

February 20,

24

RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
February 20, 2024
4:00 p.m. to 4:45 p.m.

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

ALSO PRESENT: Mr. Terry Campbell, Utilities Committee
Mr. Robert Bond, Village Council
Ms. Jackie Woodward, Mayor
Mr. Tom Cowie, Imperial Communities
Mr. Mark McGrail

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 20th of February, 2024.

MR. PETERSON: I'd like to call the Board 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.
(No response.)
MS. SLUSARCZYK: Darren Biggs.
MR. BIGGS: Here.
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.
MR. KOGELNIK: Present.
MS. SLUSARCZYK: Mat Ries.
ATTY. RIES: Present.

APPROVAL AND CORRECTION OF MINUTES:

MR. PETERSON: Approval and Correction of the Minutes. I guess the first minutes are from **December 6, 2023**. I'll make a motion be accept the minutes.

MS. SLUSARCZYK: Excuse me, before you make that motion. In the minutes the participant in the meeting was Mark McGrail, and it was recorded as Mr. McGrath for publication. So, I corrected it to Mark McGrail. I just want you to --

MR. PETERSON: Do you need a motion for that or just notated in the minutes.

MS. SLUSARCZYK: Yeah.

Village of Lordstown Board of Trustees of Public Affairs

February 20,

24

MR. PETERSON: I'll make a motion for the change.

MR. SULLIVAN: I'll second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: I guess I make a motion we excuse Stanley Czeck.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passes. Sorry about that. Motion to accept the minutes as written for January 16, 2024. I'll make that motion.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Motion passed. And the minutes for January 29, 2024 special meeting.

MR. SULLIVAN: I'll make a motion to accept those minutes.

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

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

CORRESPONDENCE:

MR. PETERSON: Correspondence, Cindy.

MS. SLUSARCZYK: We do have one correspondence, and it is from our previous Board member Kevin Campbell. He sent us an image I can share with you. I think I forwarded this e-mail to you already. But it just -- we may have covered this previously, but I didn't cross it off my list so -- his e-mail states "As a homeowner I'm extremely thankful for the water monitoring on the cell meters. I was notified via e-mail from the system I had a leak detected. I logged into the system and found this graph. It showed when the leak started and how much - 1.5 gallons per minute. I found the leak in an outside line that was buried in the ground. Unfortunately, nothing was showing where the leak was outside, but was able to turn off that section of the line. Once the valve was turned off, the water meter no longer showed a running state forward and incrementing usage. This leak could have continued for an entire billing cycle before I received the huge water/sewer bill. This water meter that is monitored via cell service is awesome. I highly support these water meters". And that again was from Kevin Campbell.

MR. PETERSON: Awesome. Any other correspondence?

MS. SLUSARCZYK: No.

PUBLIC COMMENTS:

MR. PETERSON: Seeing none, Public Comments.

(No response.)

NEW BUSINESS:

1. A Resolution amending and restating Resolution No. 2023-2 creating temporary, seasonal, part-time summer positions within the Water and Sewer Department of the Village of Lordstown for the 2024 season

February 20,

24

MR. PETERSON: Okay. Seeing none, New Business. First item -- do you want to read them, Cindy, or do you want me --

MS. SLUSARCZYK: Sure. The first item is a Resolution amending and restating Resolution No. 2023-2 creating temporary, seasonal, part-time summer positions within the Water and Sewer Department of the Village of Lordstown for the 2024 season.

MR. PETERSON: Okay. Any comments? Seeing none, I'll make a motion for the Resolution.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: This becomes Resolution 2024-3.

2. A Resolution recommending that the Council of the Village of Lordstown approve Change Order No. 1 (final) in the amount of \$10,475.90 for All Ways Construction with the State Route 45 corridor improvements final site work restoration phase 3 project.

MS. SLUSARCZYK: Number 2 -- I am sorry, this becomes Resolution 2024-3.

MR. PETERSON: Thank you.

MS. SLUSARCZYK: Second item under New Business is a resolution that -- recommending that the Council of Lordstown approve Change Order No. 1 (final) in the amount of \$10,475.90 for All Ways Construction with the State Route 45 corridor improvements final site work restoration Phase 3 project.

MR. SULLIVAN: I make a motion to accept.

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

(All respond aye.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: This becomes Resolution 2024-4.

