that made it into the contracts, you'd have to look to confirm. But I know the BPA said that it had to go underneath the utilities.

MR. KOGELNIK: If I may, that's accurate. I was in the room when that was being discussed. And you know, we did talk about requiring Warren to cross under all of the Village's utilities. Again, I'm looking at this from an objective point of view and what I saw out there. Based on my experience this is what I recommend.

MR. SULLIVAN: So, they're going under all ours?

MR. KOGELNIK: No.

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

MR. PETERSON: No.

MR. KOGELNIK: No. This drawing that you have here, Mike -- let me just sketch this up real quick. This is why we really need updated drawings.

MR. HARVEY: Understood, sir. I mean, in Stantec's defense, you know, it's relatively new. They are trying to get the drawings sorted.

MR. KOGELNIK: Yeah, Stanley's correct.

MR. CZECK: And the 24 will go right over here right next to the (indicating) --

MR. KOGELNIK: That's correct. About 10 feet, 15 feet away.

MR. PETERSON: Since TEC is our customer, that reduction from 30 to 24 will not affect their flow, correct?

MR. KOGELNIK: They've got multiple crossings where they are reducing down.

MR. HARVEY: It doesn't affect flow. With the 30 to 24 that we encountered with private land owners and the change that we made, that was more of a looking at -- flow wasn't our intention at all, it was more the cost of the HDPE versus the PVC and also the -- it's -- we thought that it was a better product in the long run with less potential of leaks, et cetera. So, it's kind of the thing going now is the HDPE versus the PVC multiple joint lines.

MR. PETERSON: Okay. Any questions? I guess we'll look up in the contract to see if that's in there. And if it is, we'll have to do something with it.

ATTY. RIES: Yeah, absolutely. I'll check that tonight.

MR. BIGGS: Will they be able to continue to actually start that on Monday until we review all that? I mean -- I mean, this is Monday they want to start that work.

ATTY. RIES: Yeah. Well, let me check the contracts against what's being proposed here. I mean, it just depends on how quickly they get revised drawings.

MR. BIGGS: Exactly. I mean, does the BPA need to approve the drawings?

ATTY. RIES: They don't need to be approved. The drawings just need to be consistent with our agreements which are already approved, you know what I mean.

MR. BIGGS: It doesn't need approval from myself or the BPA?

ATTY. RIES: They don't need approval, but they need to conform to our contracts. So, if there's something in here that's not conforming to the language of the agreements as approved by the BPA, then that needs addressed. That wouldn't need a formal vote.

MR. HARVEY: And we are basing it on Mr. Kogelnik's recommendation as well.

ATTY. RIES: Yeah. I mean, if it varies from what's been approved by the BPA it would either need to conform. Or if they are asking for changes that would vary from what would be approved, then that would have to be approved by the BPA if it varies from what the BPA has already approved in our agreements. But if the drawings are consistent with what has been approved, then there wouldn't need to be an additional approving of the drawings themselves if that makes sense.

MR. PETERSON: I understand what you're saying.

MR. HARVEY: And we're, you know, in extreme area of delay, you know. I mean, that's the whole point, you know. I mean, we talked about the lag with the railroad and things and it was unforeseen. So, I don't know -- Chris, do you know, are we looking at potential changes that would -- that are different from what was agreed to that would require a BPA meeting that would further delay the project?

MR. KOGELNIK: So, I guess just the point of Darren's question is to make sure that, you know, as many eyes from the BPA and himself are on it. And then from Matt --

MR. HARVEY: I assure you I'll get those drawings quickly. I can request they get on that.

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

MR. KOGELNIK: And from Matt's perspective it is purely legal. And there were some unique terms put into the agreement for crossing, you know, a few years ago and we don't exactly remember all of those details right now. I'm trying -- scrambling right now pulling it up on my computer.

MS. SLUSARCZYK: We usually have submittal drawings that the BPA signs off on with the Council, the Utility Superintendent, yourself. We don't have those.

MR. KOGELNIK: I totally understand that. I also understand, A) public safety; and secondly, I understand the overall intention is to get this done by the time school starts.

MR. HARVEY: That's correct.

MR. KOGELNIK: I'm very much weighing all of that. So, if you want my recommendation it's what I've just stated throughout this meeting so far.

MR. HARVEY: And it was a recommendation that we received and agreed with as well.

