

**MINUTES
BOARD OF TRUSTEES MEETING
LORAIN COUNTY RURAL WASTEWATER DISTRICT
August 13, 2009**

Call to Order:

The regular meeting of the Board of Trustees of the Lorain County Rural Wastewater District was held at the LORCO offices, 22898 West Road, Wellington, Ohio. President McConnell called the meeting to order at 7:05 PM with the pledge of allegiance.

Trustees in Attendance:

Doug Edwards	Rick Hutman	Dominic Ferritto
Ernest Hartman	John Piwinski	Amy Szmania (A)
Louise Grose	Thomas Lahetta	Dorothy Collins
Cindy Kurpely	Neil Lynch	James McConnell
Scott Grills	James Wright	Howard Born (7:25 PM)

Absent: Rita Canfield

Also in Attendance:

John Kniepper, Chief Utilities Executive, Avon Lake Municipal Utilities
Becky Haines, Special Projects Coordinator, Avon Lake Municipal Utilities
Dennis O'Toole, Legal Counsel
Helen Haddox, Office Manager

Oath of Office:

Attorney O'Toole administered the oath of office to Amy Szmania (A) appointed by Rochester Village to serve a three year term through March 31, 2011.

Approval of Minutes:

President McConnell announced that the minutes of the regular meeting held on July 9, 2009 were mailed to all trustees and called for any additions or corrections. It was moved by Ernest Hartman, with a second by Cindy Kurpely to approve the minutes of the July 9, 2009 meeting as written. All voted yea. Motion carried.

Old Business:

President McConnell began with an announcement that Executive Director Fred Alspach had fallen ill and read a letter from Fred thanking all for their well wishes for a speedy recovery.

New Business:

RESOLUTION NO. 2009-42 It was moved by Scott Grills, with a second by James Wright, WHEREAS, the following have been submitted:

Verizon – landline	\$	53.69
First Merit – monthly analysis fee	\$	57.43
North Coast Administrators – monthly health insurance	\$	144.55
Bobel’s Office Supply – general office supplies	\$	162.58
LMRE – NISC accounting software (2 mos.)	\$	192.16
Lorain County Treasurer – Flood Hazard Permits	\$	300.00
First Merit – federal payroll taxes for July	\$	368.30
OPERS – contributions 06/27/09 – 07/24/09	\$	630.53
Easement acquisition expenses for June	\$	1,220.20
Payrolls disbursed on – 07/01/09, 07/15/09 and 07/29/09	\$	3,444.87
Neace Lukens – annual liability insurance	\$	4,295.00
Stumphauzer O’Toole for expenses paid to Belz & Associates	\$	7,419.00
Stumphauzer O’Toole for expenses paid for appropriations	\$	17,400.00
First Merit – interest	\$	65,677.06
LMRE – administrative contract for June	\$	9,566.60
LMRE – second quarter postage	\$	246.97
LMRE – second quarter mileage	\$	590.15
LMRE – second quarter copies and faxes	\$	199.35
LMRE – rent for June	\$	250.00
Stumphauzer O’Toole (000M) – legal fees for 06/01/09 – 06/23/09	\$	14,867.50
Stumphauzer O’Toole (002M) – legal fees for 05/27/09 – 06/26/09	\$	4,969.90
Radachi & Company – accounting fees for 06/01/09 – 06/29/09	\$	2,929.00

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: 14 yea. 0 nay. Motion carried.

President McConnell presented the following resolutions regarding appropriations and perpetual easement rights:

