

**MINUTES  
BOARD OF TRUSTEES MEETING  
LORAIN COUNTY RURAL WASTEWATER DISTRICT  
October 12, 2006**

**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. President McConnell called the meeting to order at 8:00 p.m. with the pledge of allegiance.

**Trustees in Attendance –**

James Wright	Douglas Edwards	Dominic Ferritto
Ernest Hartman	Barbara Harper	John Piwinski
Gerald Cowie	Don Wittmer	Thomas Lahetta
Dorothy Collins	Scott Grills	Neil Lynch
	Jim McConnell	

**Also in Attendance –**

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

**Absent –** Rick Hutman, Ed Born, Dwaine Clinker

**Approval of the Minutes –**

President McConnell noted that the minutes of the regular meeting held on September 14, 2006 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 status of the project funding and the anticipated time line for the finalization of the loan with FirstMerit Bank and the guaranteed loan commitment from USDA-Rural Development

In addition, Executive Director Alspach explained that the interim financing loan through FirstMerit Bank is payable in mid-November and requested the boards approval in extending the planning loan for an additional six months.

A motion was made by John Piwinski with a second by James Wright authorizing Executive Director Alspach to proceed with the loan extension. All voted yea. Motion carried.

**New Business –**

President McConnell reported that he had attended two Wellington Township meetings and was able to clarify several points regarding LORCO. He was asked to attend the Huntington Township Zoning Board meeting on October 17 at 7:00 pm to give a presentation and answer questions or concerns that the members may have. He extended the invitation to members of the board should they choose to attend.

Further discussion was had regarding an invitation to the Lorain County Prosecutor's office to have Prosecutor Dennis Will and Assistant Prosecutor Jerry Innes attend our board meeting and give a presentation on the responsibilities of their office representing township officials and county officials and the conflicts that sometime arise when there is a disagreement between the two entities. Executive Director Alspach will make contact with their office to extend the invitation for either the November or December board meeting.

Attorney O'Toole reported that he is continuing to work with legal counsel from FirstMerit Bank on a number of legal issues regarding the loan commitment. He anticipates a draft reflecting language revisions next week. The draft will also be reviewed by Paul Stubbins of Seasongood & Mayer and Executive Director Alspach.

**Resolution 2006-21** Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by James Wright, seconded by Ernest Hartman, WHEREAS, the following have been submitted:

Payroll 08/26/06 – 09/09/06	\$	1,403.06
Payroll 09/10/06 – 09/23/06	\$	1,403.06
LMRE – NISC monthly fee	\$	92.96
LMRE – reimbursement of dry cleaning bill	\$	22.55
Verizon Telephone – September	\$	51.66
OPERS – August contribution	\$	809.34
First Merit – September federal taxes	\$	832.17
LORCO – Petty cash reimbursement	\$	153.47
Bobel's Office Plus – binder	\$	50.67
Ohio Treasurer of State – Third Quarter Payroll Taxes	\$	486.18
Ohio Rural Water Association – membership renewal fee	\$	50.00
State of Ohio – OEPA Permit to Install review fee	\$	15,100.00
State of Ohio – OEPA General Contractor permit fee	\$	500.00
LMRE – Octobers rent	\$	250.00
LMRE – Administrative Contract for October	\$	4,443.18
Baumgartner & O'Toole – legal services for September	\$	4,541.75
Radachi & Company – July accounting services	\$	754.00
Radachi & Company – August accounting services	\$	232.00
LMRE – Third quarter copies & faxes	\$	232.65
LMRE – Third quarter mileage	\$	411.63
LMRE – Third quarter postage	\$	244.44

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

**Resolution No. 2006-22** Herein a motion was made by Dominic Ferritto, seconded by Gerald Cowie for the Board of Trustees of the Lorain County Rural Wastewater District to consider the following:

A RESOLUTION APPROVING SEWER TAP-IN FEES IN ACCORDANCE WITH THE ENGINEER'S PROJECTED SCHEDULE OF INCOME AND DISBURSEMENTS.

WHEREAS, the Lorain County Rural Wastewater District Board of Trustees, under Sections 6119.06 and 6119.46 through 6119.58 of the Ohio Revised Code has the duty of establishing and periodically reviewing sewer tap-in fees for benefited users of the LORCO wastewater system, and

WHEREAS, in accordance with funding parameters, the following sewer Tap -in fees are established.

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|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$5,000.00 | Existing homes at time of line construction                                                                                                                             |
| \$5,000.00 | Minimum or as per permit schedule for existing businesses as identified within LORCO SEWER REGULATIONS, CHAPTER III; Section 308: SEWER CONNECTIONS, FEES AND DEPOSITS. |
| \$6,000.00 | Minimum for individual new homes and homes within residential developments built following the completion of line construction.                                         |
| \$6,000.00 | Minimum or as per permit schedule for individual new businesses and businesses within commercial developments                                                           |

built following the completion of line construction and as identified within LORCO SEWER REGULATIONS, CHAPTER III; Section 308: SEWER CONNECTIONS, FEES AND DEPOSITS.

In addition, such fees will be reviewed on an annual basis to determine adjustment due to demonstrable increases, which would facilitate an increase or an adjustment to reduce costs associated with customer participation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the LORCO Rural Wastewater District, Lorain County, Ohio;

Section 1. That it is found and determined that all formal actions of the District Board of Trustees concerning and relating to the passage of this resolution were passed in an open meeting of this District, and that all deliberations of this District Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

The Vote resulted as follows: 13 Yea 0 Nay. Motion carried.

**Resolution No. 2006-23** Herein a motion was made by Ernest Hartman, seconded by Barbara Harper for the Board of Trustees of the Lorain County Rural Wastewater District to consider the following:

A RESOLUTION APPROVING MONTHLY USER FEES IN ACCORDANCE WITH THE ENGINEER'S PROJECTED SCHEDULE OF INCOME AND DISBURSEMENTS.

WHEREAS, the Lorain County Rural Wastewater District Board of Trustees, under Sections 6119.06 and 6119.46 through 6119.58 of the Ohio Revised Code has the duty of establishing and periodically reviewing monthly fees for benefited users of the LORCO wastewater system, and

WHEREAS, in accordance with funding parameters, the following minimum monthly fees are established.

Minimum monthly bill including first 2,000 gallons	\$42.00
All usage over minimum per 1,000 gallons	\$ 5.00

In addition, such rates will be reviewed on an annual basis to determine adjustment due to demonstrable increases, which would facilitate an increase or an adjustment to reduce costs associated with customer participation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the LORCO Rural Wastewater District, Lorain County, Ohio;

Section 1. That it is found and determined that all formal actions of the District Board of Trustees concerning and relating to the passage of this resolution were passed in an open meeting of this District, and that all deliberations of this District Board of Trustees and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

The Vote resulted as follows: 13 Yea 0 Nay. Motion carried

Executive Director Alspach completed the Administrative Report reviewing the meetings held, the staff report, correspondence and news articles. Administrative Assistant Haines reviewed the Financial Report.

President McConnell called for any other business to come before the Board and asked the audience if they had any questions or concerns.

### **Adjourn**

With no further business to come before the board, it was moved by Dominic Ferritto with a second by Douglas Edwards to adjourn at this time 10:35 PM and meet again in regular session at 8:00 PM on Thursday, November 9, 2006 at the LORCO office located at 22898 West Road, Wellington. All voted yea. Motion carried.

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President

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Secretary Treasurer