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Board of Public Affairs Meeting Minutes

September 12, 2023

7:00pm

Mr. Pinkava called the meeting to order.

Roll Call: Mr. Pinkava – present / Mr. Curt Johnson – present / Mr. Nick Rundo – Absent

Pledge of Allegiance

Recognition of Visitors: Mr. Dan & Anna Gutmann, Amy Gutmann, Jake Neill & Charles Tiber.

Mr. Pinkava welcomed Mr. and Mrs. Gutmann, along with Mr. Gutmann's mother Amy. Mr. Pinkava asked Mr. Gutmann to explain his letter so the Board could understand his request for exemption of the sewer tie-in. The EPA rules define that it needs to be accessible & available. Mr. Gutmann stated it is not reasonable for them to tie-in to the sewer. The distance to the sewer line, as well as vertically is not reasonably accessible. They are requesting an exemption from tying in and going to a septic system. Mr. Gutmann stated a contractor tried to trench a gas line down Colony Lane and the Ohio EPA shut the company down due to a deep natural water course. Tying into the sewer line would be a financial burden on Mr. & Mrs. Gutmann, and the tap-in for the sewer would have to cross natural waterways, which would be disturbing trees as well. Mr. Gutmann consulted an environmental lawyer regarding the definition of accessibility, rules and regulations of the State of Ohio compared to the Village of Burton. They are looking to install a septic system which is technologically advanced. The property does have enough space to contain a septic system. By the time the wastewater is treated, it will be safe, and no harm to the environment. The new septic system they plan on having installed is way more advanced than years prior.

Mr. Pinkava asked Mr. Guttman about a spray field, which was in his letter to the board. Mr. Gutmann stated it's a "new" option in septic systems. This is a newer company out of Newbury OH., and they have been doing this spray field for a couple years now. In lieu of a leach field, it's a sprinkler head that pops up and distributes the effluent water. Geauga County accepts this system, it disturbs the environment less, it's a smaller pump to get the effluent up to the area which would be half the distance to the sewer connection. There are also UV filters installed, and once that effluent is treated, it is almost like bottled water. Mrs. Gutmann stated they had no electricity for 3 days, and if they had sewers with an electric pump, it would turn out to be a biohazard in their basement. If they were to tie into the sewer, they would have to purchase a very large generator to power that system to pump.

Mr. Pinkava asked if the Gutmann's have spoken to any contractor to tie-in to the sewer lines. The Gutmann's have spoken to a few and some contractors did not recommend the sewer tie in. Their quotes were about 35 to \$40,000 for them to tie-into the Village's Sewer. Mr. Johnson stated how the board walked the perimeter of Mr. Gutmann's property. It appears it would be pumping from the house uphill to whatever the arrangement was they had. Mr. Johnson asked what their seller, Mary Lambert, thought since connecting to the sewer was in her deed restrictions. Mr. Gutmann stated Mrs. Lambert did grant him the allowance for septic. Mr. Pinkava asked Mr. Gutmann about the contractors they had spoken with, and if they were going to be open-cutting or directional boring. Mr. Gutmann stated both

were discussed and directional bore is more expensive, but (trenching) open cutting, would be less expensive, but it would disturb all the trees and roots. The Gutmann's reiterated that Mrs. Lambert does not want the tree's removed, and she would not have sold to them if they were going to remove trees. Trevor Jones is the contractor from Newbury Mr. Gutmann has been speaking to regarding the sewer / septic installation. Mrs. Guttman stated if the Board of Public Affairs is not able to grant a variance, they will then have to revisit their environmental attorney. Their lawyer has also stated it is NOT an environmental impact to have a septic system installed on their property and the sewer is not a good plan. The elevation from house to sewer is 50' , & pumping to the spray field will be 100'.

Mr. Johnson asked if there was going to be a "grinding" mechanism in the desired system to help everything break down. Mr. Gutmann stated in their specific septic system there are 3 tanks, 1 is a solids tank, secondary tank is for treatment & percolation, third tank is for liquid effluent, which is just water.

Mr. Johnson stated that (BPA) does not have a hard quote to compare, the board has nothing to go by, and it is hard for them to decide. Mr. Gutmann stated he has 1 quote saved in his phone which Mrs. Biegacki is going to print out all information for the BPA meeting. At this time, there is a pause with Mr. Gutmann's review until all paperwork has been submitted.

Mr. Johnson made a motion to approve the minutes for the July 11, 2023, meeting. Mr. Pinkava seconded the motion with no one opposing.

Mr. Pinkava made a motion to approve the minutes from August 8, 2023, Mr. Johnson seconded the motion.

Mr. Johnson made a motion to approve the minutes from August 18, 2023. Motion denied by Mr. Pinkava, the time was not addressed for adjournment. Will revisit next month.