3. A Resolution recommending that the Council of the Village of Lordstown approve Change Order No. 2 (final) in the amount of \$6,264.00 for All Ways Construction, LLC in connection with the State Route 45 corridor improvements final site work restoration Phase 3 project

MS. SLUSARCZYK: Third item under New Business is a resolution recommending that the Council of the Village of Lordstown approve Change Order No. 2 (final) in the amount of \$6,264.00 for All Ways Construction, LLC in connection with the State Route 45 corridor improvements final site work restoration Phase 3 project.

MR. PETERSON: I'll make a motion to accept that.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: This becomes Resolution 2024-5.

4. A Resolution recommending that Village Council authorize the Village of Lordstown to enter into an engineering agreement for the performance of engineering services with CT Consultants, Inc.

MS. SLUSARCZYK: Number 4 under New Business is a resolution recommending that the Village Council authorize the Village of Lordstown to enter into an engineering agreement for the performance

February 20,

24

of engineering services with CT Consultants, Inc. This is the monthly retainer.

MR. PETERSON: It's the monthly retainer, yeah. I'll make a motion -- go ahead.

MR. SULLIVAN: Make a motion to accept.

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

(All respond aye.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: This becomes Resolution 2024-6.

5. CT Work Authorization for Aerial Photography and Photogrammetry Services for Future 24-inch Waterline to Lordstown from Niles

MR. PETERSON: Number 5.

MS. SLUSARCZYK: Number 5 under New Business is a work authorization from CT Consultants for aerial photography and photogrammetry service for the future 24-inch water line to -- the water line to Lordstown from Niles.

MR. SULLIVAN: Do we have a figure on that?

MR. KOGELNIK: Yeah. I think it was 51.

MR. PETERSON: Fifty-one is what you said.

MR. KOGELNIK: Initially I had told the Board that the full scope of that would be \$50,000 for a geo-spatial and then another \$50,000 for the ground survey. But at this time you're not in a position to move forward with the project, but we're in a position to at least do the aerial photogrammetry. This would give you digital photographs and imagery and digital data in a timeline before the tree foliage is being established.

MR. PETERSON: Okay. I'll make a motion to accept that work authorization.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

6. CT Work Authorization for Pritchard Ohltown Road Water Booster Station Replacement Easement

MR. PETERSON: Item number 6, CT work authorization for Pritchard Ohltown water booster station replacement easement. We're going to go ahead --

MR. KOGELNIK: I think you should table that.

MR. PETERSON: Table that, yeah. Do you need a motion to table it?

MS. SLUSARCZYK: I believe so. Right? No?

ATTY. RIES: No, you don't have to do -- I mean, if you want to table it, yeah, you could make a motion if you want to.

MR. SULLIVAN: Make a motion to table it.

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

(All respond aye.)

MR. PETERSON: Motion passed.

7. Request to Connect from Kacie Householder, 2262 Hewitt Gifford Road, Warren Township

MR. PETERSON: Item number 7, request to connect from Kacie Householder, 2262 Hewitt Gifford Road, Warren Township.

MR. SULLIVAN: Make a motion to accept.

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

February 20,

24

(All respond aye.)

MR. PETERSON: Motion passed.

8. Request to Connect from John H. Lutz, 4602 Hewitt Gifford Road, Warren Township

MR. PETERSON: Item number 8, request to connect from John H. Lutz, 4602 Hewitt Gifford Road, Warren Township. **I'll make a motion.**

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

9. iamGIS Service Agreement

MR. PETERSON: Item number 9, the iamGIS service agreement. Darren, do you want to say anything on that or --

MR. BIGGS: It's just a yearly one, but we're only going to do six months in hopes that when we switch over the GIS that it will be done within the six months. That's the one that we have right now, and instead we ran a six month on it. I asked them if they could give us that price instead of a year, so we'll still need to keep that until the other one comes online.

MR. PETERSON: Chris, is six months doable?

MR. KOGELNIK: Yes. I've checked with our geo-spatial group, and they told us no longer than six months.

MR. PETERSON: Okay. **I will make a motion to accept that agreement.**

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

10. Tank Maintenance

MR. PETERSON: Item number 10, tank maintenance. Darren, do you want to take that one too?

