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RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
October 28, 2024
4:30 p.m. to 6:10 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
Atty. Matthew Ries, Solicitor

ALSO PRESENT: Ms. Jackie Woodward, Mayor
Mr. Terry Campbell, Utilities Committee
Ms. Jessica Blank, Utilities Committee
Mr. Robert Bond, Utilities Committee

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 28th of October, 2024.

MR. PETERSON: I'd like to call this regularly -- rescheduled 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:

THE COURT: Roll call please.
MS. SLUSARCZYK: Christopher Peterson.
MR. PETERSON: Here.
MS. SLUSARCZYK: Michael Sullivan.
MR. SULLIVAN: Here.
MS. SLUSARCZYK: Stanley Czeck.
MR. CZECK: Here.
MS. SLUSARCZYK: Darren Biggs.
MR. BIGGS: Here.
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.
(No response.)
MS. SLUSARCZYK: Matt Ries.

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ATTY. RIES: Here.

MR. PETERSON: I'd like to make a motion to excuse Chris Kogelnik. He had another commitment.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

APPROVAL AND CORRECTION OF MINUTES:

July 23, 2024

September 5, 2024

MR. PETERSON: Approval and corrections of the minutes. First one's July 23. Did everybody have a chance to review them?

MR. SULLIVAN: Make a motion to approve the July 23.

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

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. Motion to accept the minutes from September 5. I'll make the motion.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

CORRESPONDENCE:

MR. PETERSON: Any correspondence?

MS. SLUSARCZYK: I do. I have a request for a waiver of late fee from *Brian Shade, 3095 Lyntz Road. "Lordstown Board of Public Affairs. Dear members of the Board of Public Affairs. I hope this letter finds you well. I am writing to formally request the waiver of late fees assessed on my recent water bill. The reason for this request is that I never received the bill in question and, as a result, was unable to make the payment on time. I have been a customer of the Lordstown water for twenty-plus years and have consistently paid my bills on time throughout that period. This isolated incident is the first time I have encountered an issue with a late payment. Given my long history of prompt payments, I kindly ask that you

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consider waiving the late fees as a gesture of good will. I appreciate your understanding and consideration in this matter. Please do not hesitate to contact me if you need any further information. Thank you for your attention to this request. Sincerely, Brian Shade."

MR. PETERSON: Is that a correct statement, he's never been late before as far back as you can look.

MS. SLUSARCZYK: I did look. He has had one or two late payments before over twenty-some years.

MR. PETERSON: Twenty-some years, okay.

MR. SULLIVAN: I say we take care of it.

MR. PETERSON: Make a motion we waive?

MR. SULLIVAN: Make a motion and waive the --

MR. CZECK: Second. I'll second that.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. Okay. Anything else?

MS. SLUSARCZYK: No, sir. That's it.

PUBLIC COMMENTS:

MR. PETERSON: Public Comments. Anybody have any public comments?

MAYOR WOODWARD: I'll comment. You guys love me at these meetings, right? So in regards to the late payments.

MR. PETERSON: Yes.

MAYOR WOODWARD: So is there any way for the BPA to change their rules so that a late payment doesn't occur until after a second notice? Like is there any kind of a grace period for these? It's like as soon as it's due, all of a sudden you get hit with a late fee. There's no grace period. We only get bills every three months so, you know, in my mind I lose track of when my payment is due. So it would be nice if, you know, the first reminder is the original bill. If a payment's not made within a certain period of time a notice -- a second notice is sent and then the late payment or the late fee is assessed thereafter. It would make it really nice for you to consider.

MR. BIGGS: Cindy, when do you assess that on there? Because there's three notices; you get your bill, you get a letter, and you get the door tag.

MAYOR WOODWARD: When is the late fee assessed though?

MS. SLUSARCZYK: If the bill is due on the 4th, which is written

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in the 4th. Unless it's a weekend or a holiday that does not move it doesn't vary except for that condition. The next day on the 5th the late fee is assessed. If you mailed the payment prior to the postmark of the 4th or the due date, those payments are overwrote and accepted as on time. That's the only exception.

MAYOR WOODWARD: So there's no grace period for lateness? And what is the time period between when the bill is sent versus when it's due? Do you have 15 days, 20 days?

MS. SLUSARCZYK: Oh, no. The bylaws say we have to give you 15 days to pay the bills. But if she mails the bills on the 5th or 6th, you get them on the 7th, 8th or 9th, sometimes you have 28 days before the bill's due. And that is where they observe the leniency before. Everything that we give them beyond the 15 day notice, you know, because it's always the 4th. So if I mail them or Becky mails them on the 5th or 6th or 7th, they get them, they have still to the 4th of the next month. It's not -- business accounts are fifteen days later. But remember, your rules apply to business and resident. So --

MAYOR WOODWARD: So if a bill gets lost, because I did just have this happen for Perry Property Management, the bill for that I never received is in the mail. But I know when I received my personal bills that I should be receiving the one for 1715 Lyntz. Did not get it. Checked all the mailboxes. And I had Becky reprint it. So I know that there are instances where we legitimately do not receive the bills in the mail, and then you are none the wiser if -- you know, if you don't get that paper bill in the mail. So I guess, you know --

MS. SLUSARCZYK: Our rules actually state that regardless if you get the bill or not, you know you used it, you know when it's due, it's your responsibility. And I understand exactly what you're saying.

MR. PETERSON: I've done it, I'll be the first to admit.

MS. SLUSARCZYK: I don't think anyone's exempt from it. But the rules state it to that point, that you know you used it, it's due the same time every March 4, June 4, September 4, December 4. And I do -- as people come in, we actually made a hand-out sheet for them that explains their trash and the contact number, their water bills, the due dates, the payment drop box, our phone numbers. So we do try to give them a cheat sheet like here, this will help, you mark your calendar. But that's even -- I asked before like if a customer say once every five years is late can I have permission to waive that person's fee; and the answer was well then, you have to keep track of it. Well it would be on the accounts receivable screen, it's auditable. You know, you can go on there and say look, she did it three times. You know, no. You would see that it was waived. It is something

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that can be done, but they didn't want to just give general permission and they literally said no to waiving. The -- this Board is -- in the last couple years is the only Board that's ever waived late fees.

MAYOR WOODWARD: Well, I know that it had been mentioned here that there is a second notice. Could the Board policy change to the late fee not being assessed until after the second notice to give them some grace, if the bill does legitimately get lost?

MS. SLUSARCZYK: Are you talking the ten percent penalty or the shut-off fee?

MAYOR WOODWARD: The penalty, the late fee that --

MS. SLUSARCZYK: That's broad, because sometimes in a certain cycle you can have 100-some people and then what? And then what day do you assess the late fee, what day do you implement it?

MR. PETERSON: Yeah, we'd have to change the rules and regs completely. You would have to spell that out.

MS. SLUSARCZYK: You give them three days, what if its on a Saturday or Sunday, does it roll to Monday? And you would have to change your bylaws.

MR. SULLIVAN: And truthfully, we don't get very many. And the ones that we get, like she said, she'll go to the computer, if they're habitual we won't waive them. But ones like that that have been a customer for 25 years, obviously there was some kind of mix-up and we'll go ahead and waive them.

MR. PETERSON: Yeah. Personally -- and again, I only have basis of where I work -- we empower the clerk to make that decision. You guys can waive it as long as it's not habitual. So I think it's a five-year cycle.

MS. SLUSARCZYK: If they hadn't had a late payment in five years and you get -- well, take that one, I was in the hospital for -- I believe we should have something in place even if it's just one time, and then the next time it has to come before the Board or something like that. But we have zero.

MR. SULLIVAN: I don't think it's enough of a problem to make a change.

MR. PETERSON: Okay. Do you guys want to leave it the way it is for now?

MR. CZECK: Yeah. Because I don't know what you do, because -- well, I had it happen one time. I never got a bill. Never got one. And they waived it. But you know, been here thirty-some years, never -- I never got the bill. So I don't mark it on my calendar the water bill's due. I get the bill and I pay it.

