

May 16,

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**RECORD OF PROCEEDINGS**  
**MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS**  
**1455 Salt Springs Road, Lordstown, Ohio**  
**May 16, 2023**  
**4:00 p.m. to 5:00 p.m.**

**IN ATTENDANCE:** Mr. Christopher Peterson, President  
Mr. Kevin Campbell, Vice-President  
Mr. Michael Sullivan, Board Member  
Ms. Cinthia Slusarczyk, Clerk

**ALSO PRESENT:** Mr. Robert Bond, Utilities Committee  
Ms. Kellie Bordner, Planning & Zoning  
Mr. Howard Sheely, Village Council  
Mr. Tom Cowie, 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 May 2023.

MR. PETERSON: I'd like to call this regular meeting of the Board of Public Affairs 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: Roll call please  
MS. SLUSARCZYK: Christopher Peterson  
MR. PETERSON: Here  
MS. SLUSARCZYK: Kevin Campbell  
MR. CAMPBELL: Here  
MS. SLUSARCZYK: Michael Sullivan  
MR. SULLIVAN: Here  
MS. SLUSARCZYK: Darren Biggs  
(No response)  
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik  
(No response)  
MS. SLUSARCZYK: Matt Ries  
ATTY. RIES: Present  
MR. PETERSON: I'd like to entertain a motion to excuse Darren. He did call me; he's not feeling well today.  
MR. SULLIVAN: I'll second it.  
MR. CAMPBELL: Yes, second.  
MR. PETERSON: All in favor?  
(All respond aye.)  
MR. PETERSON: All opposed?  
(No response.)  
MR. PETERSON: Motion passed. I'd take a motion to excuse Chris Kogelnik.  
MR. SULLIVAN: I'll make a motion.  
MR. PETERSON: Second.  
MR. CAMPBELL: I'll second it.

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APPROVAL AND CORRECTION OF MINUTES:

MR. PETERSON: Approval and Correction of Minutes. It looks like we have a couple minutes to approve. **First one, did everybody get a chance to review the January 25 2:00 meeting? Motion to approve.**

MR. CAMPBELL: So moved.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: All opposed?

(No response.)

MR. PETERSON: Motion passed. March 30.

MR. SULLIVAN: Motion to approve.

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

(All respond aye.)

MR. PETERSON: Motion passed. April 13 joint meeting with Utility Committee. I'll make a motion we approve that.

MR. CAMPBELL: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: All opposed.

(No response.)

MR. PETERSON: Motion passed. And the April 18 meeting.

MR. CAMPBELL: Motion to approve.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: All opposed.

(No response.)

MR. PETERSON: Motion passed.

CORRESPONDENCE:

MR. PETERSON: Do we have any correspondence?

MS. SLUSARCZYK: No, The Engineer's report he submitted was forwarded to all the Board members. Other than that, no.

MR. PETERSON: Okay. Do you guys want to review the Engineer's report now under Correspondence?

MR. CAMPBELL: I already read through it.

MR. PETERSON: I read through it, and I really didn't have any questions either so.

MR. CAMPBELL: It was nice of him to do that.

PUBLIC COMMENTS:

MR. PETERSON: Seeing none, Public Comments.

MS. BORDNER: Kellie Bordner, Planning and Zoning Administrator. I have had -- I have had a couple inquiries in my office about TEC and obtaining water and just TEC and other questions about where they're at in general. So yesterday I put together a little synopsis and passed that along to Miss Slusarczyk, and I assume that she may have passed it along to you all. That being said, I still wanted to offer you that recap on the record here so that we had some, you know, actual --

MR. SULLIVAN: Paper trail.

MS. BORDNER: Right. So one of the first things that TEC needed to do in their process of becoming a business here in the Village of Lordstown was to replat the parcels so that there was only

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one Parcel ID and that the structures that they have proposed were not crossing property lines. Prior to offering a replat that is exactly what was occurring, they had some structures that were crossing a property line which was -- actually one of those parcels was in an industrial plat, one was not. One was an industrial I-1 zone property; one was not, it was zoned R-1. So they did, in fact, provide their replat simultaneously with providing a petition for zone change on that parcel that I just suggested to you all was R-1 because they would all need to be under an industrial use, and I cannot issue a zoning permit for a structure that has an industrial use on a residentially-zoned property. That facility is not a public utility, and the only exception to me issuing the zoning permit under that type of rule is that a structure is owned by the Village of Lordstown because we're exempt from our own rules, or it would be a public utility. The replat and petition for zone change will come before Planning Commission. Those were successful on March 13, and it now has gone -- the replat has now gone to the County. That was not delivered to the County, however, until a month later. I have no understanding of exactly why that is other than I was advised by Jen Knight who's in the Trumbull County Tax Map department that they had to provide a deed and it took quite some time for them to get that deed provided to -- signed and provided to Trumbull County. The replat is now there. I spoke to Jen Knight yesterday. She indicated that it would take perhaps another month before the replat could be reviewed, and if everything was done well then, they would be able to approve it. If not, then they would have to kick it back to the TEC team and they would have to make whatever revisions are necessary to come into compliance with Trumbull County's rules. That is because they have two things in front of it, and the County is very backed-up in doing their approvals. As to the petition for zone change, that is currently before Council. Last night at Council meeting we had our second reading of that legislation, and June 5 would be the third reading. I would like to tell you all that I know what's gonna happen with that. I don't. I would tell you that I would throw the dice right now as to whether or not that's gonna get approved by Council or not. If it does not, it goes back to Planning Commission and we start this whole thing all over again. That would have been -- the second step would have been the petition for zone change. I would have also accepted simultaneously reviewing and running a site plan review before Planning Commission. However, that has not been the case because despite the Village's many efforts since 2017, and I do have e-mail chains to prove that, they have not been very forthcoming in providing documentation or working towards getting these things accomplished such as the replat, the zone change, petition for or site plan review approval. That has to go before Planning Commission. We have certain forms and details that we require under Lordstown Codified Ordinance 1115, and we haven't received them all. We certainly haven't received them in final form. We have had one pre-application meeting with some minor draft documentation is what I would call it, and we've asked for much more. TEC is of the opinion that they don't have to submit anything at all in any way, shape, or form to this Village because they are governed solely by the Ohio Power Siting Board and that that governs everything that they do and that we here in the Village had zero input whatsoever relative to this development. Both Chief Eastham and I have called down to the Ohio Power Siting Board, and we have spoken with a couple of different people who have assured us that it was never the intention of the OPSB to usurp Village