MR. BIGGS: I'm not real sure why that's on there, Chris. Is that just with the -- putting the new one? Do we have anything for the new one yet? I don't have everything with me for the --

MR. PETERSON: I think the question was, if I'm not mistaken, if we needed any tank maintenance agreement on the new tank, correct?

MS. SLUSARCZYK: Yes, you asked for that to be placed on the agenda, taking one off then --.

MR. BIGGS: But we don't have anything yet, Cindy.

MS. SLUSARCZYK: Yes, correct.

MR. BIGGS: That is to cover anything that the maintenance won't cover for the new tank. We took the 500,000-gallon tank off and put the 3 million on. Whatever -- it won't be everything obviously, paint in the next couple years or anything like that, none of that will be needed. He was gonna come up with a price, so he was working on this is what USG is working on, what they can offer above our maintenance and what is not gonna be needed for a while. And I have not received anything yet.

MR. PETERSON: Okay. We'll just keep it on there under Old Business for the next meeting. Will you have something by the next meeting probably?

February 20,

24

MR. BIGGS: Probably.

MR. PETERSON: Probably. Okay. Any other New Business?

OLD BUSINESS:

1. Trumbull Energy Center - Sanitary Sewer

MR. PETERSON: Seeing none, Old Business. Trumbull Energy Center sanitary sewer.

MR. KOGELNIK: No official word yet. I'm still waiting on the developer to get back to us to state what his -- his follow-up is to our requirement to connect to the east side sanitary sewer. He was supposed to get back to you last month. Since then I've sent him a couple phone calls and texts asking if he could provide a status for today. I didn't get any response.

MR. PETERSON: Okay. All right.

2. Project Funding

MR. PETERSON: Item number 2, project funding.

MR. KOGELNIK: We met, Mike and I and Darren, at Ultium with Chris Petro. Chris, as I understand it, is in charge of a good amount of the work at that facility. And we told them what we would like from Ultium for a letter of support for the 24-inch water line project. He was gonna work with his superior, which I think is Mr. Tom Gallagher; and we're expecting a letter of support from them. And I think Mike and Darren met with Foxconn as well.

MR. SULLIVAN: We went to Foxconn, and there will be a letter coming.

MR. KOGELNIK: Yep. And I'll remind both entities that we need that. As I told Darren and Mike, those letters of support can be given to the funding agencies that we submitted the applications to after the due date. A couple of them said that they would accept letters of support even after --

MR. PETERSON: Even after the due date?

MR. KOGELNIK: Yeah.

MR. PETERSON: Okay. All right. Anything else on that?

MR. KOGELNIK: We also have not yet received any official word regarding O.D.O.D. We're supposed to get that any day now. It's the Ohio Department of Development.

MR. SULLIVAN: That's on the 24-inch?

MR. KOGELNIK: Correct. So we'll let you know when we get something.

MR. PETERSON: Okay.

3. Proposed Hallock Young Road Water Line Improvements

MR. PETERSON: Item number 3, proposed Hallock Young Road water line improvements.

MR. KOGELNIK: The project's design is done. We're working on just some QAQC, which is coordination with a couple utilities in the area. Generally speaking, that project is ready to go to construction. So provided the funding comes through, then we may be able to do that. This is the project that I think the Village Board of Public Affairs was thinking to utilize some borrowed funding from Council or something like that. You would have to speak to that.

MR. PETERSON: Yeah. Yep. This is -- Bob, do you know when your next finance meeting is?

MR. BOND: It should be generally Monday before the Council meeting.

February 20,

24

MR. PETERSON: Monday before the Council meeting?

MR. BOND: At 3:00 p.m. I can look on the calendar.

MS. SLUSARCZYK: A week before the Council meeting.

MAYOR WOODWARD: It should be on Monday. The clerk just sent a notice out that it's the 26th at 3:00 p.m.

MS. SLUSARCZYK: Correct.

MR. PETERSON: I won't be here.

MR. BOND: Did you say the 26th?

MAYOR WOODWARD: Yeah.

MR. PETERSON: Can you go? I'll get you the stuff and -- okay. Thank you very much, Mike.

4. Salt Springs Road Booster Station Relocation

MR. PETERSON: Okay. Item number 4, Salt Springs Road booster station relocation.