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MR. SULLIVAN: Like Cindy said probably five, six years ago they wouldn't waive it.

MS. SLUSARCZYK: There was zero.

MR. SULLIVAN: Right.

MR. CZECK: We don't get something every meeting either, it's occasional. I don't see the need to make a change myself.

MR. SULLIVAN: I don't either.

MR. PETERSON: Okay. We'll leave it the way it is for now. Okay. Any other public comments? Have you got anything else?

MAYOR WOODWARD: I do. I was going to ask for an update on the electronic bill and where that was.

MR. PETERSON: I did talk to Clerk Blank, and I am working with who we use at work to see if they can work with their system or not. I sent him the information, I'm just waiting to hear back. So it is moving forward.

MAYOR WOODWARD: Thank you.

MR. PETERSON: Any other public comments?

NEW BUSINESS:

1. Construction Water Request for TEC Site from State Route 45 (Tod Avenue)

MR. PETERSON: Seeing none, New Business. First item and only item is construction water request for TEC site from State Route 45, Tod Avenue. This will be from the Warren water line; right Cindy, is what they're requesting?

MS. SLUSARCZYK: This is the Gemma/TEC request to connect the 16-inch off of 45, not the TEC Warren water line.

MR. SULLIVAN: I don't understand what -- Instead of going the line that they're right --

MR. PETERSON: Currently they're getting construction water -- Darren, correct me if I'm wrong -- that's a 6-inch or 8-inch --

MS. SLUSARCZYK: Four.

MR. BIGGS: Four, I think.

MR. PETERSON: They're getting construction water off the 4-inch. What they're saying, they are gonna need more water than that 4-inch can supply.

MR. BIGGS: Correct.

MR. PETERSON: So they are requesting if they can use construction water off the cross-connection they put in for Warren and they would pay the construction water rate, correct?

MS. SLUSARCZYK: There's no construction water rate. It would be a transient user or outside user rate.

MR. PETERSON: Outside user rate.

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MR. CZECK: I don't have any problem.

ATTY. RIES: Our agreement with TEC for water services is basically it contemplates that that line will only be used for redundancy once they are in production. I know the concern -- and I have e-mailed various individuals my opinion on this. I know the concern is that if they're going to continue to say well, we already have access to that line and once -- use it once they go into production, there's that concern. And so my recommendation was that we do a formal addendum to our agreement that says it can be used for construction water only. Or if Gemma's gonna be the purchaser we don't even have to worry about that because Gemma is a completely different party and they use the outside user rate. It makes it nice and clean, you don't have to worry about TEC trying to shoot Warren once they go into construction.

MR. CZECK: Who's on the water bill now?

MS. SLUSARCZYK: The contractor.

MR. CZECK: Which would be Gemma.

MS. SLUSARCZYK: That's on the outside user agreement or bulk water agreement now. I'll verify that to make sure. But they set that account up two years ago, they've been using that water, and I believe this request is for them to have supply for June or July when they want to actually use the water.

MR. BIGGS: The new one?

MS. SLUSARCZYK: Yes.

MR. BIGGS: I don't remember. They were gonna ramp up. I think they started out at 500 gallons a minute and I think up over 2000, Chris, when we had that --

MR. PETERSON: Yeah, I believe so.

MR. BIGGS: Something that that 4-inch would not be able to handle. Oh, as they started commissioning things and using things they are gonna need a lot more in a quicker time than what we can give them from that 4-inch.

MS. SLUSARCZYK: Would we need to approve that or have that approved by the City of Warren?

ATTY. RIES: Well, yeah probably, because the City of Warren's only contemplating that line being used for redundancy. Yeah. And we're working on an addendum with the City of Warren they haven't signed yet to include some additional terms that Chris Kogelnik brought up last week. So we could include -- we could add those too to make things simple on the other addendum. If we're going with Gemma, my recommendation is that agreement to purchase bulk water form that we use to charge the outside rate, that could just be signed by them. And then it makes very clear that it can't

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be used for production purposes because it's a different customer basically. But the deposit is probably gonna be insufficient because of what they are going to be using, so you would want to think about amending that to include a deposit that would be adequate to protect the Village for the type of volume of water they're gonna be using. Because what is it, \$500 or \$1,000 deposit?

MS. SLUSARCZYK: \$500 minimum, \$1,000 maximum for transient.

ATTY. RIES: So that agreement would want to include an additional provision about a deposit that would be adequate based on what -- however much we think a monetary amount would be.

MR. PETERSON: Do you have any idea, Cindy, what that monetary amount should be?

MS. SLUSARCZYK: No. What was expressed to me -- I haven't had communications with the contractor or with TEC, it was all passed through to me. But if they're requesting a million gallons a day and we bill for 30 days and then present a bill due 15 days later, I would think your deposit should cover at least a day's or a certain period of time. A long time ago when Halcon took bulk water at Brunstetter from the Halcon site they had to post a \$10,000 deposit. The deposit can only be used in the event that they, you know --

MR. PETERSON: Don't pay the bill.

MS. SLUSARCZYK: Uh-huh. So --

MR. SULLIVAN: So then at the end of the construction period they'd get that back, Cindy?

MS. SLUSARCZYK: Absolutely. As long as their bill is paid, yes.

MR. PETERSON: Well, I'm fine with the contractor using -- Darren, do you see any issues or anything?

MR. BIGGS: None.

MR. PETERSON: I don't have a problem with it if it is contractor. If it is TEC down the road using it, then we would have to amend the agreement.

MR. CZECK: But Matt, you would have to check into it.

MR. SULLIVAN: We still have to come up with a number for the deposit.

MR. CZECK: Well, you gotta see if we're okay with Warren using before we go any further.

ATTY. RIES: We have an addendum right now with Warren that's still organic, we're still adding terms to it. So I will see -- include an additional provision in there because of right -- because as of right now they have only approved the line for redundancy. First step, go back to the City of Warren and we can address this with TEC. Their attorney and

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I have been e-mailing each other -- TEC's attorney -- and he's under the impression that the BPA already approved them for construction water.

MR. PETERSON: Which we did on the 4-inch.

ATTY. RIES: Okay. All right. So maybe they are confused.

MR. PETERSON: On our line, but not anything for Warren.

MS. SLUSARCZYK: I had an e-mail from Jewoo

Cho --

ATTY. RIES: About the 16-inch line. He literally said that the BPA approved and they wanted to come in and get a permit for their water usage. And that was just last week. So I forwarded that e-mail to their attorney and I said do you know what Mr. Cho is talking about, we don't have an agreement for CEF-L to connect to the 16-inch for construction water. And he said he's -- that he talked to Steve Remillard and Steve was in contact with the Village and working on and made a request to work off the 16-inch line. It's his understanding that Steve talked to the BPA, who advised they had no issue with use of the 16-inch line and just said basically set up a water account.

MR. PETERSON: Yeah. No, we never said that.

MR. BIGGS: We agreed that that would be a good idea doable, but --

MR. PETERSON: But it still had to go through the BPA.

MR. BIGGS: But you couldn't make that decision.

ATTY. RIES: And I told the attorney when we were working on the addendum for the valve replacement, I said if you guys want to use the 16-inch water line and the BPA and Village approves that and we would have to do that by addendum, and he agreed it would be the process. He understands there needs to be a formal process in place.

MR. PETERSON: I guess step one would be talking to Warren, making sure they are good; and step two would be talking to TEC and make sure it's Gemma using it and not TEC because then you would know which way to go.

ATTY. RIES: Saying he talked to the BPA, not who talked to who specifically. It sounds like there's just bad communication. I'll reach out to Warren. I'll circulate an addendum, that revised addendum; and if we're good we'll reach out to Warren and get it approved and go back to TEC and let them know Gemma can use it through that agreement to purchase bulk water. We're gonna want to tweak it a little bit to include a refundable deposit and an increased amount because it will be an agreement with Gemma once Warren approves it.