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rules or to completely eradicate our local codified ordinances. But we clearly stand on two sides of the fence with regards to that issue. So at a minimum I can offer you that TEC has been dragging its feet, and I do not have any final documentation to go for site plan review as we stand here. At a minimum it would be in July that they would be looking to come if they were to provide the final documentation to the Planning and Zoning office by June 20. I don't know whether they will. And until that happens, I cannot issue a zoning permit because a zoning permit requires that they have gone through site plan review, that they have been successful, and that their development has been approved. It requires that the property is appropriately zoned for the use in which that they are going to propose to be using it on that particular parcel or parcels, and none of that has occurred so I cannot issue a zoning permit. One has not been issued. When I issue a zoning permit, I give an address. That's when we establish the Village addresses. So, because I have not issued one, there is no address. And typically with regards to water and sewer hookups and signing up as a customer here in the Village, the normal course of doing business in this Village has always been, during the tenure of my job, that I issue the address, I let Cindy know that I have issued that address, and then that particular entity or resident goes up and sees Cindy and then asks to sign up as a water or sewer customer. That has not occurred. So I don't honestly see how we can provide them with water or sewer or anything that they're looking for through the Village Utility Department without an address, which I can't issue until they do what they need to do. Bottom line.

MR. PETERSON: Okay.

MR. SULLIVAN: But I assume we're talking about where they're down there working now. They cleared all that and I see they brought big cauldrons in.

MS. SLUSARCZYK: We don't have to assume that because we don't know.

MS. BORDNER: So, let me be very clear, Mike. I did not give them any authority to move forward.

MR. SULLIVAN: What -- you say they are just going ahead without authority?

MS. BORDNER: It would appear so. However, we have no regulations that regulate the clearing of land. They may do that. And we have no regulations that -- for driveways. And given that it's still an R-1 parcel, they can put gravel all over the place all they want. So, you're kind of caught in between a rock and a hard place. Do I believe that they have gone beyond that in their activity, which I think is a good word for what they're doing, my personal opinion is yes. And I have made Village Council aware of that and the Village Solicitor because I would believe that I would need some help in making a decision whether or not that we're going to issue a stop work order on a major --

MR. SULLIVAN: I didn't quite understand. What has to go in front of Council yet?

MS. BORDNER: So, Council is currently making a decision on the petition for zone change. That's currently before Council. And Planning Commission would have to make the decision on a site plan review. So there's still things that require the governing bodies to make decisions before the business can come into my office and ask for a zoning permit.

MR. SULLIVAN: Thank you.

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MS. BORDNER: You're welcome.

MR. PETERSON: Any more questions? Okay. Any other public

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MR. SULLIVAN: Yeah. Bob, is that gonna pass Council?

MR. BOND: Well, all I can say is I remember when TJX decided to put a cul-de-sac in instead of putting Hallock Road through. It had been approved by Planning, it got turned down by Council. It went back to Planning, they modified it to be a through road, and it went through Council that time. As far as whether or not this will go through Council, I can't speak for it.

MR. PETERSON: Okay. Any other questions?

MR. SULLIVAN: No.

MR. PETERSON: Okay. Any other public comments?

MR. COWIE: I'm Tom Cowie, Imperial Communities. I don't know if you wanted to talk about setting a date. We had spoke at the last meeting about getting something set up to look back. If that's something if you guys even got any information on it yet because really if you haven't looked at anything yet I don't know how we can set a meeting.

MR. PETERSON: Cindy, did you get a chance to look at anything?

MS. SLUSARCZYK: No.

MR. COWIE: I know Ron's gonna be out of town. I mean, it wouldn't be until next month sometime if you guys, you know, had an opportunity at some point to do that. But I just wanted to come and see if just keep that on the agenda.

MR. PETERSON: Yeah, we're keeping it on the agenda.

MR. COWIE: That can't been kicked a long time.

MR. PETERSON: Do you guys want to wait until next month?

MR. CAMPBELL: We have some stuff to look at too. Cindy's got stuff on her plate so --

MR. PETERSON: Yeah. Okay. Is that okay with you, we'll leave it on the agenda and set a meeting next month? If that works for you, that should give Cindy time to -- does that work for you, Cindy?

MS. SLUSARCZYK: Yes.

MR. PETERSON: Okay. Any other public comments? Seeing none --

**NEW BUSINESS:**

**1. A Resolution recommending that the Council of the Village of Lordstown approve Change Order No. 1 in the amount of \$108,432.30 for Engineered Fluid, Inc., dba EFI-Solutions of Centralia, Illinois, in connection with the State Route 45 corridor improvements water booster pump station project.**

MR. PETERSON: New Business, Item 1, a Resolution recommending that the Council of the Village of Lordstown approve Change Order No. 1 in the amount of \$108,432.30 for Engineered Fluid, Inc., dba EFI-Solutions of Centralia, Illinois in connection with State Route 45 corridor improvements water booster pump station project. Did you ever get a chance to look that over?

MR. CAMPBELL: Uh-huh.

MR. PETERSON: Motion to approve the Resolution?

**MR. CAMPBELL: I'll make a motion to approve.**

**MR. SULLIVAN: Second.**

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

**(All respond aye.)**

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MR. PETERSON: All opposed?

(No response.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: This becomes Resolution 2023-6.

