

**MINUTES  
BOARD OF TRUSTEES MEETING  
LORAIN COUNTY RURAL WASTEWATER DISTRICT  
July 12, 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 located at 22898 West Road, Wellington, Ohio 44090. 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
Gary Crane	Doug Edwards	Dominic Ferritto
Joseph Knoble	Ernest Hartman	Dennis Shumaker
Jim McConnell	Gerald Cowie	Dwaine Clinker
Scott Grills	Dorothy Collins	Neil Lynch

**Also in Attendance –**

Fred Alspach, Executive Director  
Becky Haines, Administrative Assistant  
Dennis O'Toole, Legal Counsel  
Rich Radachi, CPA  
Bob Smallwood, P.E.  
Kurt Zehnder, EIT

**Absent – Rick Hutman**

**Approval of the Minutes –**

President McConnell noted that the minutes of the regular meeting held on June 14, 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 national office staff is currently reviewing the application, financial analysis, engineering and environmental reports.

A meeting had been held earlier in the day with Bob Smallwood and Kurt Zehnder of GRW Engineering, John Kniepper of Avon Lake Municipal Utilities and Executive Director Alspach to discuss the final design plans for the force main to the Avon Lake Wastewater Treatment facility in accordance with the Ohio Environmental Protection Agency's Permit to Install (PTI) review. This should finalize the review process and the OEPA review comments would then be forthcoming.

**New Business –**

President McConnell talked briefly about the June board meeting held at Eaton Township and that he had positive conversations with some in attendance after the meeting. Doug Edwards and Gary McCort added although there are still some concerns regarding the design most discussions have been favorable regarding the project.

Attorney O'Toole reviewed the RBC Capital Markets Retention of Services document which replaces the previous agreement with Paul Stubbins due to the name change from Seasongood & Mayer. Although the context was almost identical there are two points which Attorney O'Toole, with assistance by Executive Director Alspach, will have clarified to complete this agreement.

A motion was made by Barbara Harper with a second by Scott Grills authorizing Attorney O'Toole and Executive Director Alspach to enter into agreement with RBC Capital Markets with the understanding that two points are to be clarified. All voted yea and the motion carried.

GRW Engineer Bob Smallwood presented an update on the progress with the OEPA to obtain the Permit to Install (PTI) and that the Anti-degradation issues that have been addressed and he is awaiting their response. It is hoped that he will receive the OEPA review comments in the near future. Once the PTI has been issued we can move forward with the balance of the permits required and securing easements.

Finance-Audit Committee Chair, John Piwinski, discussed the agenda of their meeting held earlier in the evening. CPA Radachi then noted to the full board that the 2006 Financial Report had been completed and discussed various details of the 2008 Temporary Budget.

**RESOLUTION 2007-10** Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by John Piwinski with a second by Ernest Hartman;

WHEREAS, the State of Ohio requires that all Public Entities approve their 2008 temporary operating budget prior to July 31, 2007, and;

WHEREAS, the 2008 temporary operating budget is enclosed and;

WHEREAS, full discussion has been held

NOW, THEREFORE BE IT RESOLVED

1. The Lorain County Rural Wastewater District 2008 Temporary Budget Appropriation is hereby approved with Exhibits attached.
2. That it is found and determined that all formal actions of the Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this 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; 15 yea, 0 nay. Motion carried.

A motion was made by Ernest Hartman with a second by Scott Grills to accept the Finance-Audit Committee's recommendation for a 2% Administrative Assistant salary increase. All voted yea and the motion carried.

**RESOLUTION 2007-11** Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by Thomas Lahetta, seconded by Barbara Harper; WHEREAS, the following have been submitted:

Payroll 06/02/07 – 06/16/07	\$	1,419.23
LMRE – NISC fees for May	\$	92.97
OPERS – June contribution	\$	1,248.78
FirstMerit – federal deposit for June	\$	612.20
Rural Urban – legal notice	\$	459.00
Chronicle Telegram – legal notice	\$	1,184.69
State of Ohio – second quarter payroll taxes	\$	365.58
Central Collection Agency – second quarter payroll taxes	\$	133.69
Village of Grafton – wastewater treatment costs	\$	67.31
LMRE – June rent	\$	250.00
LMRE – Administrative Contract for June	\$	6,664.77
Stumphauzer & O'Toole – legal fees for June	\$	2,622.50
LMRE – Second quarter postage	\$	212.41
LMRE – Second quarter copies and faxes	\$	169.10
LMRE – Second quarter mileage	\$	312.34

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: 15 yea 0 nay. Motion carried.