MR. PETERSON: So, I would say let's look up the agreements and we'll kind of go from there. If it's something that needs to be agreed on, we can --

ATTY. RIES: Yeah. If there's some changes. But we need the updated drawings to make sure it's consistent.

MR. PETERSON: You need the updated drawings before you even start.

MR. HARVEY: Because if not, we would have to explore reverting back. And I think then we're back in a dangerous situation again, but we would have to move forward with putting the pipe in.

MR. PETERSON: Okay. We'll look up the agreement and go from there. When -- do you know when we could expect the drawings? Tomorrow morning?

MR. HARVEY: Well you know, the first thing I can do is when I leave this meeting is I can have a phone call. And then what I can do is, Chris, if I could, I can give you a shout and let you know. And Mr. Kogelnik, we'll send an e-mail and everything and --

MR. PETERSON: Yeah. Include Darren in it too please.

MR. HARVEY: We can correspond with the timeline on that. We can get some expedited action on it.

MR. PETERSON: Okay.

MR. BIGGS: Can I ask, does the E.P.A. approve the water line, correct?

MR. HARVEY: There are some steps of the E.P.A., yes, on the --

MR. BIGGS: Do they need to approve any of these changes?

MR. HARVEY: Not that I know of any of the construction. It's all on the sanitizing -- the line, et cetera.

MR. BIGGS: Not how it's ran?

MR. HARVEY: Not how it's ran.

MR. KOGELNIK: I don't know about that actually. I think that if there's a deviation in the horizontal and vertical deflection -- and to that point though we're not diving underneath the sanitary. And so that's to the betterment of Ohio E.P.A. typical review process.

MR. HARVEY: Yeah, for a PTI.

MR. KOGELNIK: But Darren might have a point there about Ohio E.P.A.'s review. But I don't think it's -- I genuinely don't think it's going to matter. We're not changing the horizontal alignment; we're changing the vertical alignment potentially.

MR. HARVEY: I'll follow-up with Stantec.

MR. CZECK: Well, if we have to have a meeting to make an approval --

MR. PETERSON: We can do that.

MR. CZECK: I'm sure that won't be an issue.

MR. HARVEY: I appreciate that.

MR. CZECK: I want to make sure it's done correctly. I don't want to open up a can of worms and set a precedent.

August 19

25

- MR. HARVEY: And that's very much appreciated because we're on a very tight timeline.

MR. KOGELNIK: Matt, is the amended water supply agreement, does it contain all of the original elements of the agreement?

ATTY. RIES: Yes. It incorporates everything subject to just how the crossings are going to be handled. But the amendment incorporates the original agreements, yes.

MR. KOGELNIK: Okay. Then the answer is no, it does not include anything about diving down. I just read it.

MR. PETERSON: Okay. Okay.

ATTY. RIES: You're looking at what, the addendum or the original?

MR. KOGELNIK: The addendum.

ATTY. RIES: Okay.

MR. HARVEY: We just need official -- you know what I mean, something official would help. But I -- you know, while you're doing that, Mr. Ries, we'll definitely get all the drawings to everybody.

MR. PETERSON: If you could get the drawings and if Darren feels better, we can still convene a special meeting and approve it if you have need to, Darren. I'm fine. I have no problem with that. Are you guys okay with that? Yeah, okay.

MR. CZECK: Yes.

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

#### **5. Trumbull Energy Center - Sanitary Sewer**

MR. PETERSON: Item number 5, Trumbull Energy Center Sanitary Sewer. You guys are working on that; correct, Matt?

ATTY. RIES: Yes.

#### **6. Project Funding - Eastgate FY2026 ARC Pre-Applications**

MR. PETERSON: Okay. 6, Project Funding. Any updates on that, Chris?

MR. KOGELNIK: No, other than the Village seriously needs to consider Ohio E.P.A. loan funding for the future 24-inch water line. We'll get into that through my report.

MR. SULLIVAN: Again, I would ask from the past, from the 4.3, do we have a definite place where we're going with that?

MR. KOGELNIK: I will cover that as much as I can in my report. And there's this --

MR. PETERSON: He has a report.

MR. KOGELNIK: -- that we passed out. Yep, we'll go over it.

MR. PETERSON: Okay. Anything else on that?

#### **7. Proposed Hallock Young Road Water Line Improvements**

MR. PETERSON: Item number 7, proposed Hallock Young Road Water Line Improvement. Any updates?