MR. CAMPBELL: Do you have one we can sign?

MS. SLUSARCZYK: Yes.

MR. PETERSON: Okay. Any other new business? Seeing none

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**OLD BUSINESS:**

**1. Antonine Village Phase 2 Expansion Water Line**

MR. PETERSON: Old business. Item 1, Antonine Village Phase 2 Expansion Water Line. Have you heard anything?

ATTY. RIES: No. A couple Village representatives have been reaching out to Mahoning County. My understanding there's been no contact, and I've heard nothing from the attorney.

MR. BOND: Excuse me. I talked to the Water Superintendent. They have no records, he says, of it, but they were being approved by them. But that's all I know.

ATTY. RIES: Cindy was able to locate an agreement between the Village and Mahoning County for the water main itself but not for the line that's at issue. And so as of right now until ownership is established, you know, the balls in the Antonine Sisters' court. And I'm guessing the fact that they're not here means they don't have any more information than when they left off the last meeting. But I have heard nothing from him since our last meeting.

MR. PETERSON: Yeah. You know, myself and Councilman Bond have tried to reach out to Mahoning County, and I did talk to one of the Commissioners at one point; and he said he was gonna set a meeting and let us know, but I haven't heard anything. Bob, I don't think you have either.

MR. BOND: Chris Kogelnik contacted me and gave me -- said this gentleman would get a hold of me, which happened. And he said they had no record of it.

ATTY. RIES: So, they don't have a record of it. So, the Antonine Sisters, through their attorney, need to file a petition with the Mahoning County Commissioners to seek approval to put the ball in our court basically since it's not -- it's in their jurisdiction. Not really anything we can do until we have some official action from the Commissioners at this point.

MR. CAMPBELL: And after our last meeting I know we looked at some stuff that Darren had shown us a diagram of. I mean, to me it definitely appears to be a service line is set up which is why we're not finding any document on it. If it's a service line and it -- I think that would be put in a -- that's why there was nothing with it, why can't we just, you know, suggest that it stays that route and then they go ahead and connect on their property as a service line and take the whole thing off our plate and Mahoning County's plate and it's on their plate just to get done.

ATTY. RIES: Just to take the position it's their service line, you're responsible for any repairs?

MR. CAMPBELL: Then they can go ahead and move forward with their project. As we said, everything else is gonna it a long time to get done.

MR. SULLIVAN: They wanted to be in by the end of August.

MR. CAMPBELL: It just seems like it may be an option worth

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them pursuing. It's a service line. As long as it's not in Mahoning County's right-of-way they are not gonna require -- they got property to make a connection up to our point and it's done according to how Darren would be comfortable with it connecting I think would fix a lot of problems.

MR. PETERSON: I think that would fix most of the problems unless there's something I'm missing.

MR. SULLIVAN: Would we be responsible for all the repairs?

MR. CAMPBELL: No, because that's what we're gonna put in there. It's a service line, it's upon you to repair and -- you know.

MS. SLUSARCZYK: But our own rules and regulations say that one parcel cannot supply another parcel.

MR. CAMPBELL: I know. But does it apply to an area outside of Lordstown.

MR. PETERSON: Does it apply to the area outside of Lordstown?

MS. SLUSARCZYK: It is due to our customers on Hewitt Gifford Road when he acquired a parcel and home through Sheriff's sale, and the parcel between or that abuts Hewitt-Gifford was not part of what the customer believed he bought, it had two Parcel IDs on it. When it was all said and done, he ended with the home further away, and we insist that he get a permanent easement and come into compliance.

MR. CAMPBELL: Well, if that's the only hold-up with it at least that's something we can work it to get it moving. I think they own the property, there's just two different parcels.

MR. PETERSON: It's multiple parcels.

MR. CAMPBELL: We can say put together an easement so you're good. I think the most important part is Darren is involved to make sure that whatever is done will last and they don't have issues. Them and us don't want another 10, 15 years go by and that thing starts leaking all over the place.

MR. PETERSON: I would assume they are not getting any feedback from Mahoning County either. If they haven't reached out to you, they're getting kind of the same answer we're getting.

MR. CAMPBELL: Just an idea I had.

MR. SULLIVAN: What do you think, Matt?

ATTY. RIES: Well, the concern is that we've always serviced it for 30 years, so it's sort of an inconsistent -- a little bit of an inconsistent position from an equity standpoint. They're not gonna want to take it because the projected cost is about \$180,000 to replace that line. That's gonna be the big obstacle.

MR. CAMPBELL: Correct.

ATTY. RIES: At this point they're rather going to --

MR. CAMPBELL: Are you gonna wait two years for a line though?

ATTY. RIES: I mean, they need this thing now.

MR. PETERSON: I guess we're trying to present them with the easiest option to --

MR. CAMPBELL: If it's an option that can be worked, I guess it worth talking about rather than just keep saying we don't have nothing, we don't have nothing, Mahoning County isn't doing anything and they're just sitting there with their hand like this looking at us, I need water.

ATTY. RIES: Yes.

MR. CAMPBELL: And I think part of what we landed in was, you know, it's a retirement home, it's a home of elderly, and they're

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out of water and we don't want them to be out of water so we stepped in and helped with the situation. And I think that was more the intent than anything else.

MR. PETERSON: The only thing we've done with the loan that we know of -- and I don't want to misspeak but I asked Darren this -- but we made the repairs in the immediate past.

MS. SLUSARCZYK: Correct.

MR. PETERSON: They've never flushed that hydrant there because that was known as a private hydrant. The only thing they've done in the last year is they've made the repairs.

MS. SLUSARCZYK: Which I was asked should we invoice for those repairs.

MR. SULLIVAN: And there's been quite a few in the last year, hasn't there.

ATTY. RIES: I thought the meter was replaced too.

MS. SLUSARCZYK: The meter was at their expense. They bought and paid for that meter. They ordered it through us because it has to be.