MR. KOGELNIK: This project is the one that has the easement issue for the booster pump station, as well as the easement issue for the existing water line. I did have a phone call with Mr. Jerry Henn, the property owner of that particular parcel, expressed what the Board of Public Affairs wants to do in terms of an improvement and the easement that we would need. He's not in a position right now to give a decision. I documented that, e-mailed it to the relevant people at the Village. And so, I'm recommending that the Village talk it over with the Solicitor and determine what your options are going forward. We -- right now our design, in terms of the amount we've spent on the project, is at 91 percent. It won't be hard for us to finish this project off right now because it's -- you know, it's fresh on our desk. What we would need to do, if there weren't any easement issues we would need to re-establish those easements with the property owner, record them, then we would have to do the wetlands mitigation for the site, finish off the design, get the Ohio E.P.A. permit for the new booster station, and then we would have to get authorized to go to bid phase if the Village should receive funding. So, there's a lot of ifs in between now and, you know, this project going to construction. So, the first thing is you have to get the easements. And if you get the funding for the project -- this project was one of those that you requested ARPA dollars for from the County Commissioners -- then you're gonna have to have the legal right to spend that money on an easement that the Village has secured, not on private property.

MR. PETERSON: Yeah. Okay.

MR. KOGELNIK: So, time is of the essence to get this resolved. Hopefully the property owner will cooperate, and we can get on with it. That's where we're at with the project.

ATTY. RIES: I can reach out to the potential buyers' attorney because we've been in communication with them as recently as last week -- well, a week-and-a-half, I think it was February 7. So, there may be some miscommunications going on. So, I'll reach out to the attorney on the other side of that and see where they stand.

MR. KOGELNIK: Okay.

MR. PETERSON: Okay, thank you.

5. Imperial Sewer Agreement

MR. PETERSON: Item number 5, Imperial sewer agreement. I believe we wanted to set a meeting between the Board and you guys next month because I know Stanley was out-of-town. Is that something we can set now? I would prefer to if we can, Tom, to --

Village of Lordstown Board of Trustees of Public Affairs

February 20,

24

MR. COWIE: Yeah, we can set it now.

MR. PETERSON: I talked to Stanley last night and he is open next month. It's just on yours and my schedule and when you are schedule would be --

MR. COWIE: We're pretty wide open.

MR. PETERSON: Cindy, is there any bad days for you?

MS. SLUSARCZYK: I'll be out-of-town the 6th to the 13th.

MR. PETERSON: Would the 14th be okay or -- I know you're just coming back, so is that a hectic day?

MS. SLUSARCZYK: During the workday is fine. I have a 4:15 doctor's appointment.

MR. PETERSON: I can make during the workday work. Can you make --

MR. COWIE: Yeah.

MR. PETERSON: Do you want to set it for like 1:00?

MR. SULLIVAN: What day of the week is this?

MS. SLUSARCZYK: Is this a meeting, a formal meeting, or is it --

MR. PETERSON: I guess we're all meeting so yes, it would be --

MR. SULLIVAN: What day of the week is the 14th?

(At this time, there is a discussion off the record with the court reporter about her availability.)

MR. PETERSON: 2:00 is fine.

ATTY. RIES: What day?

MR. PETERSON: On the 14th.

ATTY. RIES: Am I needed for that?

MR. PETERSON: I don't believe so.

ATTY. RIES: If you need me, we'll make other arrangements.

MR. PETERSON: We'll just sit down and talk to them. No decision will be made until the official meeting.

MS. SLUSARCZYK: That is an official meeting, right?

MR. PETERSON: Well, we're all meeting. It has to be an official meeting; correct, Matt?

ATTY. RIES: Yes.

MR. PETERSON: And I will call Stanley and let him know.

MR. COWIE: 2:00 on the 14th.

MR. PETERSON: 2:00 on the 14th. Does that work for you?

MR. COWIE: Yeah. I will make that work.

MR. PETERSON: Awesome.

6. Utility Department Building

MR. PETERSON: Item number 6, Utility Department building. Darren, I would assume that's just on here so we don't forget it but no changes, correct?

MR. BIGGS: Correct.

7. I&I

MR. PETERSON: Item number 7, I&I.

MR. KOGELNIK: No action yet.

MR. PETERSON: Yeah, okay.

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

MR. PETERSON: And item number 8, the valve replacement

February 20,

24

along the 24-inch water transmission line. I know you were looking into that a little bit.

