

MINUTES
BOARD OF TRUSTEES MEETING
LORAIN COUNTY RURAL WASTEWATER DISTRICT
June 14, 2007

Call to Order –

The regular meeting of the Board of Trustees of the Lorain County Rural Wastewater District was held at the Eaton Township Garage, 12043 Avon Belden Road, Grafton, Ohio 44044. President Jim McConnell called the meeting to order at 7:00 p.m. with the pledge of allegiance.

Trustees in Attendance –

| | | |
|----------------|----------------|------------------|
| Barbara Harper | Thomas Lahetta | John Piwinski |
| Jim Wright | Doug Edwards | Dominic Ferritto |
| Rick Hutman | Ernest Hartman | Dennis Shumacher |
| Jim McConnell | Gerald Cowie | Dwaine Clinker |
| | David Urig | |

Also in Attendance –

Fred Alspach, Executive Director
Becky Haines, Administrative Assistant
Dennis O'Toole, Legal Counsel

Absent –

Scott Grills, Joseph Knoble and Dorothy Collins

Approval of the Minutes –

President McConnell noted that the minutes of the regular meeting held on May 10, 2007 were mailed to all board members and called for any corrections or additions. It was moved by Thomas Lahetta with a second by Ernest Hartman to approve the minutes as written. All voted yea. Motion carried.

Old Business –

Executive Director Fred Alspach reported on the current disposition of LORCO's application to USDA-Rural Development for the Guaranteed Loan Commitment. The state office staff has completed an exhaustive review of the application, financial analysis, engineering and environmental reports. State Director, Randall Hunt, will review the final application before forwarding the package to Washington, D.C. on June 15, 2007.

The final publication required by USDA-Rural Development entitled "Notice of Finding of No Significant Impact and the Final Notice of a Potential Adverse Effect to Land Resources: Prime and/or Important Farmland, Wetlands and Floodplains" will appear in the Chronicle Telegram for three consecutive days beginning on June 18th and in the Rural Urban Record

New Business –

President McConnell stated that LORCO has received an official invitation to have a booth at the Lorain-Medina Rural Electric Annual Meeting which will be held on

July 24th, 2006 at the Lorain County Fairgrounds. Board members were encouraged to participate.

Resolution 2007-09 Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by Dominic Ferritto, seconded by Gerald Cowie, WHEREAS, the following have been submitted:

| | | |
|---|----|-----------|
| Payroll 04/22/07 – 05/05/07 | \$ | 1,419.23 |
| Payroll 05/06/07 – 05/19/07 | \$ | 1,419.23 |
| Payroll 05/20/07 - 06/02/07 | \$ | 1,419.23 |
| Verizon – landline for May | \$ | 50.95 |
| GRW Engineering – New Russia Feasibility | \$ | 2,800.00 |
| GRW Engineering – Asbuilt review, Barrington | \$ | 780.00 |
| LMRE – NISC fees for March & April | \$ | 185.94 |
| OPERS – May contribution | \$ | 832.52 |
| OPERS – April contribution | \$ | 832.52 |
| FirstMerit – federal deposit for April | \$ | 612.20 |
| FirstMerit – federal deposit for May | \$ | 612.20 |
| FirstMerit – Interim Interest Payment | \$ | 43,585.51 |
| Bramhall Engineering – inspection fees Barrington Estates | \$ | 2,328.40 |
| Rural Urban – legal notice | \$ | 924.00 |
| LMRE – May rent | \$ | 250.00 |
| LMRE – Administrative Contract for May | \$ | 6,664.77 |
| Stumphauzer & O’Toole – legal fees for May | \$ | 2,460.50 |

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.

Executive Director Alspach reviewed the weekly staff reports, correspondence, and relative news articles which recapped significant events regarding the loan application submittal and subsequent requests for additional information and changes.

