

Revised

Village of Burton
BPA Meeting Minutes
June 11, 2024

Court #1
Bill #2

Mr. Pinkava called meeting to order at 7:00pm

Roll Call: Mr. William Pinkava-present, Mr. Curt Johnson-present, Mr. Nick Rundo-present

Pledge of Allegiance

Recognition of Visitors: Mr. Condon, Mrs. Spanos, Mr. Tiber, Mr. Poulson & Mr. Neill

Mr. Condon moved to present his question and request to the BPA board regarding a Point-of-Sale fee. Mr. Condon stated his mother has passed away who was the primary owner of the home located at 14673 Evergreen Drive, Burton OH 44021. Mr. Condon stated when his mother passed away, the home was automatically deeded to him as well as his two other brothers. Mr. Condon came into the Village of Burtons office two weeks prior and paid \$150.00 for a Point-of-Sale Inspection form. Mr. Condon is requesting the refund of the \$150.00, reason being, the home was not officially "sold" but will be transferred to his one brother. Mr. Pinkava stated the Point-of-Sale Inspection form also pertains to the "transfer" of any property, and the fee cannot be refunded. Mr. Condon understands and has acknowledged the inability to refund the \$150.00.

Cashiers Report: Mrs. Arnold mentioned that licensed Realtors in the surrounding areas are not informing the "sellers" in the Village of Burton that a Point-of-Sale must be completed prior to selling the home. Mrs. Arnold was informed that there may be verbiage written in the rules and regulations which could impose a penalty or fine on the homeowner or realtor if a Point-of-Sale is not completed in a timely fashion. Mrs. Matheny advised she will research the information to determine how it reads and where the information is located for the next BPA meeting. Mr. Johnson remembers the Village composing a letter to all Relators within a twenty-five-mile radius informing them that a Point-of-Sale Inspection is mandatory, and they must comply with the Village of Burtons regulations.

Mr. Pinkava moved to the minutes for May 14, 2024. Mr. Pinkava mentioned a sentence in the minutes from May 14th which reads: "Mr. Pinkava spoke with Berkshire Schools", which Mr. Pinkava did not. Mr. Pinkava is requesting that sentence be omitted in the paragraph from the May 14, 2024, meeting, since the conversation never took place. Mr. Rundo made a motion to approve the minutes from May 14, 2024, with the correction of striking the sentence which states "*Mr. Rundo stated Mr. Pinkava had a conversation with the school, and any questions should be made directly to Mr. Pinkava.*" Motion seconded by Mr. Johnson. All in favor? AYE! by voice vote, motion passed.

Mr. Pinkava requested a motion to approve the special BPA meeting minutes from May 23, 2024. Mr. Johnson made a motion to approve the minutes of May 23, 2024, which were seconded by Mr. Rundo. All in favor? AYE! by voice vote, motion passed.

Mr. Pinkava moved to the Engineers report with Mr. Hess. Mr. Hess stated the Dean Court water-line pre-construction meeting is on Friday at 10:00am. That is all Mr. Hess shared at this time.

Mr. Pinkava moved to the Operators report with Mr. Neill. Mr. Neill brought forward the Spectrum line that was nicked while repairing a water valve on Ford Lane. Mr. Neill and Mr. Poulson stated Spectrum did hire a third party, USIC, to come out and mark where the cable line(s) are located so the repair could be made by the Village utilities department to the water valve on Ford Lane. Mr. Poulson mentioned when they started digging and shoveling, they were going by the marks that USIC had put down on the ground for Spectrum. Once they dug deeper to access the water valve, the Village utility dept nicked the Spectrum line, which was 8" to a foot from the valve. Mr. Poulson stated it was marked as a "bank" which is a single conduit and was incorrect. Mr. Poulson mentioned he had a verbal conversation with a third-party inspector who did state the utility department is *not* at fault for this repair. On May 22, 2024, Mr. Neill received a letter from Spectrum mentioning the Village of Burton is liable for this repair, including an invoice for \$10,000. Mr. Neill and Mr. Poulson do not believe they are at fault and would like to fight this claim. Mrs. Matheny asked if they would like to go through the Village's insurance carrier, have herself dispute this with Attorney fees or have the BPA board make a phone call to Spectrum. Mr. Neill and Mr. Poulson stated this line was marked incorrectly, and Mr. Pinkava did advise he plans on making a phone call to Spectrum to dispute the charges.

Mr. Pinkava circled back to the May 28, 2024, combined Council-BPA meeting minutes. Mr. Johnson made a motion to approve the minutes which were seconded by Mr. Pinkava. All in favor? AYE! By voice vote, motion passed.

Mr. Pinkava returned to the Operators report for discussion of solar panels. Mr. Neill stated he has started to research solar panels for the Village. Over the course of 25 years, it could save the Village about 4 to 5 million dollars. Mr. Neill stated he spoke to KSU regarding the solar panels that are currently installed at the facility as far as maintenance and savings. Mr. Pinkava and Mr. Johnson have requested Jake to continue researching solar panels for electricity savings.

Mr. Neill brought up the water line easement for the school. Mr. Pinkava reiterated the two-year agreement the Village gave Berkshire Schools is due to expire in August 2024. Mr. Rundo reminded the board that it's not just Berkshire Schools with the easement issue, it also involves KSU. Per Mr. Rundo, litigation may be the only way to have both parties sign off on this easement. The Village of Burton's concern is if there is an issue or repair that needs to be made on the Berkshire School grounds, it will be difficult to assess the damage and repair it due to no signed easement contract. Mr. Pinkava has requested a continuation of this discussion in July.