RESOLUTION NO 2009-43 It was moved by Cindy Korpely with a second by Tom Lahetta to approve appropriation and perpetual easement rights for PPN: 04-00-004-101-033. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-44 It was moved by Louise Grose with a second by Rick Hutman to approve appropriation and perpetual easement rights for PPN: 07-00-043-101-006. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-45 It was moved by Ernest Hartman with a second by John Piwinski to approve appropriation and perpetual easement rights for PPN: 07-00-043-101-008. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-46 It was moved by James Wright with a second by Cindy Korpely to approve appropriation and perpetual easement rights for PPN: 07-00-044-102-014, 07-00-044-102-036, 07-00-044-102-046. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-47 It was moved by John Piwinski with a second by Amy Szmania to approve appropriation and perpetual easement rights for PPN: 07-00-043-101-025. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-48 It was moved by Tom Lahetta with a second by Ernest Hartman to approve Appropriation and perpetual easement rights for PPN: 10-00-015-113-027. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-49 It was moved by Ernest Hartman with a second by Scott Grills to approve Appropriation and perpetual easement rights for PPN: 11-00-049-000-003. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-50 It was moved by John Piwinski with a second by James Wright to approve appropriation and perpetual easement rights for PPN: 11-00-004-000-004. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-51 It was moved by Dominic Ferritto with a second by Amy Szmania to approve appropriation and perpetual easement rights for PPN: 11-00-028-000-005. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-52 It was moved by Cindy Korpely with a second by Louise Grose to approve appropriation and perpetual easement rights for PPN: 11-00-050-000-006. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-53 It was moved by James Wright with a second by Scott Grills to approve appropriation and perpetual easement rights for PPN: 11-00-001-000-013. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-54 It was moved by John Piwinski with a second by Rick Hutman to approve appropriation and perpetual easement rights for PPN: 11-00-004-000-015, 11-00-004-000-011, 11-00-004-000-013, 11-00-004-000-014. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-55 It was moved by Cindy Kurpely with a second by James Wright to approve appropriation and perpetual easement rights for PPN: 11-00-049-000-016, 11-00-052-000-009, 11-00-052-000-010. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-56 It was moved by Ernest Hartman with a second by Dominic Ferritto to approve appropriation and perpetual easement rights for PPN: 11-00-010-000-026. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-57 It was moved by Tom Lahetta with a second by Scott Grills to approve appropriation and perpetual easement rights for PPN: 11-00-055-000-028. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-58 It was moved by Ernest Hartman with a second by Tom Lahetta to approve appropriation and perpetual easement rights for PPN: 11-00-092-000-035, 11-00-092-000-048. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-59 It was moved by James Wright with a second by Dominic Ferritto to approve appropriation and perpetual easement rights for PPN: 11-00-008-000-037. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-60 It was moved by Louise Grose with a second by Ernest Hartman to approve appropriation and perpetual easement rights for PPN: 11-00-010-000-041. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-61 It was moved by Cindy Kurpely with a second by Amy Szmania to approve appropriation and perpetual easement rights for PPN: 11-00-048-000-044. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-62 It was moved by John Piwinski with a second by Scott Grills to approve appropriation and perpetual easement rights for PPN: 11-00-029-000-052, 11-00-029-000-016. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-63 It was moved by Tom Lahetta with a second by Ernest Hartman to approve appropriation and perpetual easement rights for PPN: 11-00-091-000-058. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-64 It was moved by Cindy Kurpely with a second by Dominic Ferritto to approve appropriation and perpetual easement rights for PPN: 11-00-008-000-065. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-65 It was moved by Ernest Hartman with a second by Scott Grills to approve Appropriation and perpetual easement rights for PPN: 11-00-092-000-070. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-66 It was moved by Jim Wright with a second by Cindy Kurpely to approve appropriation and perpetual easement rights for PPN: 11-00-051-000-103. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-67 It was moved by Dominic Ferritto with a second by Rick Hutman to approve appropriation and perpetual easement rights for PPN: 11-00-051-000-106. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-68 It was moved by James Wright with a second by Cindy Kurpely to approve appropriation and perpetual easement rights for PPN: 11-00-051-000-116. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-69 It was moved by John Piwinski with a second by Ernest Hartman to approve Appropriation and perpetual easement rights for PPN: 04-00-001-102-022. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-70 It was moved by Cindy Kurpely with a second by Tom Lahetta to approve appropriation and perpetual easement rights for PPN: 04-00-001-102-055. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-71 It was moved by Dominic Ferritto with a second by Ernest Hartman to approve appropriation and perpetual easement rights for PPN: 07-00-044-101-013. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-72 It was moved by James Wright with a second by Cindy Kurpely to approve appropriation and perpetual easement rights for PPN: 10-00-024-000-021, 10-00-024-000-094. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-73 It was moved by Ernest Hartman with a second by Scott Grills to approve appropriation and perpetual easement rights for PPN: 10-00-024-000-174. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-74 It was moved by Tom Lahetta with a second by Rick Hutman to approve appropriation and perpetual easement rights for PPN: 11-00-052-000-006. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-75 It was moved by Dominic Ferritto with a second by Cindy Kurpely to approve appropriation and perpetual easement rights for PPN: 11-00-063-000-018, 11-00-063-000-017. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-76 It was moved by Ernest Hartman with a second by Louise Grose to approve appropriation and perpetual easement rights for PPN: 11-00-091-000-062. The vote resulted as follows: 14 yea 0 nay. Motion carried.

RESOLUTION NO 2009-77 It was moved by James Wright with a second by Cindy Kurpely to approve appropriation and perpetual easement rights for PPN: 11-00-091-000-063. The vote resulted as follows: 14 yea 0 nay. Motion carried.

Other Business:

Office Manager Helen Haddox briefly reviewed the monthly financial statement before President McConnell called for questions or concerns from the audience.

Executive Session

It was moved by Ernest Hartman, with a second by Doug Edwards to go into executive session at 7:30 PM to discuss personnel and litigation issues. A roll call vote was taken showing all regular meeting board members present. Motion carried.

It was declared by President McConnell to go back into regular session at 9:50 PM. All board members were present.

A motion was made by Howard Born, with a second by Rick Hutman to authorize the President, with approval of legal counsel, to make any revisions to project documents and agreements necessary and conducive to the closing of this project and approval by OEPA and OWDA, provided such revisions, if any, are consistent with the intent of the board as expressed and adopted by prior resolutions. The vote resulted as follows: 15 yea 0 nay. Motion carried.

Adjourn:

With no further business to come before the Board, a motion was made by Howard Born, with a second by Cindy Kurpely to adjourn at this time 9:55PM. The board will meet again in regular session at 7:00 PM on Thursday, September 10, 2009 at the LORCO offices located at 22898 West Road, Wellington, Ohio 44090.

President

Secretary-Treasurer