MR. PETERSON: Do you need that total today?

ATTY. RIES: Not today. I gotta reach out to Warren. End of

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the week would be good.

MR. CZECK: So if we let them use the 16, who's gonna set the tap and everything for that?

MR. BIGGS: It's already done. Warren already has -- it's Warren's meter that's already set. The tap is already done, it's already ran across the street. So it's no more water away from us, plus we get a premium rate out of it and really --

MR. CZECK: It's a win-win for us.

MR. BIGGS: We bill, correct, and they get their construction water so --

MS. SLUSARCZYK: You said Warren already has a meter on that line?

MR. BIGGS: Uh-huh.

MR. PETERSON: We looked through the agreement. Warren is allowed to have their meter on that line.

MS. SLUSARCZYK: I didn't know that they did because that's gonna start the clock ticking for us with billable services on a meter. We can just see how this plays out.

MR. PETERSON: Yeah, okay. So we need to make a decision on the amount if it's Gemma so we're not holding stuff up for a meeting.

ATTY. RIES: Well, there should be a decision made on -- that's gonna be an amendment to the agreement.

MR. PETERSON: So what is it standardly?

MS. SLUSARCZYK: There is no standard. We only had one other rare occasion, and that was like Halcon back in 2010. If they use a million gallons a day, which is what they expressed, that's \$12,380 a day.

MR. SULLIVAN: So that's what we would want as a deposit?

MS. SLUSARCZYK: I can't speak for you, Mike. That covers just one day of the scenario over a month's time. Now they say a million gallons because they like it alluring to you.

MR. PETERSON: It may not be that much.

MS. SLUSARCZYK: \$371,400 for a 30-day period. So timing, that's something that even the payments like that, the restrictions with the 15-day payment and how we do our business bills now that we bill them and you have 15 days later it has to be here so we can pay the bill, we couldn't afford to --

MR. CZECK: So at your current rate purchase from Warren, what is our actual cost?

MS. SLUSARCZYK: Well, it depends on what you ask.

MR. CZECK: I would say a 30-day deposit so if something happens we're covered.

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MR. SULLIVAN: That seems a little extreme, \$300,000.

MR. PETERSON: Well, it won't be, yeah.

MR. CZECK: I doubt they're going anywhere, and I'm sure they have insurance or they are bonded.

MR. PETERSON: Yeah, I'm sure they are bonded.

MS. SLUSARCZYK: I believe in the contract at the old Warren rate was \$2.71, in the TEC Warren contract.

MR. PETERSON: I believe you're correct.

MS. SLUSARCZYK: Now they had a rate increase. So based on that number it would be \$81,300 to cover the expense of Warren water a million gallons a day. But that increase I think was 15.5 percent. I could be wrong though. I mean, that was part of our meeting with Warren last month is what's the rate.

MR. CZECK: Do you want to pick a number out of the air?

MR. PETERSON: I think --

ATTY. RIES: Pick a number that you're comfortable with. It's refundable.

MR. PETERSON: They're gonna get it back.

MR. CZECK: Well, it should --

MR. SULLIVAN: Go \$85,000.

MR. PETERSON: That's a big deposit.

MS. SLUSARCZYK: But again, they say a minimum but it could be more. I don't know what they could possibly get out of that line in a day's time but --

MR. PETERSON: They could get more than a million. Is that what you guys want to set it at, \$85,000? They can always come back to us and say --

MR. CZECK: We're crazy.

MS. BLANK: Start high, Chris.

MR. PETERSON: You're making a motion?

MR. CZECK: I make a motion that we have a deposit of \$85,000 to do this process.

MR. SULLIVAN: I'll second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. Okay. Matt, you'll keep us up-to-date?

ATTY. RIES: Yes.

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OLD BUSINESS:

1. Niles Bulk Water Agreement

MR. PETERSON: Old Business. Item number 1, Niles Bulk Water Agreement.

ATTY. RIES: No update since we last left off. I mean, they're still charging us under our interpretation of the agreement, right?

MS. SLUSARCZYK: Yes. We're paying under the interpretation of our agreement.

MR. SULLIVAN: And they're billing under something else?

MS. SLUSARCZYK: It varies because one month it might be correct based on what they might be getting from MVSD. But they seem -- the last time I looked at the bill they were billing us less than what they should for LEC. Now LEC uses a ton of water. So when they billed less they are cutting their nose off to spite their own face because contractually they are entitled to that LEC, there's no doubt, I mean, because when you look at our bulk water agreement LEC is exempt for it. So why they are varying prices for LEC makes no difference. When it comes to your question on the water, yes they are. We're paying what we believe is the contracted price is what we're paying.

MR. SULLIVAN: But what are they billing at?

MS. SLUSARCZYK: For our contracted water. Sometimes it was more because MVSD billed them more for the month, and sometimes it could be less if they received the bill before. It varies, their billing, based on the variance of MVSD.

MR. PETERSON: Since this is being drawn out, is there gonna be any issues with the auditor? Just trying to look ahead.

MS. SLUSARCZYK: If we're paying what the contract says --

MR. PETERSON: We should be good.

MS. SLUSARCZYK: -- we should be fine.

MR. PETERSON: Okay.

ATTY. RIES: I sent their law director a letter back in it was spring. And I said this is what the contract says, this is our interpretation, we're gonna continue to pay under the contract the way that it reads and we expect you guys to continue to follow the agreement. I've never heard back from him since.

MR. PETERSON: I'm just seeing what is going on in Girard right now. I don't want to end up there.

MS. SLUSARCZYK: And that's what worries me the most, because if they don't understand -- I don't know who's doing the billing. I knew who the previous one was, I understand she's still there, but a new person has come into the picture. So I don't want a bill for, you know, \$2 million

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down the road.

MR. PETERSON: Yeah, that's what I'm afraid of.

MS. SLUSARCZYK: I can take an in-depth look and like maybe do a spreadsheet of what was billed and what should have been billed and -- but like I said, when they bill us less for LEC we're paying more than what the bill says, we're paying what our contract requires us to pay. And then, you know, I think at one point there might have been a credit on another account, and it's like no. I told Becky don't look at the totals, you calculate based on the rate and pay that way. So I have to check those, and I'll check them once a month when I'm signing that sheet that you sign, you know, to encumber the money.

MR. CZECK: In our contract with Niles it's -- it hasn't expired or anything, correct?

MS. SLUSARCZYK: No.

ATTY. RIES: It ten years.

MR. CZECK: So it's fixed numbers in there, correct?

MS. SLUSARCZYK: I would say yes. Niles would say no.

MR. CZECK: Well, one or the other. It won't be both.

MR. PETERSON: That's per discretion.

MS. SLUSARCZYK: But Matt and I agree with one another that our rate is -- is what Niles states is that the MVSD rate that they purchase water for varies. And in the contract we said that if MVSD raises their overall rate to everybody -- their rate is \$2.119 or like \$2.12, whatever it is a month for a thousand gallons based on water sales of 24 million gallons a month. So if that water sale falls below 24,000 gallons that rate per gallon can increase. If it goes less than, the rate would drop. So they're saying the MVSD rate is this month. Until they go to the court of jurisdiction and change that \$2.12 rate based on 24 million gallons that is our rate. Our contract is based on that fixed rate. And halfway down the road Niles changed -- I mean, we were doing it for two -- for many years, but with this agreement it went into effect I believe end of 2020. And then about a year ago --

MR. PETERSON: They questioned it again.

MS. SLUSARCZYK: They didn't even question, they just started yo-yoing the price. I said whoa, what is going on. We met -- we went into the City of Niles, we met with them. And their law director was part of the negotiations with our previous Solicitor; and he goes no, it varies, and it's like no. I told you if he wanted to have a variable rate then we needed a variant tier, not a fixed rate tier, and they did not want a varying rate tier. Neither did I. So -- and there's -- I mean, Matt, the example that's expressed in the contract reflects the fixed rate at MVSD.