Mr. Pinkava brought up Mr. Hess's request for reimbursement of his bill because there was sand in the water line which a plumber had to come out to fix, and flush out. The resident's corp stop blew off the service line, which was shown to have sediments blocking and corroding the piping. Mr. Johnson made a motion to credit the account of Mr. Hess in the amount of \$158.74, seconded by Mr. Pinkava.

Mrs. Gutmann stated they found another emailed quote for print and review. Mr. Johnson requested to move to a different request while waiting for the paperwork, and to approve the payment of bills in the amount of \$29,930.13, which was seconded by Mr. Pinkava.

Nothing to report from Engineer. Not present

Nothing to report from Solicitor. Reminded everyone that we have resolutions that have been tabled until November.

Moving to Operator's report; Mr. Neill stated the water main break repairs have been completed. Mr. Neill stated the break on Rt 87 is a 4" cast iron pipe, which will be part of the Dean Court waterline project.

Moving back to Mr. Gutmann, the sewer quote which has been printed and submitted to the BPA board shows the significant amount of cost for the tie-in. Mr. Johnson made mention to the Solicitor if this would create a precedence to others in the Village of Burton if the Gutmann's request was granted.

Mrs. Matheney stated that there are no legal issues in this circumstance. The Village of Burton does not have guidelines or definitions as with the sewer/septic installations. Mrs. Matheney stated that this request is an exception to the rules which are based upon unique circumstances. Mr. Pinkava made a motion to grant Mr. Guttman an exception to section 301A due to the physical condition of the property, costs associated with connecting to existing sewer manhole, and lack of definition of "accessible" in our rules and regulations. Should an accessible sewer become available, a tie-in shall be required. Mr. Guttman has agreed to this stipulation. Motion was seconded by Mr. Johnson. By voice vote, the motion passed.

Rolling back to the Operators report: Agape property was reviewed and stated they do in fact have water & sewer. Mr. Neill to investigate to be sure.

Mr. Pinkava asked how the Village's door quotes were going. Mr. Neill stated he received 2 quotes from two companies that came out to view the doors. Mr. Neill stated some doors are very high-end doors that have fiberglass, more quotes to become available. Ms. Dahlhausen made mention there is a grant for the utilities department in which they may use. Ms. Dahlhausen did state \$4413.00 is available from NOPEC, which needs to be spent in the calendar year 2023. Mr. Pinkava would like to have added to the quote that the door(s) be insulated, as well as jams. Mr. Johnson stated the sizes of the doors are incorrect in the quote. The non removable hinge pins were brought up by Mr. Pinkava & also they are changing the swing of the doors. Mr. Pinkava made a motion to proceed with the purchase of the 2 doors and not to exceed \$6400.00, which was seconded by Mr. Johnson.

Mr. Neill stated Aqua-Aerobics sent an email to Mr. Rundo and himself regarding the filters. Mr. Neill stated Aqua-Aerobics have been waiting for directions on how to proceed. A virtual meeting was held between Stephanie, Nick, and Jake – which Nick did not want to decide without the entire Board. Stephanie then sent a letter over with the specifics of the repair via email to Jake and Nick. A special meeting is warranted for this decision, which the BPA board agrees on at Nicks convenience. Mrs. Biegacki is to contact Mr. Rundo to set up a special meeting for this decision.

Mr. Johnson inquired how the water held up during the Fair. Mr. Neill stated everything went well – other than high phosphorus.

Mr. Pinkava inquired if the Fiscal Officer had any additional comments – which there were none.

Mr. Neill stated he spoke with RCAP regarding a rate study. There will be a fee according to RCAP which will be a percentage of the population. RCAP will get back to Mr. Neill regarding the study, with more information needed. Mr. Johnson started looking at the numbers from Ms. Dahlhausen, 3% would give us a deficit of \$480,000.00 in 5 years. Mr. Johnson would like to plan for the 7% increase next year. Mr. Pinkava read about inflation and it's more than 3%, and something needs to be done. The rate study was completed in Burton 12 years ago. Mr. Neill will reach out to RCAP Wednesday September 13, 2023, to provide the numbers to them – as in water loss - how much is used - residential & commercial usage etc.

Mr. Pinkava inquired about Wheelock / meter pit. Nick asked Jake to produce a quote – Mr. Neill did quote for Centerra – changed language. Mr. Neill produced a draft for Mr. Pinkava for review. Mr. Johnson made a motion to present Mr. Wheelock with a definition of the costs involved installing a water meter pit on his property at a cost of \$1828.50. Mr. Pinkava seconded the motion.

Mr. Neill stated the Gas Company pulled a bulk water permit for Rt.700 & Rt.422 for the calendar year 2024.

Mr. Tiber came forward and stated paperwork from JASR properties is not signed by the grantor. Mrs. Matheney will review the online paperwork and have corrected.

Mr. Neill brought up that there were no applicants for the utilities department.

Mr. Johnson made a motion to adjourn which was seconded by Mr. Pinkava. Meeting ended at 8:38pm.

BOARD OF PUBLIC AFFAIRS - SIGNATURE

DATE