ATTY. RIES: I looked over the master agreement for funding for this. No, the -- LEC's position is that that requirement sunset five years after the effective date which would have been in 2021. I don't necessarily agree with that provision. The problem I'm having is the last time I'm finding any correspondence on this is 2022. It's just been a sleeping dog since then.

MR. PETERSON: As far as I know --

MS. SLUSARCZYK: Kevin Campbell was the one who talked with LEC, and Paul just said that ship has sailed. And it's just like we -- everything had like a pause there because of Covid, you know, and it's -- except for us, you know. So, there was -- he went back to them, and I don't have any communications from LEC in regards to that.

MR. PETERSON: I don't have anything.

MS. SLUSARCZYK: It was just Kevin independently.

MR. SULLIVAN: Kevin did --

MR. PETERSON: I know Kevin reported at the meetings that he did.

ATTY. RIES: I have the letters from Kevin to LEC. And LEC actually left -- they responded to Kevin, they put the ball kind of in our court; we think it sunset under the agreement, and since we're a year later after the termination of the five years from the effective date we don't have to do anything. But they did leave the door open and say if you think there's a way, if you have a different interpretation, if there's a way we can resolve this let us know. My proposal would be that I reach back out to them and resume those conversations.

MR. PETERSON: I'm perfectly fine with that.

MR. SULLIVAN: Yeah, I am too.

ATTY. RIES: Who should I keep in the loop on this?

MR. PETERSON: I guess it would be me. Are you okay with that, Mike? Any other Old Business?

PUBLIC COMMENTS:

MR. PETERSON: Seeing none, Public Comments. Any additional public comments?

(No response.)

REPORTS:

1. Solicitor's Report

MR. PETERSON: Seeing none, Reports. Solicitor's Report.

ATTY. RIES: No report, other than I do have the original water utility easements for Lipkey Road. Do you want those?

MS. SLUSARCZYK: I do.

ATTY. RIES: That's all I got.

MR. PETERSON: Any questions for Matt?

2. Engineer's Report

MR. PETERSON: Seeing none, Engineer's Report.

MR. KOGELNIK: I have a very brief report tonight. I don't have one that's written. But I did review the drawings that Annissa Neider, the architect for the Antonine Sisters, sent over in regards to the subject of record drawings for the Lipkey Road water line. So, she's very close to getting these into the record condition. They need to be submitted to the Village. Right now, though she needs to do some

Village of Lordstown Board of Trustees of Public Affairs

February 20,

24

edits, and another engineer is working on that. So that's that item. I expect that she's gonna take no longer than maybe a week other two weeks. I was hoping to actually have it by this meeting, but it just hasn't happened. I met with Darren last week, and we went over some Ohio E.P.A. comments and suggestions that they had for the app. There's two items, number 13 and number 14 on that list, that we're helping Darren with. We're not charging for that. I already gave an update on the Pritchard Ohltown booster station. Another thing that CT will be working with Darren on is proposing some sort of a plan to address the chlorine residual issue at the Ellsworth Bailey Road water tank. In the summertime the chlorine residual just drops out. So, I don't believe that there's gonna be a whole lot of work that we're gonna do on the front end of that; but if there's some sort of a model or a design that is required, we'll let you know. So right now, there wouldn't be an invoice from CT on that. The one thing from the Village as a hole, BPA and Council, that I still don't have an answer for regarding the Warren water line crossing is how to cross Salt Springs Road. We need to get that -- this is probably what the TEC developer is waiting on.

MR. PETERSON: Waiting on a decision.

MR. KOGELNIK: I mean, their water line drawings I've reviewed them, they are very close to being, you know, done. We have -- they haven't obviously submitted for the Ohio E.P.A. water permit. But you've got my comments on them, and I'm recommending that that water line across Salt Springs Road be open cut. And I would get a schedule from TEC's developer on how they plan to actually build that so that you're confident with taking that road out of service temporarily. Or maybe you don't like that plan and you want to go with bore and jack, I don't know.

MR. SULLIVAN: Why would you go on the open cut?

MR. KOGELNIK: Because of the condition of the soils that we saw in the soil boring reports. So, I had our geotech engineers review that with me, and that's the opinion we're giving.

MR. PETERSON: So, you're worried about future problems with the condition --

MR. SULLIVAN: When you say a bore cut --

MR. KOGELNIK: There's actually some negative things that could happen if you were to bore and jack that, we think, because of the soil conditions.

