

**MINUTES
BOARD OF TRUSTEES MEETING
LORAIN COUNTY RURAL WASTEWATER DISTRICT
JANUARY 11, 2007**

Call to Order:

The regular meeting of the Board of Trustees of the Lorain County Rural Wastewater District was held at the LORCO office, 22898 West Road, Wellington, Ohio pursuant to written notice. President McConnell called the meeting to order at 7:00 p.m. with the pledge of allegiance.

Roll Call:

Secretary-Treasurer Lahetta called the roll with the following shown in attendance: Scott Grills, Camden Township; James Wright, Carlisle Township; Doug Edwards, Eaton Township; Joe Knoble, Henrietta Township; Ernest Hartman, Huntington Township; Barb Harper, LaGrange Township; John Piwinski, New Russia Township; Gerald Cowie, Rochester Township; Don Wittmer, Wellington Township; Dorothy Collins, Kipton Village; Thomas Lahetta, South Amherst Village; Neil Lynch, Amherst Township and James McConnell, Pittsfield Township.

Also in attendance were Russ McLaughlin, Attorney to the Board and Fred Alspach, Executive Director.

Absent were Rick Hutman, Elyria Township; Mike Podulka, Grafton Township and Dwaine Clinker, Rochester Village.

Members Sworn Into Office:

Attorney, McLaughlin gave the oath of office to Joseph Knoble, Henrietta Township and Howard (Butch) Born, Henrietta Township Alternate.

Election of Officers:

In accordance with Article IV, Section 1 of the LORCO Bylaws, election of officers is to take place at the first meeting of the year. Attorney McLaughlin then opened the floor for nominations for President.

It was moved by Barb Harper, with a second by Gerald Cowie to nominate James McConnell as President. There were no further nominations.

It was moved by Ernest Hartman, with a second by Doug Edwards to nominate Neil Lynch as Vice-President. There were no further nominations.

It was moved by Ernest Hartman, with a second by Don Wittmer to nominate Thomas Lahetta as Secretary-Treasurer. There were no further nominations.

Attorney McLaughlin presented the slate of officers, **Jim McConnell, President; Neil Lynch, Vice-President; Thomas Lahetta, Secretary-Treasurer**; for approval by the Board. It was moved by Don Wittmer, with a second by Gerald Cowie to elect the slate of officers as presented. All voted yea. Motion carried.

Changes to the Agenda:

There were none.

Approval of Minutes:

President McConnell called for any corrections or additions to the minutes of the meeting held December 14, 2006. It was moved by John Piwinski, with a second by Barb Harper to approve the minutes as written. All voted yea. Motion carried.

Old Business:

President McConnell noted that he had recent conversations with USDA's Kelly Hettick and expressed LORCO's frustration regarding ongoing missed communications between all parties trying to finalize the LORCO loan application to USDA. Executive Director, Fred Alspach, informed the board that the LORCO and USDA offices received the latest version of the Preliminary Engineering Report (PER) on Tuesday of this week. This revision contains graphs heretofore not requested, which substantiate population projections and realign the Phase-I Operating Budget numbers. An e-mail from Mr. Hettick was shared and stated that this revision looks good. It is anticipated by Mr. Hettick that the PER will go to USDA in Columbus by January 20th. GRW Engineer, Bob Smallwood, will fax the revised operating budget to be signed by President McConnell and Executive Director Alspach, and then forwarded to Mr. Hettick.

New Business

President McConnell opened the floor to set the LORCO meeting dates and times for 2007. It was moved by Barb Harper, with a second by Neil Lynch to hold all regular monthly meetings on the second Thursday of the month at 7:00 p.m. All voted yea. Motion carried.

It was moved by Neil Lynch, with a second by Barb Harper to reserve the fourth Thursday for special or committee meetings as needed. All voted yea. Motion carried.