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ATTY. RIES: Yeah, it -- that statutory rate that is set by the courts of jurisdiction, and they use a specific example using that rate. And they said no, we were just picking a random rate for this month. I'm like no, that's the statutory rate that's being used as the example in the agreement. The other thing that doesn't make sense, if they want to change the rate they have to give us 90 days notice. Under their theory they are changing every 30 days it doesn't make sense why would you have a 90 day notice. They are just misinterpreting the agreement.

MR. PETERSON: Do you think we're pretty well protected then?

ATTY. RIES: Yes, yes.

MR. PETERSON: Okay. We'll just keep working on it then.

ATTY. RIES: On top of it, they've kind of sat on their hands, so --

2. Trumbull Energy Center - Warren Waterline

MR. PETERSON: Okay. Trumbull Energy Center Warren Waterline. Anybody have any updates?

ATTY. RIES: Well, you guys know that we did the addendum for the valve replacement and everything. That's been approved.

MR. PETERSON: Yeah.

ATTY. RIES: Okay. All right.

MR. PETERSON: Are you guys both good with that? Okay. I know Chris said --

MS. SLUSARCZYK: He submitted a written report attached to your agenda.

MR. PETERSON: Sorry. Yeah, they reviewed and commented and were going back and forth, and they were going out to bid. I believe yesterday they went out to bid. I believe that's what it says.

MS. SLUSARCZYK: I haven't seen anything.

MR. PETERSON: For the construction they were going out to bid yesterday I believe. Darren, does that sound right? He didn't put it in here, but I remember seeing an e-mail.

MR. BIGGS: I don't remember, Chris. I don't know.

MR. PETERSON: Maybe it was Halloween, but it's going out to bid sometime this week around Thanksgiving if I remember right.

MR. BIGGS: We have had a couple meetings with him. It feels very soon, but they needed a total approval from us to be able to put that out.

ATTY. RIES: The initial bid advertisement is October 31.

MR. PETERSON: Okay. So anything else to add to that?

MR. SULLIVAN: No.

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3. Trumbull Energy Center - Sanitary Sewer

MR. PETERSON: Trumbull Energy Center Sanitary Sewer.

MR. SULLIVAN: Where are we with that?

MR. PETERSON: I have not heard anything. Darren, have you heard anything?

MR. BIGGS: No.

MR. PETERSON: It's not on Chris' report.

MS. SLUSARCZYK: It actually is. There has been no information provided by TEC on their facility's domestic waste water connection to the public sanitary sewers.

MR. PETERSON: I see here. Thank you. Okay. Nothing on that.

4. Project Funding

MR. PETERSON: Project Funding. Anything to add?

MS. SLUSARCZYK: In regards to the project funding though, I do have a question.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Mayor forwarded an e-mail from Ohio WRSLA in regards to December's applications, and she said the BPA would need to do something or there needs to be forward progress. And I don't -- the last thing I seen was her e-mail. I don't think -- they didn't respond and copy me on your e-mail even, so I don't know if anything has been done as far as that.

MR. PETERSON: Did anybody respond? I remember Chris mentioning it and talking to you, but I don't remember --

MAYOR WOODWARD: A lot of things have happened since then. I need to go refresh my memory.

MR. PETERSON: I remember discussing it with Chris. I think it was in the last Utility Committee meeting if memory serves. Does that sound right, Terry? Okay.

MS. SLUSARCZYK: Yeah, on September 24 she shared an e-mail that says she's forwarding the e-mail that she received yesterday from the Ohio E.P.A. If you need to pass a resolution before it goes to Council it seems to be time-sensitive and you may want to get that on your agenda for the next meeting. Council members, I wanted you to review the e-mail blah-blah-blah-blah-blah. So -- but that's the Ohio -- the WRSLA December loans. And if the projects are moving, if the projects are moving -- I mean, I don't know what the Council -- what anyone's agreed to if they have agreed to anything on the payments or --

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MR. PETERSON: Yeah, I remember discussing it with Chris. Mayor, do you remember -- I can't remember exactly what he said or anything. I'll follow-up with him, and if it needs to be on our agenda I'll --

MAYOR WOODWARD: Nothing is standing out to me about a conversation with him about it. I think I just forwarded the e-mail.

MR. PETERSON: I think you got the email like that day or the next day, I mean around the time of the last Utility Committee meeting.

MAYOR WOODWARD: And I just forwarded it and was hoping you would do something with it.

MR. PETERSON: Why, that's fine.

MR. SULLIVAN: Was that where they want to go to --

MS. SLUSARCZYK: This is to make a loan application for the projects. The Village has to -- I could be wrong, but I think twice a year they'll review those loan applications and the December loan process currently.

MR. PETERSON: Yeah, but it does require a resolution through us. I thought it was on Council.

MS. SLUSARCZYK: The Village would have to technically borrow it, but I don't know if the Village was paying or what the arrangements were for the projects themselves. We present what the BPA could afford to do and not afford to do. It says currently our office has not received the required information to begin our reviews. To be ready for our December loan award, please provide us with the following information: Loan apps, water rates, revenue and expenses, engineer agreement, authorizing legislation, site title pending and bid information. So if I don't receive a reply by October 15 I will move the loan awards to March 2025. So by March -- I mean, we would have to have it submitted even before March to be considered at this point in time. So we're past the October 15 period anyhow.

MR. PETERSON: Yeah, I'll follow-up with Chris and ask him.

5. Proposed Hallock Young Road Water Line Improvements

MR. PETERSON: Okay. Item number 5, proposed Hallock Young Road Water Line Improvements. I know Chris briefly discussed this under the booster water station about the ARPA fund, so we'll just move to that because that's where you're gonna speak.

6. Salt Springs Road Booster Station Relocation

MR. PETERSON: So the Salt Springs Road Booster Station Relocation. Do you just want to tell them about that meeting?

MR. SULLIVAN: Yeah, yeah. We're gonna go to the Commissioners

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meeting in the morning. I talked to Mauro, he said he's 100 percent in support of it; but we should be at that meeting because I think that's where they're gonna finally slice up the \$850,000 that they have left.

MR. PETERSON: Okay. Anything else on that?

MR. SULLIVAN: No.

7. Imperial Sewer Agreement

MR. PETERSON: Item number 7, Imperial Sewer Agreement. Under Member Comments I'm gonna call for an executive session to discuss that if you guys are okay with that.

8. Utility Department Building

MR. PETERSON: Item number 8, Utility Department Building. Any updates?

MAYOR WOODWARD: About what they just talked about in the Road Committee meeting?

MR. PETERSON: Sure.

MAYOR WOODWARD: They -- I think they approved the -- there was a motion to approve the painting, but it's more than just painting. If -- the guy was going to come in and measure the amount of moisture in the wall. If there was found to be moisture they would cut it out, remove it, replace the drywall. If there is no moisture they are going to seal it in, lock it in, and paint over it.

MR. PETERSON: Okay. Any more questions?

MR. SULLIVAN: No, other than if we could get an update on the building across the street.

MR. PETERSON: Do you want to give an update?

ATTY. RIES: We got a purchase agreement from the broker for the seller. They wouldn't come down more than \$500 off the asking price. I've since then repaired red line revisions that need to be addressed because it was kind of a boiler plate one-size-fits-all purchase agreement so it wasn't specific to a municipality; and I added some language to give us some additional protection in there. I sent it over. The initial feedback from the broker was okay, these look okay; but I'm still waiting to hear back from the seller. And that's as of last week, he's still waiting to hear back. To my knowledge, there was no other offers, otherwise the broker would have said something during our conversations.

MR. PETERSON: Okay. Any questions for Matt?

9. I&I

MR. PETERSON: Okay. Item number 9, I&I.

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MR. SULLIVAN: You know, I'd like to have somebody pull the old records that show the quarterly costs that we were paying for I&I and, if possible, pick out a quarter now where we could do the same thing, go back and see what we're actually losing.