MR. CAMPBELL: They bought it through us, but they paid for it.

MS. SLUSARCZYK: They paid for it, they had it installed. He implied that the Village did it, but we can pull the records. We don't replace any business meters.

MR. PETERSON: And even residential customers, the meters in the house, just because we replace the meter doesn't mean we take ownership of the line.

MS. SLUSARCZYK: Right.

MR. CAMPBELL: So yeah, I was trying to, I guess, provide some insight to that, that it's the part of being that would be we've always serviced it.

MR. PETERSON: No matter what we do on our end, it's two years.

MR. CAMPBELL: And us helping a situation for a customer that has elderly, it was our intent, it was our responsibility, it was our intent to keep that situation in the water.

ATTY. RIES: So, we're one of those no good deed goes unpunished type of things.

MR. CAMPBELL: If it requires us to send a bill that would help achieve that it's not our responsibility, that here is the bill for those repairs. I'm not saying we do that; I'm just saying --

MR. PETERSON: I'm with you.

MR. CAMPBELL: I'm just trying to describe the situation as I see it.

ATTY. RIES: Yeah, we could reach out and propose that. I mean, that's the obvious fallback. It's the financial commitment that's gonna be the problem, you know.

MR. SULLIVAN: And the other way the time is gonna be a problem.

MR. CAMPBELL: They've got a facility built and ready, and it's gonna be two years before you get a line. Yeah.

ATTY. RIES: Well, are we talking about the new line they want instead or the line they want replaced?

MR. CAMPBELL: We're not gonna add onto what's there.

MR. PETERSON: We can't add onto the current line due to the condition of the old line.

MR. SULLIVAN: So, they would have to replace and put the



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Lordstown line on.

MR. PETERSON: From the Shrine. We have ownership records of the line to the Shrine, correct?

MR. CAMPBELL: Yeah, we've got it down like he showed us. And that part's fine, that's working fine, there's no issues with it. It's the part that we're all like there's no record of it, I mean when you show me that looks like a service line to me.

MR. PETERSON: There's even a tap if I remember what Darren told me that runs all the way up to the old line, so they purposely did not tap the line going to the Shrine. So I don't know if back then they knew they didn't -- the Village didn't own it and that's why they did that or --

ATTY. RIES: Okay. I can reach out to their attorney, see --

MR. CAMPBELL: I think it's worth a talk.

MR. PETERSON: Yeah.

MR. CAMPBELL: That's all I had.

MR. PETERSON: Bob, do you have anything to add? It outside the Village, it's Utility Committee.

MR. BOND: That sounds like pretty much what you discussed.

## **2. GIS Proposal**

MR. PETERSON: Item number 2, GIS proposal. I think Chris is still working with Darren on that.

## **3. Trumbull Energy Center Sanitary Sewer**

MR. PETERSON: Item 3, Trumbull Energy Center Sanitary Sewer. That was addressed in Chris' report. I think he's still working with them on that also.

MR. CAMPBELL: Kellie's update helps. We appreciate that.

## **4. Project Funding**

MR. PETERSON: Item number 4, project funding. I know Chris had said in his report he had requested --

MS. SLUSARCZYK: The project was just he was updating us on the status of all the applications and projects in regard to the Hallock Young Road water line and the Salt Springs Road 24-inch, all the different funding opportunities and keeping things on track there.

MR. PETERSON: Yeah, I think he had asked a question, if he had anything else to prioritize, I thought I saw in here.

MS. SLUSARCZYK: He did.

MR. PETERSON: That's what I was looking for.

MS. SLUSARCZYK: But that was, I believe, part of the capital improvement plan, not necessarily funding.

MR. PETERSON: Yeah, okay.

MR. SULLIVAN: That's the one that went to Joyce.

MS. SLUSARCZYK: Correct. In regards to that, the Mayor was in today and said that a reporter from the Tribune had reached out to him and had learned that through Dave Joyce's office that our Salt Springs Road 24-inch water line has high priority in regards to funding. So hopefully --

MR. PETERSON: Hopefully, yeah.

MR. SULLIVAN: I thought the \$500,00 that CT was talking about was gonna be for Hallock Young.

MR. PETERSON: That's Hallock Young, yes.

MS. SLUSARCZYK: That's correct. And that is based -- the

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project will not take off until 2025 instead of 2024.

MR. SULLIVAN: And what do we think we can get for the 24-inch line?

MS. SLUSARCZYK: The application that was submitted to Dave Joyce's office was for \$14.2 million. They had asked us --

MR. SULLIVAN: We're looking at what, \$24 million?

MS. SLUSARCZYK: No.

MR. PETERSON: That was the entire price of the project, just the line, not the tank or anything like that. Just the line, correct? Okay.

MR. SULLIVAN: So we think we can get the whole --

MR. PETERSON: We're hoping.

MR. SULLIVAN: -- enchilada.

MS. SLUSARCZYK: They had asked us to reduce it to \$5 million, but they put it through at \$14.2 million. So right now, cross your fingers and say your prayers.

MR. SULLIVAN: And that would be for 24?

MS. SLUSARCZYK: The 24-inch water line.

MR. SULLIVAN: No, I mean the year.

MR. PETERSON: No, it would probably be '25.

MR. CAMPBELL: Or six. They got to do engineering, there's all kinds of stuff.

MS. SLUSARCZYK: You would get notice of award I think end of this year.

MR. PETERSON: Yeah, end of this year.

#### **5. Proposed Hallock Young Water Line Improvements**

MR. PETERSON: Item number 5, Proposed Hallock Young Water Line Improvements. Chris did address that in his report also.

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

MR. PETERSON: Item 6, Salt Springs Road Booster Station Relocation. Again, Chris addressed it.