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Executive Director Alspach reviewed the weekly staff reports, correspondence, and relative news articles which recapped the events since the last board meeting. He then reported on Resolution No. 2007-12 explaining that the proposed change to the 208 Facility Planning Area for the Barrington Park project and the surrounding homes was in line with NOACA's Policy 4-2, which says that all parties are in agreement with such action. The change was initiated by LORCO with regard to the homes in Eaton Township that would have access to the Barrington Park interceptor. Some of the homes were under the County's sewer planning authority but not served. Therefore, in order to provide the service the change was required. Alspach noted that the County Commissioners approved the change at their meeting held earlier in the day. It was recommended that the LORCO Board approve this resolution, and then it would go before the NOACA governing board on Friday July 13, 2007 for their consideration.

**RESOLUTION NO. 2007-12** Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by Ernest Hartman with a second by Douglas Edwards WHEREAS;

A RESOLUTION APPROVING THE 208 FACILITY PLANNING AREA CHANGE TO THE GRAFTON FACILITY PLANNING AREA TO BE KNOWN AS GRAFTON DISTRICT "A" (BARRINGTON PARK)

WHEREAS, the LORCO RURAL WASTEWATER DISTRICT has agreed to own and maintain the wastewater services for the "Barrington Park" subdivision and the surrounding area, a portion of which is within the joint facility planning area of LORCO and the county of Lorain but not being serviced nor intended to be serviced by the county, and;

WHEREAS, the Village of Grafton, Ohio has agreed to treat wastewater from "Barrington Park" subdivision and the surrounding area, and;

WHEREAS, LORCO has petitioned the Northeast Ohio Areawide Coordinating Agency for approval of the addition of such surrounding area to the Grafton facility planning area, and;

WHEREAS, NOACA has proposed a technical correction to the Grafton Facility Planning Area to recognize that the Tanglewood Subdivision is in the service area of Grafton.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the LORCO Rural Wastewater District that:

Section 1. The Board authorizes the Executive Director to execute such documents as necessary to complete this 208 Facilities Planning Area change under NOACA Policy 4-2.

Section 2. It is found and determined that all formal actions of the LORCO Board concerning and relating to the passage of this Resolution were passed in an open meeting of this Board, and that all deliberations of this Board 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.

Vote resulted as follows: 15 yea 0 nay. Motion carried.

Two proposals had been received for the Trustee & Staff liability insurance which is scheduled for renewal on August 1, 2007. The coverages mirrored one another but the difference was in the annual premium. Rural Special District's proposal presented by Neace Lukens Insurance Agency, who has been the carrier LORCO has used for the past two years, quoted an annual premium of \$2,438.00. It was his recommendation to approve the Rural Special Districts proposal.

A motion was made by John Piwinski with a second by Dominic Ferritto to accept the proposal from Rural Special Districts, through Neace Lukens Insurance Agency, as LORCO's carrier through August, 2008. All voted yea and the motion carried.

The Grafton District "A" Sewer System (Barrington Park) has been completed in accordance with the LORCO-Yost agreement. Mr. Alspach recommended acceptance of this system as required in paragraph nine of the agreement.

A motion was made by Doug Edwards and a second by Barbara Harper to accept and assume responsibility for the Grafton District "A" Sewer System. All voted yea and the motion carried.

Administrative Assistant Haines presented the financial reports and called for any questions. She also noted that LORCO currently is billing for twelve connections on the Grafton District "A" Sewer System and receiving payments. A sign up sheet for volunteers to work in the LORCO booth at the Lorain County Fair had been circulated amongst the members.

#### **Other Business –**

President McConnell called for a motion to enter into Executive Session to discuss personnel issues.

A motion was made by John Piwinski with a second by Doug Edwards to move into Executive Session at 8:25 P.M. A roll call vote was taken. All voted yea. Motion passed.

At 8:50 P.M. President McConnell declared the end of Executive Session and resume regular session.

**Adjourn**

With no further business to come before the board, it was moved by John Piwinski with a second by Dominic Ferritto to adjourn at this time 8:55 PM and meet again in regular session at 7:00 PM on Thursday, August 9, 2007 at the LORCO office located at 22898 West Road, Wellington, Ohio. All voted yea. Motion carried.

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President

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Secretary Treasurer