During the USDA-Rural Development review of LORCO’s application it became apparent there was some confusion regarding LORCO’s official name. On June 1, 2007 Attorney O’Toole filed a Motion to Amend in the Lorain County Court of Common Pleas

recognizing the official name to include the acronym "LORCO", AKA LORCO Rural Wastewater District, AKA The Lorain County Rural Wastewater District.

A recommendation was presented to amend LORCO Sewer Regulation 405.03 to meet current regulations for the installation of household service lines which shall have a minimum internal diameter of six inches and be laid with a minimum grade of 1% fall (0.12 inch per lineal foot or 1 foot per hundred feet).

A motion was made by Thomas Lahetta with a second by Jim Wright to amend LORCO Sewer Regulation 405.03 to read "Sewer service lines shall have a minimum internal diameter of six inches and be laid with a minimum fall of 1% (0.12 inch per lineal foot or 1 foot per hundred feet) unless approved otherwise by the District. All voted yea. Motion carried.

Another recommended change to LORCO Sewer Regulation 311.02 was presented for board consideration. Homes that are under construction and yet to be occupied would be charged a flat rate for the period not to exceed 120 days, unless the home is completed, property transfers or usage becomes appreciable and then the regular billing practices would apply.

A motion was made by John Piwinski with a second by Barbara Harper to amend LORCO Sewer Regulation 311.02 with the following subsection language; A. User's monthly service charge for homes under construction shall be a flat rate for the period of home construction, not to exceed 120 days total. Such rate shall appear on LORCO's Tap Permit, Form 809. All voted yea. Motion carried.

Executive Director Alspach then began discussion on the Barrington Park Subdivision project in which seven homes on the west side of Grafton Road (SR-57) are in accordance with the 200' foot rule of the Ohio Administrative Code; Section 3701. In order to serve these residences, LORCO must submit to Northeast Ohio Areawide Coordinating Agency (NOACA) an application for a 208 Facility Planning Area change. At the June 8, 2007 NOACA Board of Trustees meeting, LORCO's petition was tabled and a request for clarification on the area proposed was issued. Andy Vidra, Senior Environmental Planner for NOACA, reviewed the area in question and consulted with the Ohio EPA and subsequently advised Mr. Alspach to proceed with the tap-ins for the seven homes. Therefore, it is the Executive Director's recommendation that the LORCO board approve the continuance of working with NOACA on the FPA change and accept the tap-ins per NOACA's advice.

A motion was made by Doug Edwards with a second by Ernest Hartman to approve, as part of the Barrington Park Project, the applications from property owners for sewer tap-ins on Grafton Road (SR-57) as identified in the amendment of the 208 Facility Planning Area from the Avon Lake-LORCO FPA to the Grafton FPA as submitted to NOACA, subject to and in accordance with the preliminary approval of NOACA. It is further moved that the executive director be authorized to take such other and further action as required to comply with this resolution and meet the requirements or conditions promulgated by NOACA and deemed consistent with the intent of this resolution, and subject to approval of legal counsel as to form. All voted yea. Motion carried.

Administrative Assistant Haines requested a Finance/Audit Committee meeting to be held on July 12, 2007 at 6:00 pm to discuss the 2006 Financial Audit and the 2008 Budget. Chairman Piwinski concurred and the committee members will be notified. She also stated that a sign up sheet will be at the July board meeting for participation in manning the LORCO booth at the Lorain County Fair.

Other Business –

President McConnell called for any further questions or comments from the audience. Discussion was had on a variety of topics ranging from construction time lines, service lines, monthly fees and tap fees, and existing concerns with Flint Ridge Subdivision and Eaton Estates.

Adjourn

With no further business to come before the board, it was moved by Doug Edwards with a second by Dominic Ferritto to adjourn at this time 8:45 PM and meet again in regular session at 7:00 PM on Thursday, July 12, 2007 at the LORCO office located at 22898 West Road, Wellington, Ohio. All voted yea. Motion carried.

President

Secretary Treasurer