#### **7. City of Niles/Mahoning Valley Sanitary District Water**

MR. PETERSON: Item 7, City of Niles/Mahoning Valley Sanitary District water. Any updates or --

MS. SLUSARCZYK: Yeah. The City of Niles, we currently have two agreements with the City of Niles: one with LEC and one the bulk water for everything else. We know that there was a concern over the meter readings from the bulk meter at MVSD where it was slowing down, and we worked through that which generated them to say hey, we want a meeting. So, through the time we had to have a contractor come in, I believe from Rhode Island to work on that meter. He did the work, got it calibrated and fixed, the whole nine yards. At the same time, had the SCADA verified to see how accurately it measures since we have the meter and the SCADA system, both monitoring the flow that goes through there. So, we were able to use the SCADA reading to present back to Niles, after the fact, meter readings to say that this could be assumed the meter readings for January, February, and March. We did that and April's bill has been corrected but we're still waiting on January, February, and March's. But with the meter slowing the flows weren't aligning, it created questions because the master meter was less than LEC used, so what do we bill it at, what's the rate, and then they wanted to have that meeting. They haven't requested a meeting since we submitted this to them at the beginning of the month, which I

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really thought they would as soon as they got the information we would meet. But Becky sent them a letter because our new agreement that they say allows them to fluctuate the rate every month. MVSD is not producing 24 million gallons of water as I told you from their meeting and it's a lot higher, it like \$2.28 instead of \$2.10 MVSD rate. So that 18 cents increase is being passed on to us for all water. Well we have an agreement, that agreement. They excluded LEC by their choice. LEC water still needs to be billed at MVSD rate plus 10 percent so -- which we can argue they've always over-billed us for. Niles is a good partner. We're just kind of waiting for them to have a chance to take it, analyze it, and get back to us. But there's going to be a meeting that has to be had. And when they schedule that, you, Bob, myself and I think there was a fourth person that was to go.

MR. BOND: Was it Chris?

MS. SLUSARCZYK: Yes. I think it was Chris, you're correct. So we're waiting. There definitely needs to be talk. And in the same breath, Warren's billing is just as loopy as Niles' billing right now. We'll get it figured out, but there's a lot of people involved and --

MR. PETERSON: So they're kind of probably looking at the information.

MS. SLUSARCZYK: Yes, they just got it. I don't know what, I've heard nothing. So until I do I have nothing more to report except I'm sure they're gonna be reaching out to us.

MR. PETERSON: Yeah. Okay. Any questions for Cindy?

MR. CAMPBELL: No. Thanks, Cindy.

#### **8. Imperial Sewer Agreement**

MR. PETERSON: Number 8, Imperial Sewer Agreement. I think we kind of discussed that, we're gonna set a meeting next month.

#### **9. Rate Study for Water**

MR. PETERSON: Item number 9, Rate Study for Water. I know Chris did address that. It's still being worked on. Cindy, you're still working with him and finalizing everything?

MS. SLUSARCZYK: Well, no. Remember I talked to you, I wanted to meet with you and review those. Until decisions are made how much to put in for the 24-inch line, how much to put in for the Hallock Young Road, until these funding projects come I can't project. I mean, I'm not a mind reader, so you either got to give me a figure to plug in there or --

MR. PETERSON: I'll try to sit down with you next week if that works for you.

MS. SLUSARCZYK: Yeah. Like I said, there's a lot of factors and we don't want to cut off our nose to spite our face with a crazy rate. So it really needs to be cautiously reviewed.

#### **10. Ultium**

MR. PETERSON: Okay. Item number 10, Ultium. I think Chris did address that, yeah.

#### **11. Utility Department Building**

MR. PETERSON: Item 11, Utility Department Building. No changes.

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**12. I&I**

MR. PETERSON: Item number 12, I&I.

MR. SULLIVAN: You know on that 12, we were gonna do a study to find out where the I&I was. Determined that the Utility Committee was too busy, so we made a commitment with CT and I'm thinking it was \$36,000. And they go to the main source and then if -- backtrack if it was in housing and do the smoke test or whatever. And now any time you ask Chris, well we're gonna do it but we're too busy. Well, I think if he's too busy we should go find somebody else. I mean, we're talking over a year ago that he said well we'll do it, CT. And wasn't it \$36,000?

MR. PETERSON: I know he put meters in.

MS. SLUSARCZYK: There's two prices. I think one's 25 and maybe another 9 or something like that for the metering. But if you recall they were working on that, and when they went to put the meters in they weren't sure if our meter that we bought for the project was calibrated. So he asked permission to rent --

MR. SULLIVAN: Well, he asked to rent.

MR. PETERSON: Yeah.

MS. SLUSARCZYK: And I got an invoice for that where they actually charged some of the work to the wrong purchase order, and he's having that corrected right now. So they are working on it according to invoicing. And the metering, he said he would get me the bill -- the corrected bills -- for the meter as well. But that all just came from his report on Friday, so I haven't gotten a corrected invoice for me to answer that question either. But they did rent the meters. But as to an analysis of what it showed or didn't show, we don't have that. I just don't think Chris is personally working on it, he's letting others handle it.

MR. PETERSON: Yeah, I think so.

MS. SLUSARCZYK: But today you would have signed the payment papers up there for him, and there was a significant one on there for I&I.

MR. SULLIVAN: And I saw that, and that's part of the reason I brought it up today. We're paying the money and we went with them because we were gonna be able to get it done and --

MS. SLUSARCZYK: The rainy season.

MR. SULLIVAN: And it's been like a year-and-a-half.

MR. PETERSON: I think maybe they only put the meters in four months ago, five months ago. They were waiting a while to get the meters rented if I remember correctly.

MR. SULLIVAN: Well, but he's been saying the same thing that Darren said basically; I got Ultium and I got the water line and I got this and that and --

MR. PETERSON: Yeah, yeah. If they can't move forward with the project we need to figure it out. I'll shoot Chris an e-mail and ask him where we're at exactly. All he put on his report pretty much was no action last month. So I'll try to get you guys an update, and he'll be here I'm sure at our next meeting. Anything else on that?