MR. KOGELNIK: No updates. We're waiting for, I guess, the master funding agreement to be officially executed. Darren, I reviewed that PPEF from Foxconn. We probably should discuss that.

MR. BIGGS: Friday, is that what we're doing?

MR. KOGELNIK: Yeah. Because I --

MR. BIGGS: I agree we need to.

MR. KOGELNIK: I don't think we're getting an accurate picture of --

MR. BIGGS: I have some questions on that too, Chris. Friday is a good idea.

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

#### **8. Salt Springs Road Booster Station Relocation**

MR. PETERSON: Salt Springs Road Booster Station Relocation.

MR. KOGELNIK: I sent a detailed e-mail yesterday, specifically Darren and Cindy, regarding a couple questions for the booster station. One

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

to you Darren was regarding SCADA. How do you -- let's -- we don't have to talk about it in detail now, but we're going to need to know how you want the SCADA switched over either from Salt Springs Road booster station or Pritchard Ohltown Road to the new station. So, think about it. I sent that e-mail, I can't remember what time it was yesterday, but you guys have it. And the survey is just about done also for that. So, we're going to be working on the Ohio E.P.A. water permit application soon for that project and we're going to be, you know, coming to you with the updated estimated construction fee which sets the Ohio E.P.A. plan review fee. You'll have to cut a check to the State of Ohio Treasurer for that, and after that you should be on your way to bidding the project. But you can't bid it out really technically until you secure the property, so --

ATTY. RIES: And our 30 day window of time before we can take an eminent domain action against the landowner since we served them with the initial offer, that runs August 26. So, if we don't have a response from them, Village Council will have to approve me to move forward with litigation on eminent domain. That will be the next step. And considering they haven't been responsive to anything, I'm assuming they won't be responsive to the lawsuit either.

MR. PETERSON: Council will have a meeting the Tuesday after Labor Day, so that kind of falls in line.

MR. SULLIVAN: If they are not responsive to the lawsuit then?

ATTY. RIES: If they don't respond to a lawsuit, you just get a default judgment against you if you ignore it. So, I mean, it's not a drop-dead 28 days and you automatically get a judgment. A court will typically give grace periods and a second chance to respond. But if they are ultimately not responsive, the court will grant a judgment against a defendant who does not respond.

MR. SULLIVAN: So, we would just get the land at that point?

ATTY. RIES: Yeah. Hypothetically, what would happen is we would have an order to acquire the property. We'd still have to pay consideration though, still fair market value, which we've already got our appraiser lined up so we would have to do that. And at that point the property would change hands once we pay that amount to the property owners.

MR. KOGELNIK: So, anticipate receiving the survey and the plans for review, obviously Darren's going to get most of that. And then we're going to have to -- we'll be buttoning up this project here before probably the end of October.

MR. SULLIVAN: And if we don't hear back by next Council meeting, I would think Council then would vote on it next Council meeting?

ATTY. RIES: I'll have everything ready to go to be filed for the next Council meeting.

MR. PETERSON: All right. Any more questions on that?

MR. KOGELNIK: No.

**9. Imperial Sewer Agreement**

MR. PETERSON: Seeing none -- item number 9, Imperial sewer agreement. Still --

ATTY. RIES: There's no update. I mean, the water agreement, you know, that's on -- renews in 10-year terms. It's going to expire November 2 of next year. So, you know, I haven't heard back from their attorney on anything, but at this point we made them an offer, they haven't accepted it, and so we've got an agreement that's going to terminate, expire. But we have to make sure that we proactively give notice of termination or it's going to automatically renew.

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

**10. Utility Department Building**

MR. PETERSON: Item number 10, Utility Department Building. I actually have an update on that. Last night at the Council meeting I asked if Council had made a decision on what they were doing with the old library, and ultimately they decided to give the library to the Water Department. So that could change in the future, you know. Two or three years from now they

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

could decide to move the admin down there. But for right now it's ours. So --

MR. SULLIVAN: So would that be Cindy and --

MR. PETERSON: No, no, that's just Darren and his staff. Yeah. It's just Darren and his staff.

MR. SULLIVAN: So he would have the whole building?

MR. BOWEN: And there was a caveat to that.

MR. PETERSON: We don't -- if we do any changes inside -- and we really don't need to make any changes. I talked to Darren. Darren, you don't see any changes that you need to do?

