

**MINUTES
BOARD OF TRUSTEES MEETING
LORAIN COUNTY RURAL WASTEWATER DISTRICT
FEBRUARY 12, 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. Vice-President Lynch called the meeting to order at 7:05 p.m. with the pledge of allegiance.

Trustees in Attendance:

Scott Grills	James Wright	Doug Edwards
Tom Steigerwald (A)	Ernest Hartman	John Piwinski
Gerald Cowie	Calvin Woods	Thomas Lahetta
Dorothy Collins	Cindy Kurpely	Neil Lynch

Also in Attendance:

Dennis O'Toole, Attorney
Helen Haddox, Office Manager
Fred Alspach, Executive Director

Absent:

Rick Hutman, Joseph Knoble, LaGrange Township and James McConnell

Approval of Minutes:

Vice-President Lynch announced that the minutes of the regular meeting held on January 8, 2009 had been mailed to all the trustees and called for any additions or corrections. It was moved by Cindy Kurpely, with a second by Gerald Cowie to approve the minutes as corrected. All voted yea. Motion carried.

Old Business:

There was no old business to come before the board.

New Business:

Vice-President Lynch noted that the LMRE Board has submitted a request that with the actual increase of Fred Alspach's time to LORCO, the current administrative agreement be changed to one-hundred percent allocated to LORCO effective March 1, 2009. Currently it is seventy-five percent. It was moved by Tom Lahetta, with a second by Scott Grills to approve the agreement increasing Fred Alspach's time to LORCO to one-hundred percent. All voted yea. Motion carried.

The current list of committees was identified and discussed. If anyone wishes to change his or her former committee position, please contact President McConnell. Cindy Kurpely asked if she is to assume former Rochester representative, Dwaine Clinker's, assignment.

RESOLUTION NO. 2009-3 It was moved by John Piwinski, with a second by Tom Steigerwald WHEREAS, the following have been submitted:

First Merit – interest	\$	31,978.22
Payrolls disbursed on – 01/14/09 & 01/28/09	\$	2,238.04
OPERS – contributions 12/27/08 – 01/23/09	\$	592.13
North Coast Administrators – monthly health insurance	\$	526.66
Chronicle Telegram – OEPA Public Notice 12/30/08	\$	369.70
First Merit – federal payroll taxes for January	\$	203.76
Ohio Utilities Protection – annual notification fee	\$	100.00
LMRE – NISC monthly accounting software	\$	95.63
Verizon – monthly landline	\$	62.61
First Merit – monthly analysis fee	\$	60.06
First Merit – preprinted deposit slip fee	\$	35.75
Easement acquisition expenses for January	\$	20.00
LMRE – administrative contract for December	\$	7,174.94
Stumphauzer O’Toole – legal fees for 11/25/08 – 12/22/08	\$	5,949.00
Radachi & Company – accounting fees 12/01/08 – 12/17/08	\$	1,986.50
LMRE – fourth quarter postage	\$	559.76
LMRE – fourth quarter mileage	\$	391.95
LMRE – fourth quarter copies and faxes	\$	183.75
LMRE – rent for December	\$	250.00

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: 12 yea, 0 nay. Motion carried.

There was no legal report given at this time.

The Executive Director reviewed the memo regarding a January 22, 2009 meeting with Andy Vidra of NOACA and Mukund Moghe and Aaron Klein, Engineers for the City of Elyria. They had discussed Facility Planning Areas (FPA). Mr. Moghe followed up with a notice to the Ohio EPA that Elyria would be filing a formal protest to perceived encroachment on Elyria’s FPA and Mr. Moghe requested that the Ohio EPA not issue a Permit to Install to LORCO. Alspach discussed several issues and options and recommended, based on Elyria’s protest, that the board approve a motion to not serve the homes on the north side of Robson Road, west of Grafton Road and the homes on the north side of Royalton Road, west of Durkee Road. In the event the City of Elyria does not extend sanitary lines to the area, and affected homeowners are later

required to connect to the sanitary line by various regulatory agencies, it will likely cost the homeowners considerably more money. Several board members expressed concern over these homeowners in Carlisle and Eaton Townships being required to pay the higher cost for future inclusion in the LORCO system, due to the City of Elyria not being willing to voluntarily relinquish the somewhat dynamic FPA areas assigned by NOACA. It was recommended by several board members that LORCO notify the affected homeowners of their options, once the LORCO Phase I project begins construction. It was moved by Ernest Hartman, with a second by Cindy Kurpley to rescind planned sewer service to the 14 homes on the north side of Robson Road, west of Grafton Road and the 24 homes on the north side of Royalton Road, west of Durkee Road. All voted yea. Motion carried.

The monthly time sheet and several news articles were then reviewed. Amherst Township and Rochester Township have provided their township resolutions supporting LORCO's efforts to obtain Federal Stimulus Funds for the Phase I project. A generic resolution was provided to all board members and a request that their respective entities also resolve to support the efforts to obtain these funds. Such funds will ultimately decrease the monthly debt service cost to the benefited users.

The December list of deposits, disbursements and deferrals was reviewed. A copy of the Public Notice to Bid, as it will appear in the Chronicle Telegram, was provided to all board members.

Other Business:

Vice-President Lynch opened the floor to questions from the audience.

It was moved by Dorothy Collins, with a second by Ernest Hartman to limit questions and remarks to a three-minute time limit with discussions pertaining only to the issues of sewers and to have speakers to stay located at their seats. Also to immediately terminate speaker's time limit if they become disrespectful to this Board. All voted yea. Motion carried.

Questions posed by the audience were to stop or put on hold the Phase I project, how much are the monthly charges and tap fees for Barrington Park residents and the locations of certain pipeline and property ownership associated with an early 2003 conceptual Phase-I map.

Adjourn:

Vice-President Lynch noted that the Executive Committee will meet on Thursday February 26, 2009 at 7:00 p.m. at the LORCO office.

With no further business to come before the Board, it was moved by Ernest Hartman with a second by Tom Steigerwald to adjourn at this time 7:42 p.m. and meet again in regular session at 7:00 p.m. on Thursday, March 12, 2009 at the LORCO offices, 22898 West Rd. Wellington, OH. All voted yea. The motion carried.

President

Secretary-Treasurer