MR. SULLIVAN: Like a sink hole?

MR. KOGELNIK: Yeah, something like that. So that's that opinion. But somebody needs to move this along and make that decision so that we can get the developer their answer and move this along.

MR. PETERSON: I think, Bob, are you on the Street Committee.

MR. BOND: Beg your pardon?

MR. PETERSON: Are you on the Street Committee?

MR. BOND: I think so. We haven't had a meeting yet.

MR. PETERSON: Do you guys have a meeting scheduled.

MR. BOND: Not that I'm aware of anyhow.

MR. KOGELNIK: Wasn't Terry the within on the Utilities?

MR. BOND: Terry's Utilities.

MAYOR WOODWARD: Roads is Liming, Campbell and Sheely.

MR. PETERSON: Okay. I guess since you're the only one here, is there a chance you guys could set a meeting time? I guess I can talk to Lamar tonight and see if he's okay with that.

February 20,

24

MR. CAMPBELL: You could, yeah.

MR. PETERSON: I'll try to coordinate with you because you should probably be at that meeting to explain.

MR. KOGELNIK: Yeah, I definitely can be. So that gets back to the developer's offer to the Village about the valve replacements on the existing 24-inch water line. I've shared the costs that we had estimated with them. He was offering to pay for those valve replacements. Again, he hasn't called me, I haven't received a call.

MR. PETERSON: Okay.

MR. KOGELNIK: You may need to call him, Chris. And I think I owe you his phone number.

MR. PETERSON: You sent me his phone number. Okay.

MR. KOGELNIK: That is all I have. Does the Board have anything any questions for me?

MR. PETERSON: I don't. Do you, Mike?

MR. SULLIVAN: No.

MR. PETERSON: Okay.

MR. SULLIVAN: Appreciate you going over to --

MR. KOGELNIK: Yeah. I think that, you know, having those discussions with the large industries and getting those letters of support really means something, especially when, you know, Ultium was suggesting that they were gonna have 1,100 employees and we learned at the meeting there are 2,000 and going upward.

MR. SULLIVAN: And growing, yeah.

MR. KOGELNIK: So -- and I'm right now writing that e-mail to Mr. Sirianni at M&M asking for a letter of support from them. Oh, just -- I would encourage you to keep it going with that.

MR. PETERSON: All right.

3. Utility Committee Report

MR. PETERSON: Utility Committee report.

MR. CAMPBELL: The only thing I have is a meeting at 5:30 tonight to okay number 7 and 8 on your agenda, which is already on Council for approval tonight.

MR. PETERSON: Awesome. Cool. All right. Any questions?

4. Clerk's Report

MR. PETERSON: Seeing none, Clerk's report.

MS. SLUSARCZYK: I have two things that were given to me from Becky in regards to account issues. In December we had a fire hydrant that was struck by a car, and the resulting damages was \$17,745. The original amount was \$16,000, so there's a penalty on that I should say. She said she didn't have any money, she needed to get a payment arrangement set up, and then now she doesn't answer or take Becky's calls. And that's been since December, the end of December. So, she's avoiding us at this point in time. With it being such a large amount for the damages, I would like to see if we can get Matt -- to get Matt involved to --

ATTY. RIES: Was that claim -- do we know if she has insurance or not?

MS. SLUSARCZYK: She does not have car insurance according to the police report.

ATTY. RIES: Did we submit an insurance claim for that loss?

MS. SLUSARCZYK: No. Not yet.

Village of Lordstown Board of Trustees of Public Affairs

February 20,

24

ATTY. RIES: All right.

MR. SULLIVAN: Would we be covered on account of underinsured motorists?

ATTY. RIES: There's probably some provision in there I would think that would cover it if she doesn't have insurance. I mean, we could -- I could send her a letter, we could sue her; but she's not collectable though.

MR. PETERSON: Yeah.

MR. SULLIVAN: We would be better off pursuing --

MR. PETERSON: Our insurance.

MR. SULLIVAN: -- our insurance and let them go after her.

ATTY. RIES: Was there a police report?

MS. SLUSARCZYK: Yes.

ATTY. RIES: And that determined she didn't have insurance according to the report? I'll get the report from Chief Milhoan and we'll go from there.