RESOLUTION NO. 2007-01 It was moved by Thomas Lahetta, with a second by Scott Grills that be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that: WHEREAS, the following have been submitted:

Payroll 11/19/06 – 12/02/06	\$	1,408.92
Payroll 12/03/06 – 12/16/06	\$	1,413.11
Payroll 12/17/06 – 12/30/06	\$	1,419.23
LMRE – NISC monthly fee	\$	92.96

Verizon Telephone – December	\$	50.65
OPERS – December contribution	\$	1,618.70
First Merit – December federal taxes	\$	674.18
State of Ohio – fourth quarter payroll taxes	\$	405.05
Central Collections Agency – Fourth Quarter city payroll taxes	\$	178.24
Bramhall Engineering – inspection fees Barrington	\$	891.51
CJ Business Forms – office supplies (envelopes)	\$	137.24
Computers by Steve – website maintenance	\$	150.00
Oberlin News Tribune – subscription renewal	\$	32.00
First Merit – Visa	\$	23.26
Rural Urban Newsletter – subscription renewal	\$	30.00
First Merit – legal review fees	\$	1,893.10
LMRE – December rent	\$	250.00
LMRE – Administrative Contract for December	\$	4,443.18
Legal Counsel – fees for December	\$	7,659.00
LMRE – fourth quarter mileage	\$	142.85
LMRE – fourth quarter copies & faxes	\$	147.15
LMRE – fourth quarter postage	\$	190.04

NOW, THEREFORE BE IT RESOLVED,

- 1) That in anticipation of receiving permanent construction funding with a financing guarantee from the USDA/ Rural Development, the LORCO Rural Wastewater District may be required to expend or incur cost for planning and/or fees for the purpose of making capital improvements to their wastewater collection facility, which costs expended or incurred will be considered a part of the total USDA/Rural Development construction loan and the LORCO Rural Wastewater District may claim such costs as reimbursable expenses through the loan.
- 2) That it is found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees, and that all deliberations of the Board of Trustees and of any of its committees resulting in such formal action were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

Vote resulted as follows: 13 yea 0 nay. Motion Carried.

Alspach also reviewed the Cash Flow and Deferral Statement noting that all bills are listed to date but the 2006 final closing statement awaits several invoices. At this time there are sufficient funds to see LORCO operations through the second quarter of 2007.

The proposed LORCO-NORTH RIDGEVILLE AGREEMENT for wholesale treatment to the J&RR INVESTMENTS, LLC project, located within and bound by Archer Road, Chestnut Ridge Road and US-20, and part of a JEDD agreement between Eaton Township and North Ridgeville, was presented by Executive Director Alspach. The agreement was defined as identical to the LORCO-GRAFTON AGREEMENT except for the cost of treatment. It was moved by Doug Edwards, with a second by James Wright to approve and authorize the

Board President and Executive Director to sign the agreement. All voted yea.
Motion carried.

Discussion was held regarding the attendance of Elyria Township representative, Rick Hutman. A letter was sent but no reply has been received to date. President McConnell will make contact with the township trustees.

Executive Director Alspach presented the final draft of the CONNECTION PROCEDURE for SEWER TAPS ON VACANT LOTS. This document quotes various sections of LORCO's established policies and is used as an instrument to give direction to new homebuilders regarding LORCO's expectations and requirements. By concurrence of the Board there were no changes to the letter and it was suggested that both the Board President and Executive Director affix their signatures for official recognition.

OTHER BUSINESS:

The Policy Committee agreed to meet at 6:00 p.m. on Thursday, February 8, 2007 regarding negotiations with the J&RR INVESTMENTS, LLC project, which is in conjunction with the Eaton Township-North Ridgeville JEDD. Information for suggested policy regarding developer built projects will be provided to the committee prior to the meeting.

President McConnell indicated that committee assignments will include new member representatives but remain essentially the same as 2006. However, should any member suggest a change contact President McConnell. The assignments will be mailed out with a copy of the meeting minutes.

President McConnell called for any questions from the audience. Mr. White, of Carlisle Township, suggested we find out how long the loan approval process will take once the application is at the Federal level, whether it is considered with a group of applications and if rejected when the application could be resubmitted. Mrs. Morrison, of Eaton Township, questioned the policy whereby on-site systems with less than 7-years of operation are temporarily exempt from connecting to the LORCO built system and at such time the connection is made what is the cost to that homeowner. She requested and received a copy of the fee structure for connections, other than residential, the developer agreement and the connection procedure. Mr. Lynch pointed out that regarding the process of negotiating the Eaton Township-North Ridgeville JEDD; a LORCO representative could have been present to enhance the township's position. The Ohio Revised Code, Section 505.70.5 provides language regarding the township's ability to share cost with another public entity, such as LORCO, in matters of water and wastewater issues.

Adjourn:

It was moved by John Piwinski, with a second by Ernest Hartman to adjourn at this time 8:26 p.m. and meet again in regular session on Thursday, February 8, 2007 at 7:00 p.m. All voted yea. Motion carried.

President James McConnell

Secretary-Treasurer Thomas Lahetta