MS. SLUSARCZYK: The comparison I don't think is available, Mike, because of the LEC flow going into the east side sewer system is so vast on a daily basis it would skew the whole amount that was previously recorded when it wasn't there. If it's off 200,000, 300,000, 500,000 gallons a day we would never see it because we don't know exactly what is coming out of there and when it hits our pumps and down there.

MR. PETERSON: Darren, are you under the impression we have a huge I&I problem?

MR. BIGGS: I am not.

MR. PETERSON: You don't believe we do?

MR. BIGGS: I don't believe we do. I asked the same thing Mike did because that was before me, I want to see where this whole thing came from. I got nothing on it.

MR. SULLIVAN: We got the whole record, don't we?

MS. SLUSARCZYK: We do. CT Consultants prior to Chris or early Chris, maybe Mark Delisio from CT, it was before LEC connected and probably even before they were a thought. We measured the flows in the system, and during a heavy rainstorm it showed -- it validated the I&I in the system.

MR. SULLIVAN: It was as high as 240 percent, where a new system was supposed to be about what, 20 percent.

MR. PETERSON: A new system should be about 20. Okay.

MR. SULLIVAN: For eight years we've been trying to address this.

MS. SLUSARCZYK: And they actually did some of the testing, Mike. Didn't they put pumps or -- in the system -- or not pumps, but meters in the system to measure that like --

MR. SULLIVAN: Well, they did the one.

MS. SLUSARCZYK: They did one area.

MR. SULLIVAN: Just the one substation on Highland.

MR. PETERSON: I knew we put meters in somewhere.

MR. BIGGS: That's the one CT did, the Lift Station 2 collector.

MR. SULLIVAN: And he said he found nothing there.

MR. BIGGS: Correct.

MR. PETERSON: So are you gonna move them meters?

MR. BIGGS: That's up to CT. I haven't heard anything on that, what they're doing.

MR. SULLIVAN: You know, this thing started and the department

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was gonna do smoke tests and that. And Darren didn't have the available employees, and Chris said well we could do it, CT.

MR. PETERSON: RCAP will come in and do a free smoke test long as you do a training part of it.

MR. BIGGS: That's fine. But they gotta do that in gravity, so it's not gonna hit everything anyhow. We did a smoke test on Hallock Young, we came up with nothing. We did a flow on Goldner and Wyland and Hood, and we came up with nothing. We did a study. We were able to get those smaller ones, and we didn't get anything off of that. So I mean, that was as far as we could go. And once it starts hitting the lift stations there's just too much, I can't do anything, right.

MR. PETERSON: There's just too much. Okay. I would say, Darren, I'll just copy the Board and you and Cindy, I'll just send an e-mail asking Chris what's the next step, you know what I mean.

MR. BIGGS: Yeah.

MR. SULLIVAN: It's probably been what, four or five years since Chris said CT would take it over.

MR. PETERSON: Yeah, I think they put the meters in about two years ago if memory serves.

MR. BIGGS: It sounds about right. But it was mentioned prior to that. He was gonna try and help us out. I don't remember where he said -- I'm trying to think, Mike, if he said where he was going next. But better for CT to answer that anyway.

MR. SULLIVAN: Yeah, he mentioned what substation he thought he should go to next. What is that one, 4?

MR. BIGGS: No, that's 2. He did the 2 collector down there.

MR. SULLIVAN: Okay. Where's 4?

MR. BIGGS: Four is actually Imperial. Just the opposite of what you would think, right?

MR. SULLIVAN: Never mind.

MR. BIGGS: That one is 4, that's where it all starts. Highland, that end is 1. Salt Springs is 2, Brunstetter's 3.

MR. PETERSON: Okay. Any more questions?

PUBLIC COMMENTS:

MR. PETERSON: Seeing none, second round of Public Comments. Anyone have public comments?

REPORTS:

1. Solicitor's Report

MR. PETERSON: Seeing none, on to Solicitor's Report.

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ATTY. RIES: No report.

2. Engineer's Report

MR. PETERSON: Engineer's Report. He did submit a written report. Does anybody have any questions on his written report? Okay.

3. Utility Committee Report

MR. PETERSON: Seeing none, Utility Committee Report.

MR. CAMPBELL: I don't have anything.

4. Clerk's Report

MR. PETERSON: Okay. Clerk's Report.

MS. SLUSARCZYK: I have a few small things. On the 11th of October Kellie submitted to the office a copy of the Anderson's PPE form. They're doing an addition over there, but it has no request for water or sewer. So I have the PPE if you would like to see it. But I just wanted to put it on record that we did receive one, and they state they don't have any additional need for water and/or sanitary sewer.

MR. PETERSON: Okay.

MR. SULLIVAN: So it's just a warehouse?

MS. SLUSARCZYK: I don't really know. I just got the PPE. Kellie would know exactly what they're building or doing over there. Darren, do you know?

MR. BIGGS: I don't remember. I did, but --

MS. BLANK: It was some kind of building for the fertilizer plant.

MR. BIGGS: I don't know exactly what they're doing, but yeah. They didn't need any additional water to that building. There would be no -- so normally I would tell them don't even worry about a PPE, they're already established. But I did that the last time they had a little project, so this one I asked them to do it so we stay updated on what they have going on over there. That's the reason they came through on that.

MR. SULLIVAN: Would that have to be from Planning or Zoning?

MR. PETERSON: Planning or Zoning will handle it from there.

MS. BLANK: That's me.

MR. BIGGS: They just wanted to make sure it was okay with us, Mike. That's all that was.

MR. PETERSON: Okay. Cindy, what else you got?

MS. SLUSARCZYK: Next I have -- I want to let you know that I had a follow-up phone call regarding the Schrader grinder pump billing issues. And the record I went back and said that it had been excused

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previously before the BPA. Mr. Minor had called in last week and asked for an answer, and I told him we didn't have an answer. I did submit the minutes to Matt on the topic, and he's not here tonight.

ATTY. RIES: I mean, it looks like in 2019 the BPA said they weren't gonna waive the minimum and they requested that the grinder pump be put back on the property since she was paying the minimum charge anyway.

MR. PETERSON: Okay. So in 2019 she requested --

MR. SULLIVAN: I thought she said no because they wasn't using it.

MR. PETERSON: She requested the grinder pump be removed in --

MS. SLUSARCZYK: No.

ATTY. RIES: There were minutes going back to 2016 where she was requesting it be waived. By 2019 she was there at the meeting, and the BPA said we're not gonna waive it. She said if you're not gonna waive it, put the grinder pump back in at least; if we're being charged the minimum I want a grinder pump. I guess it was put back in.

MR. PETERSON: It was not.

MR. BIGGS: I never put it back in, no.

MR. PETERSON: You went over there and looked and it wasn't in there?

MR. BIGGS: What I'm saying, that long ago though if it was put back, it was taken back out again. I know there was nothing when I -- we haven't done anything.

MR. SULLIVAN: There's not one there now?

MR. BIGGS: There is not one there now, no.

MS. SLUSARCZYK: And the original request for the removal of the grinder pump was because she had a high electric bill and because it was running for no reason whatsoever, so she asked that it be removed. And I think that was in '11 or '12.

MR. SULLIVAN: Right.

MS. SLUSARCZYK: So she's been back and forth with wanting it, not wanting it, and the fees. But the Board has consistently said the fee stands, I think on three occasions.

MR. PETERSON: Okay.

MR. BIGGS: And MIKE, I'd have to jog my memory, but I believe we put one back in because they are using water there now. They weren't before.

MS. SLUSARCZYK: They had a large usage, a really high usage, earlier this year.

MR. PETERSON: They found a toilet running.

MR. BIGGS: They had a leak over there.

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MR. PETERSON: Now they're using it, correct?

MR. BIGGS: That's why I'd have to remember. But I believe we put one back in there now since they are using water, correct?

MR. PETERSON: Using water, yeah.

MR. BIGGS: And that way we didn't have to worry about the billing from then on out.

MS. SLUSARCZYK: Chris, did I provide you the work order that she had the status?