MR. CAMPBELL: Huh-uh.

**13. Sanitary Sewer Rate Review**

MR. PETERSON: Item number 13, Sanitary Sewer Rate Review. Again, that was in Chris' report.

MS. SLUSARCZYK: I have an update. On June 1 Jay Shutt will come back up again. When we met last time he grabbed some more

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information that he needed. He's gonna bring it up. And I think at that point once we go over it and solidify everything that he has that may be finalized. But that is June 1 at 10:00 a.m.

MR. PETERSON: June 1 at 10:00 a.m.

MR. CAMPBELL: What was that, Mike?

MR. SULLIVAN: The meeting that we were gonna have on the 13th, wasn't that for the water rate review?

MR. PETERSON: 13th of May or 13th of June?

MR. SULLIVAN: This month. Then it was nobody was sure if it was gonna happen but they asked for dates to --

MR. PETERSON: That was for the Antonine Sisters.

MS. SLUSARCZYK: That was Mahoning County. Mahoning County's not responding. That's when I knew that setting a date --

MR. PETERSON: That was on the Antonine Sisters.

MR. CAMPBELL: That was on the Antonine Sisters, yeah.

#### **14. Valve Replacement Along 24-inch Water Transmission Line**

MR. PETERSON: Okay. Item 14, Valve Replacement Along 24-inch Water Transmission Line. I haven't heard anything.

MR. CAMPBELL: We're just keeping that in our pocket until hopefully that project comes to be.

#### **15. SCADA**

MR. PETERSON: And item number 15, SCADA. I did not get any updates from Darren on it. Cindy, do you know if he has done anything?

MS. SLUSARCZYK: I do not know what he has done. Like I said, we had to have that calibrated down here at the meter pit. But the SCADA I believe we're talking about here is for the Ultium project, and I still think that is not in the towers - not done.

MR. PETERSON: So it's gonna be --

MS. SLUSARCZYK: It's a work-in-progress, but I don't think there's any update.

MR. PETERSON: Okay. Any other Old Business? Seeing none --

#### **PUBLIC COMMENTS:**

MR. PETERSON: Any other Public Comments? Okay.

#### **REPORTS:**

##### **1. Solicitor's Report**

MR. PETERSON: Reports. Solicitor's Report.

ATTY. RIES: I have no report.

##### **2. Engineer's Report**

MR. PETERSON: Engineer's Report is in the packets.

##### **3. Utility Committee Report**

MR. PETERSON: Utility Committee Report.

MR. BOND: No real report. Hopefully we'll be able to get a hold of Mahoning County at some point. We'll see how that other works out. No, I have no report.

##### **4. Clerk's Report**

MR. PETERSON: Okay. Clerk's Report.

MS. SLUSARCZYK: My first thing that I have is in regards

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to Mahoning County. I don't want to beat a dead horse into the ground here, but they allowed a sanitary sewer connection with a residential home on North Lipkey Road. They permitted and ordered them to connect to the force main. That is not permitted by the Village. When that was installed, the residents on North Lipkey were to connect to a gravity line that flowed down to the pump station at the Antonine Sisters and it was pumped back via force main. This was agreed to, and no one was to connect to that force main, that eliminated our risk of I&I and having that meter down there instead of the Village limit. So now they connected one, that we know of. But we only know of two connections to that system when there's other homes. So, my question is did they connect the other homes to the force main. They haven't reported anything like they were supposed to, they haven't told us that this person's even connected to the sewer system, and they don't take our calls. So, we have a home now that is pumping into our force main and we have no ability to charge. So, what's gonna happen, who's going to enforce that this gets corrected.

MR. SULLIVAN: Well, at some point we're gonna have to shut it off.

MR. PETERSON: You're not gonna shut a sewer off, there's no way to.

MR. SULLIVAN: I mean the water.

MS. SLUSARCZYK: But the homeowner did as he was ordered.

MR. PETERSON: That's not fair to the homeowner.

MR. SULLIVAN: I understand that. But at some point if that homeowner then would go put the pressure on Mahoning County --

MS. SLUSARCZYK: Right. But when he came and made application and I said there was no rush, it was forced through because he wanted to get into his home. And it was like listen, once we connect him to the water we have no grounds to -- we don't bill his sewer, Mahoning County does. This is a complication from these mixed agreements and mixed utilities. It's broke and it needs fixed. Now it's our problem.

MR. PETERSON: Yeah. It's on my list -- it's on both of our lists to discuss with Mahoning County when we have a meeting.

MS. SLUSARCZYK: I think --

MR. PETERSON: But I guess other side is can you bill that off the water meter for now for the time being?

MS. SLUSARCZYK: Well, we have a contract that says Mahoning County does the billing. Can I bill off of it?

ATTY. RIES: Not if the billing is to be done through them contractually.

MS. SLUSARCZYK: So, no.

MR. BOND: If Mahoning County does the billing on it they're required to report to you, aren't they?

MS. SLUSARCZYK: Report to me what?

MR. BOND: How much they billed so we're reimbursed.

MR. PETERSON: How are you billing for it?

MS. SLUSARCZYK: I bill Mahoning County off the meter at the Shrine. They don't report to me, they give me a check.

MR. BOND: Then how do we get paid for those other sewers?

MS. SLUSARCZYK: As they flow south to the pump station it flows through the pump station and gets pumped back north through the force main. They didn't connect them to the gravity line that flows south, they connected them to the force main that circumvents the whole metering process. So, were not billing it.

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MR. PETERSON: Bob, I think you and me just need to go to a Commissioner's meeting. I don't know what else to do.

MS. SLUSARCZYK: Send them a letter and request their attendance at your meeting. Your two bodies are here and they're not in compliance with the contract. The contract -- you know, they know what they were supposed to do and they're not doing it. They've never notified us of the connections.

MR. PETERSON: Bob, are you in agreement with that?