MS. SLUSARCZYK: I have it upstairs.

ATTY. RIES: E-mail it to me and we'll figure out the next steps for that.

MR. PETERSON: Awesome, thank you. Anything else, Cindy?

MS. SLUSARCZYK: I do. The other one is last year in July Mahoning County Sanitary Engineer's office requested meter readings, which we charge for, for the sanitary sewer readings where they had requested readings as their accounts were off. So, they were prepared and sent to them. There was a bill prepared for \$72, and they won't pay it. -- they have not paid it. So, it's a charge that they've always paid before for the current billings, but the one for the bulk chunk of readings that they asked for to correct their billing -- and they -- you know, they did send a letter saying oh, I made a mistake and billed them for something. And it's like no, that was a legitimate charge. And the charge is on our rate sheet, it always has been. So, I don't know how you want to pursue that. But Becky -- this was from last July. They just told me, you know, about two weeks ago that this is still --

ATTY. RIES: How much is it?

MS. SLUSARCZYK: It's \$79.20.

ATTY. RIES: Do you want me to just send them a letter?

MR. PETERSON: Yeah. I would just say send them a letter.

ATTY. RIES: Can you send me the information?

MS. SLUSARCZYK: Absolutely.

MR. SULLIVAN: It wouldn't be worth --

MR. PETERSON: Maybe if he sends them a letter it would. But they've always paid in the past?

MS. SLUSARCZYK: The charge is typically posted on their bill and they pay that. It's not a problem. But this is different, if you take this July date, it's been on going and many billing periods have passed since they made payment to us and they ignore that one.

MR. PETERSON: They're just not paying that.

MS. SLUSARCZYK: I'm not handling that. This is the new billing clerk has been handling it, but it's more than six months.

MR. PETERSON: Yeah, before it gets too long. If you don't mind sending them a letter, Matt.

MS. SLUSARCZYK: That's all I have unless you have any questions for me.

MR. PETERSON: I do not have any questions. Mike, do you have questions for Cindy?

February 20,

24

MS. SLUSARCZYK: There is a draft that is out there, and I don't know -- it's in my file here. It's a Memorandum of Cooperation with the Village, CT and MVSD. So, I have an old draft but don't know the status --

MR. PETERSON: You have the old draft.

MS. SLUSARCZYK: But that's really more to do with the MVSD meeting I think.

MR. PETERSON: Under Member Comments I was gonna ask to set that date. Okay.

5. Superintendent's Report

MR. PETERSON: Seeing none, Superintendent's Report.

MR. BIGGS: I believe I only got one thing to add. The sanitary survey is going on for me from the E.P.A. So busy month. And we'll report later on how that goes.

MR. PETERSON: Okay. Any questions for Darren?

MEMBER COMMENTS:

MR. PETERSON: Seeing none, Member Comments. Mike, have you got anything?

MR. SULLIVAN: No.

MR. PETERSON: The only thing I had was to figure out a date for that MVSD meeting between the Utility Committee, us and MVSD. So I believe we have to coordinate that a little bit with MVSD. Chris, do you know any times that they might be available, or do we just set a date and -- give them like two or three dates and see which one they pick would be the best bet?

MR. KOGELNIK: Yeah.

MR. PETERSON: Terry, do you want me to just send the e-mail out, suggest some dates, and see if everybody is available.

MR. CAMPBELL: Yeah, that would be fine.

MR. PETERSON: Cindy, you said you were gone from --

MS. SLUSARCZYK: The 6th through the 13th.

MR. PETERSON: I'll try to make that one towards the later part of March.

MS. SLUSARCZYK: You're gonna send an e-mail out then to coordinate that?

MR. PETERSON: Do you want to?

MS. SLUSARCZYK: I'm clarifying who's responsible.

MR. PETERSON: If you would like to do that, I'm fine with that.

MS. SLUSARCZYK: Okay. So, you want the Utility Committee, CT, the BPA --

MR. PETERSON: Yes.

MS. SLUSARCZYK: -- and MVSD?

MR. PETERSON: Yes. And I will be out of town March 22 through the 26. Other than that I'm available.

MR. KOGELNIK: Matt, do you have any questions about the Memorandum of Cooperation, or do you need to be at the meeting?

ATTY. RIES: Well, the Memorandum of Cooperation needs to be finalized first.