MR. PETERSON: I saw the work order that showed that.

MS. SLUSARCZYK: I did pull all the work orders.

MR. PETERSON: That I did see; it was out, it was put back in.

MR. SULLIVAN: So there is a grinder pump back in.

MR. PETERSON: He's gonna check and let us know. But he's pretty sure there is, correct? Just send us an e-mail if you can.

MR. BIGGS: Yep.

MS. SLUSARCZYK: Last thing I have is for the auditors. You received your financial statement for September. Did you have any questions in regards to them?

MR. PETERSON: No, because I didn't look at it yet but I will.

MS. SLUSARCZYK: If you have any questions or anything, feel free --

MR. PETERSON: I'll call you if I have any questions. Yeah, I got it right here.

MS. SLUSARCZYK: That's all I have. So we've spoke about changing the BPA meeting for December 17.

MR. PETERSON: Yeah. I'll do that under Member Comments. Any questions for Cindy?

MR. CZECK: No.

5. Superintendent's Report

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

MR. BIGGS: I need approval for some spending. First one is Berger Electric for \$4,270 for a rebuilt grinder pump.

MR. SULLIVAN: Make a motion to accept the \$4,270.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MR. BIGGS: Next one I have is an OCTA class, continuing

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education for myself. It was \$340, but I -- it's not the cost, I need permission to go to class. That's why I'm asking on that one.

MR. CZECK: Make a motion.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(Mr. Sullivan and Mr. Czeck respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: I'm gonna abstain just because of OCTA.

MS. SLUSARCZYK: Who made the motion? Stanley, and Michael second?

MR. BIGGS: Ferguson, replacing tap saddles was \$1,455.51.

MR. SULLIVAN: I make a motion to accept \$1,455.51.

MR. CZECK: Second.

MR. PETERSON: Okay. All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MR. BIGGS: Next one is OTCO was \$390. It was confirmed space for both Kyle and Bruce to go to that class.

MR. PETERSON: I abstain from OTCO stuff.

MR. CZECK: I make a motion for the class.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(Mr. Sullivan and Mr. Czeck respond aye.)

MR. PETERSON: All opposed?

(No response.)

MR. PETERSON: Motion passed, I abstain. Next one.

MR. BIGGS: The -- just quickly, the 24-inch, when we exercised the valves again when MVSD came out to help us we found no issues with them. They all -- the county was all on, and so that's not the problem.

MR. PETERSON: We don't have a half-closed valve or anything.

MR. BIGGS: You're correct, yeah, for the flow getting in. We had done that before. But MVSD offered their equipment and their guys to help us out to get them done again when LEC was down. That's the only time I could do those. They were able to get it done, we found no issues with the flow in there.

MR. SULLIVAN: Really. And that's why we thought --

MR. BIGGS: No, the air release valves. These are just main line valves. The air line we're still working on.

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MR. SULLIVAN: The air line you think we do have a problem?

MR. BIGGS: We're knocking them off, let's put it that way, if there's air in there. I'll update you on that quickly too, about -- I think Chris said about 60 percent. I had a phone call today, says they're about 75 percent done with the design. They are coming out here, I will meet with them on Wednesday at 1:00 to discuss how that's going and get a price and ideas so I will be able to update later. So that's where we're in that design.

MR. PETERSON: Are they gonna have an issue with construction with weather?

MR. BIGGS: I don't know.

MR. PETERSON: I'm just asking.

MR. BIGGS: I don't really see weather being an issue.

MR. PETERSON: I don't see a reason.

MR. BIGGS: I don't know, we can't turn that line off. I think that's gonna be their biggest problem, what are we doing with the old ones and how will they put on the new one. Because we can't get it turned off to do that work. I think that's the biggest hurdle we'll deal with.

MR. SULLIVAN: Were we able to figure out the flow?

MR. BIGGS: What do you mean, the flow?

MR. SULLIVAN: Well, we weren't getting proper flow to LEC.

MR. BIGGS: That's what we're doing, the air release valves, if there's air in there. But when we exercised --

MR. SULLIVAN: But they're still not getting what they need?

MR. BIGGS: We're still not getting everything according to design that we should be getting here.

MR. PETERSON: They're working on the air release valves right now on design engineering.

MR. SULLIVAN: But that's for the Warren line, correct?

MR. BIGGS: No. Niles, that's the 24-inch straight from MVSD, yeah. The new generator for Pritchard Ohltown, I need approval for \$9,000 for an electrician to have them put the generator and transfer switch and anything else they need to do over there to get that working.

MR. PETERSON: I'll make a motion we approve up to \$9,000 --

MR. SULLIVAN: Second.

MR. PETERSON: -- for the generator. Second. All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MR. BIGGS: One of the problems that I'm running into and I need

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some direction, I put it out in e-mail, I'm getting questioned on new bids is coming in here, whether it's from a realtor or whatever, hey, what's your size line, how much, you know, reserve do you have, what's the capacity, what's the waste water like. And I try to hold them off and say hey, this is what we got. But one of their biggest questions is capacity, they want to know --

MR. PETERSON: How do we answer that?

MR. BIGGS: And I don't know how to address that. And I passed it along, and I'm getting no answers from anybody on that. So I need that addressed or I don't know how long I can hold these guys off.

MAYOR WOODWARD: So I've asked this question and received an answer, and I can't remember who -- if it was Chris maybe that I talked to, I can't remember -- but it's suggesting when these businesses are inquiring you tell them the maximum capacity. I don't know what they want to know. Can you provide that?

MR. BIGGS: I'm looking at can you do 250,000 a day and up to about 235 million a day. Absolutely they're getting specific.

MAYOR WOODWARD: So the location is what they're looking at though, do those lines have that capacity.

MR. BIGGS: Jackie, we're already a million gallons a day behind. None of our lines have that capacity.

MAYOR WOODWARD: So potentially --

MR. BIGGS: As in what --

MAYOR WOODWARD: If somebody wants to locate over on the Norfolk Southern property on Bailey Road, do those lines have that capacity?

MR. BIGGS: Most likely it would be yes. Lordstown as a whole, no. That's what I mean, I don't know how to answer that. I don't want to hold these people off or, you know, discourage businesses to come in here; but I can't tell them yes and we're already behind, and then we're obligated to supply them what we tell them. So that's where I'm at right now. I mean, I sent everything out that I can, I ask them to give me more information knowing that they won't, and I'm still getting these things and --

MS. SLUSARCZYK: I also have gotten requests for capacity.

MR. BOND: All you can do is be truthful.

MR. BIGGS: I don't think that's what they are looking for.

ATTY. RIES: I think you can only tell them what we have capacity-wise. You can't make any representations about what we could do for somebody in the future.

MR. BIGGS: That's correct. But Matt, that's what I'm saying. We're out of capacity as Lordstown as a whole right now. We're a million gallons a day in the hole right now. So I'd have to tell them no, we can't,

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no new businesses in here is what I would have to say. And I don't know who's coming, they don't tell you, and I don't want to discourage any businesses from coming, especially if they're looking -- this one here is looking for five million a day by 2030. I don't want to do that kind of stuff. This is an example. I'm getting other ones. Those would be bigger users that are asking me too. The smaller ones aren't asking. I don't know, I don't want to be the one to say yes or no to people because we're going to be obligated.

MR. SULLIVAN: Well, we're a million behind right now because we have a problem. But if the problem wasn't there, would the capacity be there?

MR. BIGGS: It could, yes. And you know what, here's the thing, you know, we want that other 24, we didn't get it. We want a 4 million gallon tank, we didn't get it. Everything we're asking for we aren't getting. We can't go too high. This is gonna take some thought. These are huge users.

MR. PETERSON: Couldn't we send them proposed projects on what we're doing to use --

ATTY. RIES: Prospective improvements. This will be intended --

MR. PETERSON: This is what we intend to do, but it may not happen due to funding.