MR. BOND: If they want to come up here and discuss it that would be good. What is your advice on that?

ATTY. RIES: I need to see the contract first and then I'll be better prepared. But I will certainly be in attendance when they come, but I just need to see a copy of the contract first.

MR. BOND: Absolutely.

MR. SULLIVAN: And you'll go along with them to the Mahoning County Commissioners' meeting.

ATTY. RIES: Sure, wherever you guys need me. If they come here or go to the --

MR. PETERSON: It would be best for them to come here. I think me and Bob could do that saying would you please come to our meeting. Send them a letter and go in person and put it on the record publicly. I don't know what you think about that.

ATTY. RIES: I think it makes sense if you guys go first and invite them to the meeting. If they don't show up to the meeting they need to send a more forceful letter to Mahoning County.

MR. BOND: Just a certain date.

MR. PETERSON: I'll look up and see.

ATTY. RIES: Is there -- in this agreement with the County, is there an arbitration provision?

MS. SLUSARCZYK: I can't promise you what -- I'll send it to you. I looked at it to make sure I reviewed it after we did that. It very clearly states they bill the residence; and the connection fees and permit fees all go to Mahoning County, they are just using our system. But their metering point is at the Shrine or the Antonine Sisters day care at the end of the line. Again, I think it's just a bunch of staffing changes and nobody knows what's in the ground, and then this is just another example.

MR. CAMPBELL: It would be nice to have a report to see who else is connected to.

MS. SLUSARCZYK: Exactly. I really would like to know who is connected to it. If we have it and all those homes are connected, there's some of your I&I.

MR. PETERSON: I'm getting they don't know there's a gravity sewer there.

MS. SLUSARCZYK: Darren verified it on site.

MR. PETERSON: I don't know.

MS. SLUSARCZYK: I know.

MR. PETERSON: Okay.

MS. SLUSARCZYK: Next we had the South Tod sewers. I was able to e-mail Matt the resolution from 84-2010 which said we were giving it over to Trumbull County but Trumbull County did not accept it. We have no record of Trumbull County accepting those sewers. So I want to let you know that I did my part and I got it to Matt, so we're just waiting. I know the Mayor said he was gonna try to find out, but I don't know how you would discover if they did anything or not. But I searched all the Village of Lordstown's records, when you go through

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all of that stuff, all the contracts go back to the original ordinance and it's kept forever. When I go back to the original ordinance and it's just our ordinance, there's no attachment with Trumbull County's passage, their journal entry, nothing like that. So it looks to be incomplete.

MR. PETERSON: Okay. You're working on that too?

ATTY. RIES: I'm looking at it. The question is if they didn't accept it, can we just rescind the order. That's what Chris Kogelnik wants to do as well. I'm looking into that.

MS. SLUSARCZYK: And the reason that Kellie came down tonight is because Gemma, the contractor for Trumbull Energy Center, wants water --

MR. CAMPBELL: Of course.

MS. SLUSARCZYK: -- for the site. And when she said she wants to come in and make application so she can get water, I'm like we're not ready for that, I don't have an address and that's the process. When Kellie gives me an address card that's the indication that everything is good with Planning and Zoning, we proceed forward. This is atypical, it's not something that falls black and white into our rules and regulations, it's not something that falls into our classified ordinances. So my stance is I don't have an address, I don't create a service.

MR. SULLIVAN: So it went through Planning, they approved it. Now it's at Council, correct?

MS. SLUSARCZYK: (Nodding head.) But that's just for the zone change. That's not saying that they're gonna get an address at the end of the Council meeting in two weeks if it passes either.

MR. PETERSON: Yeah, you still have to do site plan and review.

MS. SLUSARCZYK: That may be July.

MR. BOND: It has to go through site plan and review, doesn't it?

MR. PETERSON: Yeah.

MR. SULLIVAN: That's what I was wondering. If Council passed it --

MR. BOND: You'd have to check with Kellie, but I think you'll find the address is issued after the site plan review when the building permit is issued.

MR. PETERSON: That's the way I understood what she was there complaining about it.

MR. BOND: That's what I understood.

MR. SULLIVAN: All I'm thinking, if Council passes it we should do whatever we can to hurry the thing up to give them water.

MS. SLUSARCZYK: Why?

MR. SULLIVAN: Huh?

MS. SLUSARCZYK: Why?

MR. SULLIVAN: Well, because of the substantial investment.

MS. SLUSARCZYK: The \$35 million in the City of Warren or the power plant?

MR. SULLIVAN: The power plant.

MS. SLUSARCZYK: Tell me what you want to do. Do I give them water or I don't give them water?

MR. PETERSON: Personally I would say follow the rules.

MS. SLUSARCZYK: Are we bending the rule for them or staying black and white?

MR. PETERSON: Kevin?



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MR. CAMPBELL: I think we should stick to the -- the further we get away from what we're supposed to do the muddier --

MS. SLUSARCZYK: If one department doesn't support the other --

MR. SULLIVAN: I understand that. What I was saying was once we all agree and everything is done here --

MR. PETERSON: As soon as they issue the address.

MR. SULLIVAN: To wait another two months seems to me --

MR. PETERSON: Correct me if I'm wrong, as soon as she gives you the address --

MS. SLUSARCZYK: I'm good to go.

MR. PETERSON: -- she's good to go. It's not like she's waiting on another meeting for us because you already have that in place.

MS. SLUSARCZYK: The request for water now precedes their address, and do I give them water or do we not?

MR. PETERSON: I would say follow the current rules. Are you guys all in agreement?

MR. CAMPBELL: Yes.

MR. SULLIVAN: I don't have a problem with that. All I was saying is if Council passed it then it would go to her for the address, then we should be able to move.

MR. PETERSON: Correct, yeah. Correct, as soon as you have the address.

MR. SULLIVAN: But what I understood, it would be another month after that.

MS. SLUSARCZYK: It could be two more months.

MR. PETERSON: There's stuff from Zoning they have to do.