Mr. Neill brought up the sewer easement on Spring Street, which is not accessible with a sewer truck. Residents are concerned about easements, reason being, they are concerned its going to remove a lot of their property boundaries and have new restrictions. Mr. Rundo asked if the board should send out letters to residents and invite them to discuss easements with an action plan. Mr. Pinkava requested Mr. Neill compose a list of easements that need immediate attention, and a plan

of action will be generated. Mr. Rundo is requesting this topic remain in "old business" for July's BPA meeting.

Mr. Neill brought up the Fairgrounds water repair. Mr. Neill had the Woodford Co. out to repair the line without having to dismantle the fence. Mr. Johnson asked if the training of the Fire departments at the fairgrounds may have had anything to do with the water line repair. Mr. Neill stated when they are at the water plant, he can hear the pumps slamming, and water hammering, which immediately tells Mr. Neill a fire hydrant just cracked open. Mr. Neill did speak to the Assistant Chief regarding the slamming of the hydrants, and requested they be opened slowly and not hammered open. Mr. Neill mentioned the water lines at the plant vibrate excessively when hydrants are slammed open.

Mr. Pinkava moved onto the Rt 87 water repair. Mr. Neill stated it has been repaired and the curbing was poured. Mr. Pinkava mentioned he received a call from a resident who stated there are large trucks from the Star Trucking Company hauling asphalt up Rt 87, which the resident believes to be overloaded and over the weight limit. Mr. Pinkava asked if the overloaded trucks could be posing a risk to the water lines under the road. Mr. Neill stated this could add to the destruction of the water lines and could be an issue.

Mr. Pinkava would like to discuss the wastewater treatment plant tours. Mr. Neill mentioned he has had residents and schools inquiring if the Village has tours in the wastewater treatment facility. Mr. Rundo inquired about insurance if these tours did take place. Mrs. Matheny stated the Village of Burton does have liability insurance, but it would be between the Schools and the Village, which usually pertains to a release the parents sign for a field trip. Mr. Neill stated in his previous employment he would give tours to anyone who came into the water facility to view the plant. Mr. Pinkava will call Miss Dahlhausen to determine if the Village is covered for wastewater treatment plant tours.

Mr. Neill stated new water meters need to be purchased. Mr. Neill has no water meters in stock at this point, as he is trying to change the meters out in the village. A case of twelve meters is roughly \$2800.00 which needs a motion from BPA. Mr. Johnson made a motion to purchase twelve 5/8 pro-quarter R9001 pit gallon registered meters from NECO. Seconded by Mr. Rundo. All in favor? AYE, by voice vote, motion carries.

Mr. Neill has mentioned the quote from the company wanting to repair the tower. Mr. Neill explained to them BPA has not discussed anything further. Nothing more to add.

The CCR report is finished and completed for the EPA. This report must be made available to residents by July 1, 2024, and will be noted on their monthly bill.

Mr. Erhardt passed his class 1 water test on May 25, 2024. Mr. Pinkava stated he receives \$1.00 more an hour per his hiring conditions. Mr. Rundo makes a recommendation to approve a pay increase retroactive from the date Mr. Erhardt passed his class 1 water test, as well as a recommendation to Council. Mr. Johnson seconded this motion. All in favor? AYE! by voice vote motion passed.

Mr. Pinkava and Mr. Neill spoke about an invoice from Vallejo in the amount of \$5960.00 for the emergency restoration on Rt 87, as well as an invoice from the Woodford company in the amount of \$4500.00 for the repair at the Fairgrounds. Mr. Johnson made a motion to pay Woodford Excavating

\$10457.39 – seconded by Mr. Rundo, also a motion to pay \$5960.00 to Vallejo which was seconded by Mr. Pinkava. All in favor? AYE!, by voice vote, motion passed.

Mr. Pinkava has asked Mr. Neill about the Aqua Filters. Mr. Neill stated he received an email stating they are on schedule, but do not know when they will be out. Filter one is performing well, but there is sludge forming at the one end, and there are phosphorous concentrations that are not correct.

Mr. Pinkava inquired about the RCAP rate study. Mrs. Arnold stated Mrs. Dahlhausen sent financial reports to RCAP and no one has been informed of anything new.

Mr. Neill brought up the home on Evergreen which had the water leaking from the home and running into a neighbor's driveway. Mr. Neill stated the water was shut off on the street, and Mrs. Arnold did access the \$75.00 turn off fee as well.

Mr. Pinkava motioned to enter Executive Session for the purposes of discussing the compensation of a public employee pursuant to Section 121.22(G)(1) of the Ohio revised code and invite into executive session the solicitor, the utilities manager-Mr. Neill, the utilities operator-Mr. Poulson, Mrs. Arnold, Mrs. Spanos, Mr. Rundo made by BPA member Mr. Pinkava seconded by Mr. Johnson.

Roll Call: Mr. William Pinkava-yes, Mr. Curt Johnson-yes, Mr. Nick Rundo-yes.

Executive Session ended at 9:35pm and the BPA board returned to open session.

Mr. Pinkava motioned to adjourn the meeting – seconded by Mr. Johnson. All in Favor? AYE! by voice vote motion passed.

The meeting adjourned at 9:39pm.