MR. BIGGS: I said we would have to talk about it. I didn't realize there would be restrictions to a building we would be working out of. We can work through that I guess. Here's your building but you can't do that, so we need to talk about it, see what I can get away with, what I can't. How's that?

MR. SULLIVAN: Good news.

MR. BIGGS: Good news.

MR. PETERSON: It's finally something we can take off the agenda.

MS. SLUSARCZYK: Yes. I will strike that right now.

MR. PETERSON: Thank you. Thank you Ernie for all your help on that.

MR. BOWEN: No problem.

**11. I&I**

MR. PETERSON: Okay. Item number 11, I&I. Any updates?

MR. KOGELNIK: No.

**PUBLIC COMMENTS:**

MR. PETERSON: Seeing none, any additional public comments?  
Seeing none --

**REPORTS:**

**1. Solicitor's Report**

MR. PETERSON: Reports. Solicitor's Report.

ATTY. RIES: No report.

**2. Engineer's Report**

MR. PETERSON: Okay. Engineer's Report.

MR. KOGELNIK: Okay. Mike, this report right here that's got a memo and a map, this explains what we've been doing on the existing 24-inch water line and what we found and what our recommendations are. This is not complete, it's a work-in-progress. In other words, you're going to be getting the results of our water modeling on the existing and also the proposed water line. But what we can say right now in general is that the existing water line appears that we're running into the most significant head loss or lower C factor, which is the roughness on the inside of the pipe, and that could be attributed to a number of things like build-up of scale, okay. It's an unusually low number is what we're calculating on that line, and we're seeing that the highest amount of head loss or low C factor is occurring between the meter vault location and ARV No. 8. And if you look on the map -- you can't really see real clearly, but if you know where the cemetery is on Salt Springs Road, almost right in front of the cemetery is where ARV No. 8 is. So, you're talking about a couple thousand feet in that in line. But that's the area that we think based on our hydraulics -- Bob McNutt is working on this one, he's pinpointing that location as being the culprit. And so, we have come up tentatively with some recommendations. We thought about, you know, doing a line stop and bypass around the problem area, but here's not much room in the real estate on Salt Springs Road there to do that. And if that's not the problem area in that zone and if we don't hit that correctly, that's a lot of money to install a line stop and bypass. You're talking approximately a million dollars to do that. So, what our recommendation is -- and this is -- this answers your question about where to put that grant money, is in the alternate route. And if you look on the map,

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

it's the dashed line from the MVSD facility to the intersection of Austintown Warren Road and Salt Springs Road and then connect up at that juncture. So, there's a lot of things that are dependent on making that alternate route feasible. Number one is getting the written blessing from MVSD to make that connection; and number two, all the due diligence that goes along that route. This will be a parallel easement to the existing First Energy easement. You can't occupy their property in their easement, we already checked that. So, we would have to establish a new easement. And I think if I correctly remember there was -- most of the property's MVSD property. There's only a couple other properties leading up to that area. So you'd need to get easement though nonetheless. And you know, conceivably you would connect the new pipe up to the existing pipe. You would then make that operational, and you'd go back to the existing route between Austintown Warren Road and the existing connection location and you'd repair the existing line. So then after that you'd have two routes. Now that wouldn't get you the full distance into Lordstown for the new route, but it would buy you time and capacity to do that. And you know, at this point in time you could go after an Ohio E.P.A. loan to build the rest. So, this is what we have thus far. Like I said, it's -- I don't think it's complete until I promised that the Village would get a written report with a model. We're going to provide that. So, I'm hoping that we can do that in the next couple weeks.

MR. SULLIVAN: So do you think we should be reaching out to MVSD for a meeting to try and get --

MR. KOGELNIK: So tomorrow I'm meeting with Ernie and Scott Verner. Scott's the new chief engineer. And I'm going to introduce Ernie because Ernie's the Utilities chairman. There also is not going to be any decisions made tomorrow, but we want to get Scott familiar because Scott is new to the MVSD -- probably as new as Ernie is -- and want to just get them up to speed with the project. And then I imagine even that we'll probably have to have another joint meeting with the MVSD and BPA so that we can -- you guys can officially ask for written permission from MVSD to connect at their high service pump station.

MR. SULLIVAN: If they say yes, then we would go back to you for engineering?

