

**WESTERN BUTLER COUNTY AUTHORITY  
607 MARKET STREET  
ZELIENOPLE, PA 16063  
PHONE: (724) 452-5501**

**Regular Meeting Minutes – December 9, 2021**

**CALL TO ORDER:**

A quorum was reached, and after reciting the Pledge of Allegiance, Chairman Thomas Tomayko called the December 9, 2021 meeting of the Western Butler County Authority Board of Directors to order at 4:00 p.m.

**PRESENT ON ROLL CALL:**

The following board members were in attendance:

Ed Eckenrode  
Mark Butler  
Daniel Karns  
Paul J. Kremer Jr.  
Ron Lutz  
Greg Such (remotely)  
Thomas Tomayko  
Dave Weber

**OTHERS PRESENT:**

Manager Autumn Crawford  
Solicitor Matt Racunas (remotely)  
Consulting Engineer Chad Hanley  
Office Administrator Evan George  
Recording Secretary Natalie Hacker (remotely)

**MEMBERS ABSENT:**

None

**VISITORS:**

Don Houk and David Sum from Houk Consulting. Houk Consulting provides technical security consulting for WBCA.

In a motion made by Dave Weber and seconded by Ed Eckenrode, the Board voted unanimously to reappoint Houk Consulting for 2022.

### **MINUTES:**

In a motion made by Ed Eckenrode and seconded by Daniel Karns, the Board unanimously approved the November 11, 2021 Regular Meeting Minutes, as amended.

### **BILLS AND COMMUNICATIONS:**

A list of bills in the amount of \$71,236.03 (Operating) and \$11,675.34 (Capital) was presented to the Board in the form of Expense by Vendor summaries with checks dated December 9, 2021. Manager Autumn Crawford answered questions from the board regarding the bills.

In a motion made by Ron Lutz and seconded by Mark Butler, the Board unanimously approved all of the bills for payment as presented by the Manager in Expense by Vendor summaries with checks dated December 9, 2021.

### **REPORT OF THE SECRETARY:**

The Secretary had nothing to report.

### **REPORT OF THE COMMITTEES:**

#### ***Personnel Committee***

The Manager reported that one new employee started December 6, 2021. A second new hire was supposed to start January 3, 2021 but is no longer able to accept the position due to personal circumstances. The Manager said the Personnel Committee would start advertising for hiring again in January.

#### ***Finance Committee***

The 2022 Budget will be discussed under the Manager's report.

#### ***Facilities Maintenance Committee***

The Committee had nothing to report.

### *Administrative Review Committee*

The Committee had nothing to report.

### **REPORT OF THE SOLICITOR:**

The Solicitor highlighted the following report items:

- The Solicitor was able to finalize the sales agreement for the proposed purchase of the storage unit property. The sales agreement was given to the seller for execution.
- The Solicitor continues to work with the Engineer and the Manager on issues regarding the proposed 537 Plan and the questions submitted by the Steering Committee.
- The Solicitor communicated with opposing counsel regarding the asbestos exposure lawsuit and drafted a formal answer to the complaint, denying involvement in all allegations. The Solicitor will continue to discuss with the plaintiff's council.

### **REPORT OF THE ENGINEER:**

The Engineer highlighted the following report items:

- **Herman Pump Station:** The General contract is substantially complete and the Electrical contract is final complete. The date of substantial completion for both the Electrical and General contracts was November 8, 2021, which begins the 12-month correction period.
- **Administration Building Construction:** The contract for the Administration Building Schematic Design was distributed to the board. The total cost is not to exceed \$85,000, with \$60,000 for Hayes Design Group and \$25,000 for HRG.

Ron Lutz asked when WBCA could expect to own the property from Zelienople Mini Storage. The Manager and Engineer said there were several issues resolved on Tuesday, and they hope to hear back in January. The Engineer said the subdivision and subsequent processing through Zelienople borough could slow down property acquisition, but if the subdivision conforms to requirements, it should move quickly.

Mr. Lutz reminded the board there is a motion to get all contracts a week before the meeting, and the Administration Building contract was not given to them one week before the meeting. The Manager said the motion was for all developer contracts, and it would be difficult to get all contracts to the board a week ahead of time, depending on the circumstances. Mr. Lutz proposed doing a phone vote or special meeting for contracts

that are late, but the Solicitor cautioned him against the idea. The Engineer proposed continuing a board meeting for any contracts that are late.

In a motion made by Ron Lutz, the motion: “All contracts must be before the board one week before the meeting” will be added to the agenda for next month’s meeting.

Tom Tomayko asked what HRG would do if they were not happy with Hayes Design Group. The Engineer answered that they would move on to their backup architect or look for a new architect.

Paul Kremer asked if this was the last contract for the Administration Building. The Engineer said there will be more.