MS. SLUSARCZYK: They have to -- nothing's been submitted to the Planning and Zoning office.

MR. BOND: That zoning should have been worked on years ago.

MS. SLUSARCZYK: Correct. Since 2017 so --

MR. SULLIVAN: Okay.

MR. PETERSON: Okay.

MS. SLUSARCZYK: The other thing I had was the meeting with Niles has been offered, but we have not heard back. That's all I have for my report.

MR. PETERSON: Anybody have any questions for Cindy?

MR. CAMPBELL: No. Thanks, Cindy.

**5. Superintendent's Report**

MR. PETERSON: Superintendent's Report. He did not submit a written report. I think he thought he was gonna be here.

MS. SLUSARCZYK: He's sick.

MR. PETERSON: If anybody has some questions he said let him know, he'll get you an answer.

**MEMBER COMMENTS:**

MR. PETERSON: Member Comments.

MR. SULLIVAN: Yeah. I'm gonna be gone the week of the 16th of July which would be the meeting week. I just wondered if we could move the meeting either the week before or the week after.

MR. CAMPBELL: Better look now.

MS. SLUSARCZYK: Truthfully that would be convenient for me. I'm going to Italy, and I won't be back until August 8.

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MR. SULLIVAN: When are you leaving?

MS. SLUSARCZYK: July 21. So when I come back I'm gonna be buried. I'll return to work on August 8.

MR. SULLIVAN: How about the week before?

MR. PETERSON: That's Trumbull County Fair week.

MR. CAMPBELL: That's fair week. There's no way.

MR. SULLIVAN: Okay. Meet without me.

MS. SLUSARCZYK: Well, I think you're considering -- is it August 22 that you're asking to move it to?

MR. PETERSON: He's in July.

MS. SLUSARCZYK: Oh, in July. .

MR. CAMPBELL: July 18 is our regular meeting.

MR. SULLIVAN: And I'm leaving on the 16th and coming back that Friday. Probably too late to meet. So, I'll be gone that whole week.

ATTY. RIES: I'll be out-of-town too that week -- I don't know if that makes a difference -- the 15th to the 22nd. I'll be on vacation.

MR. SULLIVAN: We're not going together.

MR. PETERSON: Do you want to just move it to the following week? The only thing I can't do Tuesday. That's the only downfall.

MS. SLUSARCZYK: I leave July 21. I will not be here that day. So if you want and -- well, Council takes a vacation through the summer months.

MR. PETERSON: I was just thinking that.

MR. CAMPBELL: We're so busy before and after.

MR. PETERSON: I guess we could call a meeting if something comes up.

MR. CAMPBELL: Let's cancel the meeting and we can meet if something happens.

MR. PETERSON: We'll still be in town. I would like to cancel the July meeting.

MR. CAMPBELL: I can't do before and do after, and she's gone and he's gone.

MS. SLUSARCZYK: Feel free to do it without me.

MR. CAMPBELL: That's what Mike said.

MR. PETERSON: Do you need a motion to cancel a meeting?

MS. SLUSARCZYK: It's a regularly scheduled meeting. I think our rules of order would require that.

**MR. PETERSON: I make a motion to cancel the July 18 meeting.**

**MR. SULLIVAN: Second.**

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

**(All respond aye.)**

**MR. PETERSON: All opposed?**

**(No response.)**

**MR. PETERSON: Motion passed.** Any other Member Comments?

MR. CAMPBELL: No.

MR. PETERSON: Seeing none -- the only thing I had, I did notice an e-mail -- Mike, I did try to call you. Did we ever get the letter from Foxconn?

MS. SLUSARCZYK: On letterhead? We got a letter from Foxconn, yes. It has not been presented on letterhead.

MR. PETERSON: He needs that by Thursday, correct?

MS. SLUSARCZYK: Yes. Friday is for sure. They want everything Thursday. And in all honesty, we're waiting for the E.P.A.

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permit to come in as well. They need it to go with that.

MR. PETERSON: Do you still have your contact at Foxconn you guys met with? Can you reach out to him and see if you can get that letter on letterhead?

MR. CAMPBELL: They just sent us a letter.

MS. SLUSARCZYK: Just put it on paper-- it looks just like this.

MR. SULLIVAN: So, you want me to ask him to send --

MR. PETERSON: Yeah, the -- they are what they submitted to us. We just need it on their letterhead, correct?

MS. SLUSARCZYK: Yes and in all honesty, Mike, we need it tomorrow. You have to call them tomorrow.

MR. SULLIVAN: What was his name?

MR. PETERSON: I can't remember his name off the top of my head.

MS. SLUSARCZYK: I have the letter upstairs. I can provide that to you.

MR. SULLIVAN: Okay. I'll do that.

MS. SLUSARCZYK: Do you want to meet me here in the morning?

MR. SULLIVAN: Yeah. I don't think it will be a problem. He seems to be nice to work with.

MR. PETERSON: I'm sure it's just a matter of he's probably busy and didn't see the e-mails. No other Member Comments?

**QUARTERLY APPROVAL OF BILLING ADJUSTMENTS:**

MR. PETERSON: No Quarterly Bill Adjustments this month. Motion to adjourn? Am I missing something?

MS. SLUSARCZYK: The only thing on Chris' report on the Salt Springs Road water booster station, he needs to have easement secured prior to August. You typically -- I'm hoping CT is taking the lead on that just because of the exact reason we canceled the meeting, we're not gonna be in town. But I guess we need to keep our eye on that and make sure that happens.

MR. PETERSON: Yeah. Okay.

**ADJOURNMENT:**

**MR. PETERSON: Motion to adjourn?**

**MR. SULLIVAN: So moved.**

**MR. CAMPBELL: So moved.**

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

**(All respond aye.)**

**(Meeting adjourns at 5:00.)**

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.

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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 16th day of July 2023.

---

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

Submitted:

Approved By:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President