MR. BIGGS: In one of the e-mails -- I don't have that one here -- this is how I did respond. They said would you be willing to --

MR. PETERSON: Provide an upgrade.

MR. BIGGS: If for your infrastructure to upgrade. I said we're always willing to do that. They got someone coming to them, Lordstown's got enough water for that, they can come here. So I'm dealing with realtors pretty much, and I hate to tell them no.

MR. PETERSON: Yeah, I would just say these are the proposed projects we are working on, this is what the expected capacity is for those projects. If they come back and say I need a definitive answer, I can't give you one or send it to us, you know what I mean.

MR. SULLIVAN: But like we got LEC or TEC, the battery plant, we went to them and said yeah, you can do that if you provide \$13 million worth of tanks or whatever. And a huge water user like that, couldn't we do something to that line?

MR. PETERSON: Correct. Like if you have a company that's asking for 5 million, they're gonna expect that there have to be -- they're not gonna go into any community unless they are going downtown Youngstown and not have to do updates. But when you send that stuff in, if you say proposed updates it might make us more appealing. Maybe they'll come --

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contact you if they see that you're looking for funding, that might open the door for you guys.

MAYOR WOODWARD: The other question I would ask them, if they are looking for abatements. If they are looking for abatements there something they want in lieu of taxes for some set number of years. I mean --

MS. BLANK: It's also a no on abatements.

MR. BIGGS: I don't do abatements.

MS. SLUSARCZYK: Any pilot money goes to the water department.

MR. BIGGS: We know how that plays out. That's not how that works.

MS. BLANK: Let's just put it all out here now.

MR. BIGGS: The expense of the Water Department --

MAYOR WOODWARD: There's always potential to do some sort of agreement on the front end. You know, it doesn't have to be a 15-year 100 percent abatement, but you could maybe negotiate something on the front end.

MR. BIGGS: That's fair enough. Who do I address that to? I'm not gonna debate with the realtor on that.

MR. PETERSON: Honestly, truthfully he needs a one-size-fits-all form marketing that he's gonna send out to them and back to them, these are the projects we're working on. He includes that you got a 12-inch line in front of the place that you asked about and this is what that line can provide. You know what I mean?

MAYOR WOODWARD: If a business came in here and was willing to pay for your 24-inch water line in exchange for something, I mean you can't tell me that everybody would turn ears off and not want to hear it.

MS. SLUSARCZYK: Wait a minute, because that did happen.

MAYOR WOODWARD: That did happen.

MR. BIGGS: Someone did say we're paying for the 24-inch line.

MAYOR WOODWARD: This Council? This mayor?

MR. BIGGS: The previous one.

MR. SULLIVAN: Back to big users, just could open the door for the negotiations.

MR. PETERSON: And even put on there contact Council or the Mayor, you know what I mean.

MR. BIGGS: That's what I need to know. I put out an e-mail, Terry even asked me about it. I'm like I need some advice. I passed it along to Terry and the BPA and I got no response. That's why I'm asking here.

MR. PETERSON: Okay.

MS. SLUSARCZYK: Well, and if he answers those things with no

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capacity that gives that developer the ditto, we're gonna deja vu with TEC. Well, Warren has a line that goes through your community, and if I send that line they're gonna come back and dictate what line that they're gonna improve to you.

MS. BLANK: Also know to that --

MS. SLUSARCZYK: We have to be --

MR. PETERSON: I guess over there it's not as big an issue, but do you have any capacity sewer-wise if they ask about sewer on that site? Or does that all go through Trumbull County?

MR. BIGGS: No. Offhand one of them would be Lordstown's and one of them -- the two big ones that I'm thinking of right now -- one would be Trumbull County, one would be ours. I don't know -- looking at this briefly, they're not specific on the waste water side, yeah.

MR. PETERSON: Okay.

MR. SULLIVAN: TEC is still saying they're gonna go into the pond, right?

MR. PETERSON: Yeah. But Warren's still limiting their waste water, correct? It has to be four-to-one abatement.

MR. BIGGS: That would be what we can convey and what Warren can handle also. They're not being too specific, the ones I'm --

MR. PETERSON: They're more on the water side of what you can supply.

MR. BIGGS: Correct, correct. I mean, they have asked but they haven't been specific on what --

MR. SULLIVAN: Yeah, and if we could get them --

MR. BIGGS: Basically it isn't available.

MR. SULLIVAN: If we could get them into negotiations, I'm sure that would all roll out.

MR. BIGGS: If you got a big business coming here, they are exploring all these different areas from everywhere, you know. And if you got other areas responding yeah we got this, and here I am saying I don't know how to answer that, they're gonna look into that area. It's not even gonna make it that far, Mike, because they are looking for areas and then they pursue problems they would have in that area with the realtor and all that. This is all pre -- I can't even get a name of what they are doing yet, they're not gonna disclose any of that. They're looking for property available, this is what we're wanting to do, and they are going through a realtor.

MR. BOND: May I ask a question on that? Are they telling you how much property they need?

MR. BIGGS: They're giving me an idea.

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MR. BOND: The acreage, do we even have that available.

MS. BLANK: I'll check my e-mail.

MR. CZECK: If they are a big enough project you will have everybody involved. It's not gonna be just about little old Lordstown.

MR. PETERSON: Okay. Because what he had you some --

MR. BIGGS: How do I answer it? That was my main --

MR. PETERSON: I would say what you did, lay out that this is the plans we're proposing to do. Tell them if the distribution line can supply what they are asking for, you know, wherever they're asking for location, and these are the proposed improvements we're doing to the project and the BPA is working on with the Village.

MAYOR WOODWARD: I would use the words potential capacity.

MR. BIGGS: Okay.

MR. PETERSON: Are you guys okay with that?

MR. SULLIVAN: Yes.

MR. PETERSON: What else you got, Darren?

MR. BIGGS: Civica -- Cindy, is that how you say that? Approval from Civica for \$3,060 to have the BPA coordinates onto our billing software.

MR. PETERSON: Sorry, what was it for?

MR. BIGGS: To have the BPA coordinates onto our billing software for the meters.

MR. PETERSON: \$3,060.

MR. SULLIVAN: Make a motion we approve \$3,060.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. What else you got?

MR. SULLIVAN: Is there a way that -- I know that right now we have for the superintendents \$1,000 that they can okay until the next Board meeting or whatever. Could we raise that amount to like \$5,000 where, you know --

MS. SLUSARCZYK: Per vendor or per month? How would you do that. Because he exceeds that on most of his requests, so that would be my question.

MR. SULLIVAN: Well, the \$1,000 now goes per request, correct?

MS. SLUSARCZYK: Per vendor.

MR. PETERSON: Yeah, it goes per vendor.

MR. SULLIVAN: Yeah. You know, he gets breakdowns or he's gotta have a grinder pump -- what's that, five thousand, six thousand?

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MR. BIGGS: Grinder pump's probably somewhere around \$2,600. But right, everything has gone up. I mean, even with the \$1,000, a lot of things I can reach that real quick with the way that stuff costs. I mean, there's no question -- and some of that stuff I need to order, we're months out. And so we're not having meetings really hurts me. And even this generator getting moved, I can't even give the electrician permission and we want to get that moving. I mean, that's why I had to get that going. So either, I don't know, more meetings or I don't know what the right answer is for that.

MR. SULLIVAN: How about just raising the amount? I think the answer is just raising the amount. I mean, like today you're reading off all these things that are under that, we would approve of that; but they would all already been pre-approved by you.

MR. PETERSON: I mean --

MR. CZECK: What's your road commissioner's?

MS. BLANK: A thousand.

MAYOR WOODWARD: It's a thousand.

MS. SLUSARCZYK: All department heads are a thousand.

MR. CZECK: We should be consistent with the Village.

MR. PETERSON: Well in the meantime, I know the Utility Committee you're meeting on the off week that we're meeting, correct? So in the meantime, if we all just got together and scheduled a meeting with them we could approve it every two weeks instead of making him wait a month. Would that work?