Mark Butler asked what the contract includes and what percentage of the total project cost this contract includes. The Engineer said the contract includes survey, development of the site sketch plan, and development of the aesthetics and building contents. He also said it would be about 2.5% of the total cost.

Greg Such asked about the potential risk with the contract. The Manager and the Solicitor said that WBCA could stop the work at any time, so the risk is minimal.

The Board decided to vote on the Administrative Building Schematic Design contract despite not receiving it one week before the meeting. In a motion by Mark Butler and seconded by Greg Such, the board approved the Administration Building contract between HRG and Hayes Design Group in a roll call vote. **YES:** Daniel Karns, Mark Butler, Dave Weber, Greg Such, Ed Eckenrode, Tom Tomayko; **NO:** Paul Kremer, Ron Lutz. **The motion carried.**

## **REPORT OF THE MANAGER:**

### ADMINISTRATIVE

- **Act 537:** The first Steering Committee Meeting was held on November 30, 2021. All the members were in attendance, except one representative from Zelienople. The Committee opened a SharePoint site.

Larson Design Group attended the Steering Committee Meeting. The Committee decided Larson Design Group would review the 537 plan and collaborate with the Committee.

Paul Kremer asked what specifically Larson Design Group would review. The Manager answered they would start with the original 537 plan as a building block, and any issues or changes from the Steering Committee or Larson Design Group would aid in creating a new 537 plan.

Tom Tomayko asked about the cost of the Second Opinion Review contract. The Manger explained that the \$45,000 contract from Larson Design Group included a 4-6 week review process, meeting attendance, and report.

In a motion made by Daniel Karns and seconded by Dave Weber, the Board voted to approve the Larson Design Group contract in a roll-call vote. **Yes:** Ed Eckenrode, Mark Butler, Daniel Karns, Paul Kremer, Greg Such, Dave Weber; **No:** Ron Lutz. **The motion carried.**

Zelienople requested a chair for the Steering Committee. The Manager agreed and proposed the Dailey Operations Consulting contract.

In a motion made by Daniel Karns and seconded by Ron Lutz, the Board voted unanimously to approve the Dailey Operations Consulting contract.

- **2022 Budget:** In a motion made by Ed Eckenrode and seconded by Ron Lutz, the Board voted unanimously to approve the 2022 Budget.

### Facilities

- **Herman Pump Station:** In a motion made by Ron Lutz and seconded by Daniel Karns, the Board voted unanimously to approve the Wagner Electric Payment Application #9 in the amount of \$19,756.29.

In a motion made by Ed Eckenrode and seconded by Ron Lutz, the Board voted unanimously to approve the Bova Construction Payment Application #7 in the amount of \$182,614.57.

### SEWER SYSTEM REPORT

- **Foxwood Trails Gravity:** Foxwood Trails presented WBCA with the maintenance bond, so the Manager recommended the release of the remaining funds in the Sequestered Account in the amount of \$29,800.

In a motion made by Paul Kremer and seconded by Mark Butler, the Board voted unanimously to approve the release of the remaining funds.

- **Trails at Harmony Junction:** In a motion made by Ed Eckenrode and seconded by Paul Kremer, the Board voted unanimously to accept the Developer's Agreement of Phase 1 for 39 EDUs.

The Manager and the Solicitor have been in conversation with Washington Financial. Washington Financial presented WBCA a letter of credit in lieu of performance/labor and materials bond with an expiration date of one year. The Manager and Solicitor cannot accept a letter of credit with an expiration date.

In a motion made by Paul Kremer and seconded by Ron Lutz, the Board voted unanimously to accept the letter of credit from Washington Financial, contingent upon language change that both the Manager and the Solicitor agree with.

**PAST DUE ACTIVITY**

On 11/18/2021, a total of 35 customers failed to respond to the 30-day past due notification and were posted for water shut-off. Payment was due on or before 12/02/2021. Only customers on a public water service are included for shut off. Customers with a balance in excess of \$20 who are 60 days past due are included.

	Zelienople	Jackson	Lancaster	Harmony	Total
October 2021	\$13,424.70	\$5,970.04	\$1,815.75	\$7,703.31	\$28,913.81
November 2021	\$8,773.39	\$5,158.96	\$1,242.63	\$9,596.66	\$24,771.60

**OLD BUSINESS:**

No old business was discussed.

**NEW BUSINESS:**

The reorganization meeting is scheduled for January 13 at 7pm, with the regular board meeting directly following.

**EXECUTIVE SESSION:**

The Board went into Executive Session at 5:47 p.m. to discuss personnel and exited at 5:55 p.m.

**ADJOURNMENT:**

As there was no further business to discuss, Greg Such motioned to adjourn, seconded by Ron Lutz, and the 12/9/2021 Regular Meeting adjourned at 5:56 p.m.

Respectfully Submitted,

Natalie Hacker, Recording Secretary  
Western Butler County Authority