

BOARD OF PUBLIC AFFAIRS MINUTES

Village of Burton

April 10, 2018

Mr. Johnson called the meeting to order at 7:02 pm.

Roll Call: Curt Johnson- present; Adam Miller - present

Council Representative: Joe Hernandez, present

Visitors: Elise Duwe, Paul Weeks, Sharon Moster, Mayor Jim Koster, Chip Hess, David Ondrey, Lisa Hernandez

Pledge of Allegiance

Recognition of Visitors

Mr. Johnson recognized Ms. Moster and Mr. Weeks, as candidates for the open Board seat. Mr. Johnson noted that the Board would not be conducting interviews that evening, but that Ms. Moster and Mr. Weeks were welcome to stay and observe the meeting.

Mr. Johnson recognized Ms. Elise Duwe, of 14758 S. Cheshire St. Ms. Duwe received a large water/sewer bill, and believes it was due to a defective part in a water softener which was installed in the home 6 months ago. This defective part did not alert the system to shut off the "recycle" mode, thereby causing a great deal of water to be consumed. After calling the company that sold the water softener, Ms. Duwe learned that the part in question is "randomly" faulty. Ms. Duwe asked the Board to consider forgiving all of the bill, or at least the part that signifies above what her normal usage has been, based on past bills. Ms. Duwe also noted that the company that services her water softener was not willing to compensate her for the faulty part, citing that by using their product, she assumed all responsibility for any problems that might arise from the water softener's use. Mr. Ondrey suggested that Ms. Duwe consider pursuing this matter in Small Claims Court with her water softener company. Mr. Johnson asked Ms. Duwe to come to the next Board meeting in May with an update on her situation, at which time the Board might take action.

Cashier's Report:

Ms. Hernandez noted that monthly meter readings would be done around April 16th.

Ms. Hernandez reported that two customers received disconnection notices due to being two quarters past due on their water/sewer bills. Since then, one bill has been paid in full. Regarding the other customer, the Manager at Berkshire Hills Apartments informed Ms. Hernandez that this customer had just undergone a kidney transplant, and it would be a while before they were able to pay. Mr. Johnson agreed that all disconnection actions for this customer would be placed on hold, temporarily.

Ms. Hernandez shared a letter from Ms. Hedy Kolo, of Indian Ridge Trail. Ms. Kolo is requesting a credit to her water/sewer account, because part of the usage on the first bill of 2018 occurred in 2017, but was billed at 2018 rates. This occurred because the 2018 rates are effective as of January 1 of each year, and the first billing of the year spans part of the previous year. Mr. Johnson felt that the BPA Rules and Regulations should include a statement to reflect that part of the first billing cycle of the new year begins in November of the previous year. The Board

decided not to act on Ms. Kolo's request for a credit. Ms. Hernandez will send Ms. Kolo a letter to this effect.

Atwood Mauck American Legion Post is asking for some degree of forgiveness for their last water/sewer bill, since 5 water pipes have burst, and 3 valves have broken during the last billing quarter. All of the breaks have been repaired. Mr. Johnson asked that Ms. Hernandez research to find any other instances of Atwood Mauck coming before the Board to ask for forgiveness for the American Legion building. In addition, the Board will wait until the next billing cycle to see if the repairs have made a difference, before making a final decision on whether or not to forgive any, or part of this bill.

Solicitor's Report:

Mr. Ondrey drafted up an amendment to the BPA Rules and Regulations, Section 205 (d) (iv) that concerns subsequent 90 day readings requested by customers in the same billing cycle.

Mr. Ondrey also informed the Board of a recent case of an Ohio municipality – not in the region - being sued by a resident for sewer backups because the sewer line was constructed of terra cotta clay tiles that had worn out. The court ruled that because the Village was regularly inspecting and attempting to maintain the sewer lines, there was no negligence on the municipality's part, and even if there was negligence, the municipality had immunity in this situation.

Mayor Koster alerted the Board to possible legal action by a property owner on Baird St. who had damages to the lateral sewer line on the property due to the roots of a tree planted on the property some years ago by the Village. This resident came before Council with this issue, and was not happy with the outcome. The damages incurred by the resident to fix this situation were approximately \$8,000.

Engineers Report:

Mr. Hess reported that the State Route 87 water line project is progressing nicely; the line has been disinfected, and will be flushed and be tested later this week; and services will be transferred over next week. Also during this project, it was noted that some areas of sidewalk had settled down into the earth. Mr. Hess will ask Council to consider repairing the sidewalk. Mr. Neill asked if the line will be removed or abandoned. Mr. Hess said that both ends would be capped. Mr. Neill asked what would be done with the fire hydrants there. Mr. Hess said that he would have them delivered to the water department building so that they can be used as spares

Village resident Ed Judd, who is affected by the project, has asked for his water service to be transferred from State Route 87 to Elmar. Mr. Judd will pay any additional costs. Mr. Ondrey asked what the advantage was to Mr. Judd to transfer the location of his service. Mr. Hess said that it was due to the fact that Mr. Judd wants to change the plumbing in his house. Mr. Johnson added that currently, Mr. Judd's water main runs through the middle of the basement, and Mr. Judd would prefer that it be by the wall.

Mr. Hess advised Mr. Neill that the valve located at Rapids Road and State Route 87 is a left hand valve (it is backwards). This will be noted on all the paperwork.

Mr. Hess reminded the Board to get any Issue 2 projects in to the County Engineer by June.

Mr. Hess offered his assistance as liaison between the Village, Arcadis and contractors during construction of the new wastewater plant. The Board will take this under advisement.

Fiscal Officers Report:

Mr. Miller made a motion to approve the minutes of March 13 and April 2nd, seconded by Mr. Johnson. By voice vote, the motion was approved.

Mr. Johnson made a motion to pay approved invoices; seconded by Mr. Miller. By voice vote, the motion passed.

Mr. Paquette asked if there were any questions on the Bergman invoice. This was for the control system at the water plant, but then included checking out the flow meters at the wastewater plant and water tower, and other tasks occurring on or about January 16, 2018.

Operators Report:

The Board discussed whether or not Clearwater has been notified of the Village's intent to end the contract. Mr. Ondrey asked how long Mr. Neill wanted Clearwater staff on hand while he transitions into this new position. Mr. Neill would like to have them stay at least until the end of April. Mr. Ondrey suggested that someone should contact Jim Newell. Mr. Johnson volunteered to contact Mr. Newell to discuss the situation.

Old Business:

Discussion turned to the quote received from Buckeye Pump for repair of one of the high service pumps. Mr. Neill shared that the pump is too far gone to repair, although the motor is good. The cost of a new pump is around \$20,000. They will custom build a pump for us to try to lower the cost.

Mr. Johnson made a motion to accept the quote for \$10,500 to repair the high pressure pump; seconded by Mr. Miller. By voice vote, the motion passed.

New Business:

Mr. Hess spoke with Mr. Hartman about updating the maps. Mr. Hess explained that there are different types of maps, with different information on them. Mr. Hess will make sure that the Utility Department has updated maps that include everything that Hess Engineering has, regarding the Village.

Mr. Johnson feels something needs to be added to the Zoning Inspector's book and the BPA Rules and Regulations regarding home additions or customers who wish to add another water/sewer service onto existing property that already has service. Currently, scenarios like this are not addressed in the Rules and Regulations.

Mr. Johnson stated that the Board hopes to make a decision within the next month regarding appointing a new Board member to take Mr. Neill's place.

Adjournment:

Mr. Miller made a motion to adjourn; seconded by Mr. Johnson. The meeting adjourned at 8:04 pm.

BPA President

Clerk