MR. KOGELNIK: No. Technically you have to go through RFQ process.

MR. SULLIVAN: Put it out for bid.

MR. KOGELNIK: Yes. And obviously we would be interested to submit a proposal. But you have to go through the process. That's what I've been preaching to you guys for the past year. And you need to do that process like yesterday.

MR. SULLIVAN: I understand that.

MR. PETERSON: And Niles would need to be a party to that too, correct?

ATTY. RIES: So, Niles would be -- based on my discussions with the Attorney Zuzolo who's their Law Director, they would be okay with that approach as long as we continue to remain a customer of Niles because our agreements have certain exclusivity provisions when we're purchasing the water. So, it would still need to go through Niles, but they would be okay if there's, you know, an alternative way that we run that redundant line. And that would have to be formally approved by the City too. These are just based on my discussions with their attorney. He didn't see it as a problem as long as we remain their customer.

MR. KOGELNIK: I believe that no matter what we do we're probably always going to have that existing connection that we have now in Niles. We're not changing that location.

MR. PETERSON: Yeah.

MR. KOGELNIK: The only hope and betterment might be the alternate route; we add a new line coming from the high service pump station.

MR. PETERSON: Yeah.

MR. KOGELNIK: So, like I said, it comes down to modeling, it comes down to approvals, it comes down to environmental due diligence and the

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

easements. There's a lot. I remember that 14 listed items. There's a lot of items for due diligence to make this a confident, viable project.

MR. SULLIVAN: But we can't do anything until Ernie or whoever, you, we get a joint meeting.

MR. KOGELNIK: Yeah. The joint meeting with MVSD is going to be the really --

MR. SULLIVAN: The key.

MR. KOGELNIK: The next important step. I won't say it's the only important step, but it's a big one.

MR. PETERSON: Okay. Thank you, Chris. Do you have anything else on your report?

MR. KOGELNIK: Not for the future 24-inch water line. But is the Village advertising RFQ?

MR. PETERSON: We're getting the paperwork together to advertise currently, yes.

MR. KOGELNIK: Okay. Okay. All right. Well, that's the best that we can collectively do. I don't have anything else on the subject.

MR. PETERSON: Okay. Any questions for --

MR. KOGELNIK: Am I on my report now?

MR. PETERSON: Yeah, you're on your report.

MR. KOGELNIK: I sent -- Chris, I gave you the close-out documents for the air release valve. And so, Darren, if you could sign the certificate of substantial completion, I signed, project is complete; these are just the standard close-out documents for a construction contract. The only thing that is not attached to that is the record drawings from Kirila. There were a couple small changes on the job. I guess I am done, so --

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

### 3. Utility Committee Report

MR. PETERSON: Utility Committee Report.

MR. BOWEN: The only thing I have is basically to reiterate that meeting for tomorrow. It's just a meet-and-greet and kind of plant the seed for the direction that we would like to go so that when the BPA and further negotiations go on with that it's not the first time he's heard of this, and it allows him to do a little homework of his own before we all get together, so -- that's all it is.

MR. PETERSON: Awesome. Any questions for Ernie? Seeing none --

### 4. Clerk's Report

MR. PETERSON: Clerk's Report.

MS. SLUSARCZYK: The only question I have is about the September 2 meeting, if the Board looked at their schedules to see if we would still be having that meeting. I'm supposed to be on vacation that week. And I spoke to you about it at the last meeting.

MR. PETERSON: She brought it up at the last meeting.

MS. SLUSARCZYK: The Council meeting will automatically move to September 2 as well.

MR. CZECK: We could probably eliminate that and just have the regular on the third week. And if we have to, we can add one.

MR. PETERSON: We can always have a special meeting if we need to. Are you okay with that?

**MR. CZECK: I make a motion we remove the September 2 meeting.**

**MR. SULLIVAN: Second.**

**MR. PETERSON: All in favor?**

**(All respond aye.)**

**MR. PETERSON: Opposed?**

**(No response.)**

**MR. PETERSON: Motion passed.** Enjoy your vacation.

MS. SLUSARCZYK: Thank you. I'm going to try. The other thing I have is as we approach fall, we are aware that there's a Warren water rate increase that will go into effect. And I don't know if you would like to have a work session, go over your rates and review those. It's not something that has to happen today, but January 1 is January 1. We all know it takes

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

at least 90 days to implement the rates.