MR. SULLIVAN: What do you mean?

MR. PETERSON: They're meeting two weeks after us. So technically, Utility Committee meets once a month. So if we just all scheduled to be there and had a quick meeting and give him approvals he wouldn't have to wait a month out.

MS. BLANK: Because our meetings are November 7, November 19.

MR. CZECK: I don't have a problem raising his authority.

MR. PETERSON: I don't either. Do you just want to do that?

MR. CZECK: But it should be consistent across the Village.

MR. PETERSON: Are you guys looking at increasing --

MR. BOND: No.

MS. BLANK: No.

MR. SULLIVAN: Well, I think for -- and I think he runs into more emergency situations where he's gotta --

MR. PETERSON: Yeah, they don't have an issue because you guys have a Council meeting every two weeks. It's more steady, and that's why you guys don't run into that problem. That's what I was thinking about

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fixing, just having an extra meeting.

MR. BOND: Well, if -- the meeting would have to be advertised as a joint meeting if you're going to take action at it.

MR. PETERSON: Correct, correct.

MR. CZECK: I mean, it's okay for me, you know, to raise his authority on that. I don't have a problem with that.

MS. SLUSARCZYK: Or even for infrastructure items. I mean, his inventory and infrastructure is uncontrollable. You're not gonna say no to water line and copper and grinder pumps.

MR. SULLIVAN: Would \$5,000 be adequate?

MR. BIGGS: It would be perfect. It would help us all out.

MR. PETERSON: It would have covered everything on your list except the generator.

MR. BIGGS: Yeah, yeah, correct.

MR. CZECK: In that case I'll make a motion we raise the spending authority to \$5,000.

MR. SULLIVAN: Second.

MR. PETERSON: On everything or on --

MR. CZECK: Well, obviously the items he's gonna purchase is gonna be infrastructure -- I mean inventory. I don't think he's going to Florida on it. I don't have any problem with it.

MR. PETERSON: You make a motion, you want to second?

MR. SULLIVAN: I did second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MR. BIGGS: Looking at this, the last thing I have is I got with the -- for the booster move that we're still waiting on Trumbull County to give us a date on the tear-down of those homes. That was the last I heard. I checked with Zoning today, there's been nothing, no new progress on that.

MS. BLANK: We're meeting on that too on November 4, so hopefully I'll have more information for you.

MR. BIGGS: I want to update these guys. I haven't heard anything.

MS. BLANK: I haven't either.

MR. BIGGS: I'm done unless you guys have something for me.

MS. SLUSARCZYK: Darren I have CITCO Water for \$6,410, copper and curb stops. He needs approval for CITCO Water. You have an existing voucher up there for \$6,410 for three 100-foot rolls of copper and one-inch

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curb stops.

MR. BIGGS: That was a while ago.

MS. SLUSARCZYK: We didn't meet since September 5.

MR. BIGGS: So I missed that one.

MR. PETERSON: I make a motion we approve the CITCO Water bill in the amount of \$6,410.

MR. CZECK: Second.

MR. PETERSON: Second Stanley. All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: We have another one for Core and Main, water meter pits, two pit lids and pit cushions, \$3,284.32.

MR. CZECK: Make a motion.

MR. SULLIVAN: Make a motion.

MR. CZECK: Second.

MR. BIGGS: Cindy, I think that was a back order. I think we approved that a while ago but it got late is what happened with that one. It's fair enough, it's covered. I'm saying I ordered more than that and already got approval. Couldn't get them but that's all right, we're covered.

MR. PETERSON: Any more?

MS. SLUSARCZYK: I have Granger, three -- two hours power grinder pumps, no switch, \$8,123 -- that's three grinder pumps from Granger.

MR. PETERSON: The look on your face --

MR. BIGGS: I try to keep up.

MS. SLUSARCZYK: I'm just saying this is on our list that we need approval for, \$8,123.96

MR. SULLIVAN: I'll make the motion.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. Anything else, Darren?

MR. BIGGS: Cindy, are we good? Nothing else, Chris.
Anything for me?

MR. PETERSON: No, I don't have any questions. Do you guys?

MEMBER COMMENTS:

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MR. PETERSON: Okay. Member Comments. First thing I want to do is the December meeting is scheduled for December 17 at 4:00 currently. We want to move that meeting to 1:00.

(Discussion off the record with the court reporter about availability.)

MAYOR WOODWARD: They have jobs they can't leave work for.

MR. CZECK: It's only one time.

MR. PETERSON: It's only a one-time thing. They had a scheduling conflict.

MAYOR WOODWARD: You can't go to a different day?

MS. BLANK: 1:00 December 17?

MR. SULLIVAN: Are we gonna need end of the year --

MS. SLUSARCZYK: That's Council.

MR. PETERSON: That's Council.

MR. SULLIVAN: We don't have to approve anything.

MR. PETERSON: Yeah, yeah, that's all Council.

MS. SLUSARCZYK: Our bills carry over.

MR. BOND: Can you change it to a different day when she could make it?

MS. BLANK: It's in the rest of the Village's hands and BPA and Bob.

MR. CZECK: It will be all right.

MR. PETERSON: They were talking about 1:00, or do you guys want to move it to a different day?

MAYOR WOODWARD: Do you want to move the Utility Committee meeting?

MR. PETERSON: Is that the same Utility Committee being scheduled for the same time? So you guys are scheduling a Utility meeting?

MAYOR WOODWARD: To match the BPA.

MR. PETERSON: They can go into session and approve anything we need to approve to keep things moving. Explain it to me and you did, I just wasn't catching.

MS. SLUSARCZYK: But that's why they are trying to move it early, not at November's meeting. The request came in for the change.

MR. PETERSON: That's why we're trying to do this. Now a week later --

(A further discussion is had off the record about the date and time.)

MS. SLUSARCZYK: If we're having a meeting at 1:00 and they don't attend, they're not going to know any action that needs --

MAYOR WOODWARD: I've got it in my schedule, I'm hoping to be

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there. If not, if there's something that needs to be conveyed to them --

MR. PETERSON: Unless I have a meeting at work I'm coming to your guys' meeting.

MAYOR WOODWARD: Okay. Will that work?

MR. CAMPBELL: That's 1:00 p.m. on the 17th if we can make it.

MAYOR WOODWARD: The Utility Committee meeting is still scheduled for 4:00 p.m. right now.

(More off record discussion about the meeting).

MR. PETERSON: So we need an official motion to move the meeting.

MR. CZECK: I make a motion that we move the meeting to 1:00 o'clock on the 17th.

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

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. Okay. Second item under Member Comments is an executive session to discuss imminent court action regarding a contract dispute.

MR. SULLIVAN: Make a motion to have an executive session.

MR. CZECK: Second.

MR. PETERSON: All in favor? I'm sorry, roll call.

MS. SLUSARCZYK: Executive session to discuss --

MR. PETERSON: To excuse imminent court action regarding a contract dispute.

MS. SLUSARCZYK: Who made the motion?

MR. PETERSON: Mike did.

MS. SLUSARCZYK: Second by Stan?

MR. CZECK: I did.

MS. SLUSARCZYK: Roll call vote is Chris Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Stanley Czek.

MR. CZECK: Yes.

MS. SLUSARCZYK: Michael Sullivan.

MR. SULLIVAN: Yes. Inviting everybody here?

MR. PETERSON: Inviting just the Board members.

ATTY. RIES: Yeah, BPA, myself. That should be it.

MR. PETERSON: Inviting the BPA and the Solicitor.

MR. SULLIVAN: And there will be no action taken afterwards.

MR. PETERSON: Correct.

ATTY. RIES: Yes.

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MR. PETERSON: No action taken afterward.

(Board goes into executive session at 5:50 p.m.)

(The Board finishes executive session and makes the following motions:)

Mr. Peterson makes a motion to adjourn.

Mr. Sullivan seconds.

All respond aye.

(The meeting adjourns at 6:10 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 24th day of November, 2024.

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

Submitted:

Approved by:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President