MR. KOGELNIK: Right.

ATTY. RIES: Paul made some changes to it in April of last year a couple weeks before he passed. It has to be approved on our side. It hasn't even been sent to MVSD's attorney yet. So, the red line changes are based on Paul's recommendation, and they need to be

Village of Lordstown Board of Trustees of Public Affairs

February 20,

24

approved by the Village and sent over to get that finalized. Because the agreement was never signed.

MR. PETERSON: So, do we need to just -- we need to pass it first and say this is what we've come up with, or send it to their attorney and see if they have any changes?

ATTY. RIES: Not pass it. Just tell me you guys are good with it and I will send it to their attorney. This is an organic working draft. They may not agree to it.

MR. PETERSON: We want to make sure we -- they agree to it.

ATTY. RIES: I'm happy to be at the meeting, but my concern is we have an agreement ready for signature before the meeting.

MR. PETERSON: Cindy, can you send that back out Tuesday? I'm sure I have it in my e-mail, and we can just put it on the agenda since we're meeting on the 14th anyways. Or you can just put it on the next meeting's agenda.

MS. SLUSARCZYK: I truthfully think this is between -- I'm not excluding you by no means, but it's between the Council, the Mayor signs it, and --

MR. PETERSON: Do we even have to pass anything on it, Matt?

MS. SLUSARCZYK: Do you want to -- that's the original and Paul's revision of 2023.

ATTY. RIES: Is this the one I sent out recently?

MS. SLUSARCZYK: Yes.

ATTY. RIES: Okay: Yeah, I mean, it's set up for the Mayor and Clerk to sign, passed by Council. But I've included you though, I believe, on the recent e-mails about it too. So yeah, this would be something -- because outside of -- it's going outside of Village jurisdiction, it would need to be approved by Council.

MS. SLUSARCZYK: That's why I don't want to get into the situation we were in.

MR. PETERSON: So, I guess that would be the Utility Committee and Council, correct?

ATTY. RIES: Yes. But first it needs to be -- I need to have a draft that everyone says they're okay with if it's approved to send back to the MVSD attorney, because we don't know if this -- they will agree to those changes. Once we get that done it will be voted on.

MR. PETERSON: Can you send it out to Council and I'll read it. I remember reading it once.

ATTY. RIES: Yeah, the changes just --

MR. PETERSON: I don't know if he changed anything after I read it.

ATTY. RIES: There were a bunch of changes, and Paul made some changes dealing with how the conflict of interest is stated basically in there. So, yeah. So once -- I guess if Utilities is good with it -- I mean, I e-mailed it to everyone who needs to review it. So, if everyone's good with it, I'll send it over to their attorney to get a final product.

MS. SLUSARCZYK: Did you -- were you able to read it and --

MR. CAMPBELL: Me? No, I don't think I've seen it.

MS. SLUSARCZYK: Okay.

ATTY. RIES: I sent it out on February 8 at 3:30. So if anyone didn't get it --

MR. CAMPBELL: Is that of last year?

ATTY. RIES: No, no, no, just a week-and-a-half ago.

February 2024.

MR. PETERSON: Yeah, it looks like it was sent to Bob, Terry, and me and you.

MR. CAMPBELL: I'll look in my file in the back here.

ATTY. RIES: If someone just gives me a thumbs up, I'll send it over to their attorney and say these are our proposed changes.

MR. PETERSON: Any other Member Comments?

QUARTERLY APPROVAL OF BILLING ADJUSTMENTS:

MR. PETERSON: Seeing none, quarterly approval of billing adjustments. Last month we didn't do January's, correct?

MS. SLUSARCZYK: No.

MR. PETERSON: So we need to approve them.

MS. SLUSARCZYK: Yes, that is correct.

MR. PETERSON: Did you get a chance to --

MR. SULLIVAN: Yeah.

MR. PETERSON: Motion to approve?

MR. SULLIVAN: Motion to accept.

MR. PETERSON: Second. All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

ADJOURNMENT:

MR. PETERSON: And if there's nothing else, motion to adjourn?

MR. SULLIVAN: So moved.

MR. PETERSON: Second. All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

(Meeting ends at 4:45 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 26th day of February, 2024.

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

Village of Lordstown Board of Trustees of Public Affairs

February 20,

24

Submitted:

Approved By:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President