MR. PETERSON: We probably should.

MR. CZECK: Do we have their new number yet?

MS. SLUSARCZYK: We do.

MR. PETERSON: We probably should have a work session on it then.  
How are everybody's calendars working?

MR. SULLIVAN: There goes our freebie. The 8th.

MS. SLUSARCZYK: We could do as part of your September meeting.  
But that is also right after the fall festival, so I don't know how engaged you would be, you know, as a lot of you are involved in that, if that would be a good time or not. But any day. Again, it takes time to look at this, and I believe it needs to be reviewed. But with all the considerations --

MR. CZECK: Well, let's attach it to the meeting on the 16th.  
It's not going to take that long.

MR. PETERSON: No, it shouldn't take that long. We can just do part -- she's saying it's going to take that long.

MS. SLUSARCZYK: We could start there.

MR. PETERSON: Yeah. I mean, if you guys want to meet at 2:00 and do a work session before that meeting on the 16th to discuss that, I'm fine with that if you guys want to do that.

MR. SULLIVAN: Do you think we need to do that?

MS. SLUSARCZYK: I truthfully think one meeting is enough. Just do it part of the meeting. If you don't feel that --

MR. PETERSON: That's enough time then.

MS. SLUSARCZYK: You may have to think about some items and just open the door up and see what is before you at the meeting and go from there.

MR. PETERSON: Okay. We'll just add it to the agenda for the 16th's meeting.

MS. SLUSARCZYK: That is all I have for you. Do you have any questions for me?

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

**5. Superintendent's Report**

MR. PETERSON: Superintendent's Report.

MR. BIGGS: Just one more thing to add. We got two applicants here to interview with you guys. I asked them to be here at 5:00. Whenever you're ready I can go up and see if they're there and we can move forward with that.

MR. SULLIVAN: Did you talk to Council about that vacation money?

MR. PETERSON: They mentioned it. They have to have a Finance meeting. Next Finance meeting is next Monday. They canceled the last 1. Okay. Is that all you had?

MR. BIGGS: That was it.

MR. PETERSON: Okay. Any questions for Darren?

**MEMBER COMMENTS:**

MR. PETERSON: Member Comments. Okay. So do we want to make a motion to go into executive session for the interviews.

**MR. SULLIVAN: I'll make a motion to go into executive session for interviews.**

**MR. CZECK: Second.**

**MR. PETERSON: Including -- you have to invite people.**

**MR. SULLIVAN: Oh, including the Board and Darren.**

**MR. PETERSON: And the applicant.**

**MR. SULLIVAN: And the applicant.**

**MR. PETERSON: Stanley, you second?**

**MR. CZECK: Second.**

MR. PETERSON: Roll call please.

MS. SLUSARCZYK: Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Czeck.

MR. CZECK: Yes.

MS. SLUSARCZYK: Sullivan.

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

MR. SULLIVAN: Yes.

**MR. PETERSON: Executive session at 4:51 p.m.**

MR. SULLIVAN: And there will be no business afterwards. Oh, we'll hire somebody afterward.

MR. PETERSON: So there will be business.

**(The Board enters into executive session at 4:51 p.m.)**

MR. PETERSON: All right. I'll make a motion we come out of executive session.

MR. SULLIVAN: Second.

MR. PETERSON: Second. Roll call please.

MS. SLUSARCZYK: Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Czeck.

MR. CZECK: Yes.

MS. SLUSARCZYK: Sullivan.

Mr. Sullivan: Yes.

**(The Board ends executive session at 5:28 p.m.)**

MR. PETERSON: I'd like to make a motion we hire Robert Dillon to one of our open full-time positions, contingent on Council approval and the background check and everything else that's involved in pre-employment.

MR. CZECK: I'll second.

MR. PETERSON: Second. All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. Congratulations. And I'd also like to make a motion that we promote, I guess, would be the proper word, Jacob Gearhart from the summer help to the permanent part-time position.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

**ADJOURNMENT:**

MR. PETERSON: Okay. If there's nothing else to come before the Board I'll make a motion we adjourn.

MR. SULLIVAN: So moved.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

**(Meeting adjourns at 5:30 p.m.)**

Village of Lordstown Board of Trustees of Public Affairs

August 19

25

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 25th day of August, 2025.

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

Submitted by:

Approved by:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President

August 19

25

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