

**MINUTES**  
**BOARD OF TRUSTEES MEETING**  
**LORAIN COUNTY RURAL WASTEWATER DISTRICT**  
**April 10, 2008**

**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 7:00 p.m. with the pledge of allegiance.

**Trustees in Attendance:**

Scott Grills	James Wright	Doug Edwards
Rick Hutman	Ernest Hartman	John Piwinski
Gerald Cowie	Calvin Woods	Thomas Lahetta
Dorothy Collins	Bill Spicer	Neil Lynch
James McConnell		

**Also in Attendance:**

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

**Absent were:**

Dominic Ferritto	Joe Knoble	Barb Harper
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**Oath of Office:**

The oath of office was administered by Dennis O'Toole, Attorney, to the following Trustees and alternates appointed by their respective townships to serve a three-year term through March 31, 2011; John Piwinski, Gerald Cowie and Bill Spicer (A).

**Approval of Minutes:**

President McConnell noted that the minutes of the regular meeting held on March 13, 2008 had been mailed to all the trustees and called for any additions or corrections. It was moved by Jim Wright, with a second by Scott Grills to approve the minutes as written. All voted yea. Motion carried.

**Old Business:**

Multiple tele-conferences were reviewed, which described discussions regarding the contents of the wetlands field delineation and application documents. Applications to both the U.S. Army Corps of Engineers and the Ohio EPA have been delivered. The USACOE representative has scheduled LORCO as her top priority for an on-site review. It is anticipated that this will occur during the month of April. The Phase-I updated plans with the wetlands overlay were

delivered to the Ohio EPA on April 1, 2008 along with the official application for the Permit to Install. URS Consultants representatives are staying close to the wetlands issues and will be involved with the USACOE field review.

**New Business:**

President McConnell reported the meeting held with USDA-Rural Development and FirstMerit Bank officials on April 1, 2008. That meeting was held for final discussion of the list of conditions associated with the USDA Conditional Commitment. Several items were noted to be adjusted or finalized in the near future. The Conditional Commitment under the USDA Guaranteed Loan Program is for a 90% Guarantee of \$30,100,000.00 to FirstMerit Bank. Both FirstMerit Bank and LORCO then signed the conditional commitment. It is anticipated that the loan closing for construction will occur in the next 60-days.

President McConnell noted that Tom Lahetta, Fred Alspach and he attended a recent meeting requested by Mayor Ron Schmitz of South Amherst regarding LORCO's feasibility study for the area of South Amherst, Amherst Township, New Russia Township and Kipton village. The feasibility study was completed in June 2005 with an update given at this meeting.

It was also reported that President McConnell had talked informally with Avon Lake Municipal Utilities Board Chairman, Chuck Whitmer, regarding ALMU's multiple capabilities as a functioning water and wastewater utility. LORCO currently has a long-term wastewater treatment agreement with ALMU in place. Following full discussion the LORCO board encouraged President McConnell to continue a rapport with ALMU in support of a regional wastewater collection and treatment concept. President McConnell will continue to accept ideas for discussion from the board members as they are suggested. He noted that during construction a heavier load of administrative functions will be realized and additional assistance will be needed.

Attorney O'Toole added that templates for operating agreements exist and they can be customized to fit LORCO's needs. President McConnell suggested the Planning and Operations Committee meet to discuss these issues in detail and report back to the board. Committee Chairman, Ernest Hartman, called for a Planning and Operations Committee meeting on Wednesday April 23, 2008 at 8:00 p.m. The meeting will be held at the Carlisle Township Fire Station meeting room.

President McConnell read a letter of resignation from Jeanette Leimbach who is the Alternate representing Kipton Village. It was moved by Ernest Hartman, with a second by John Piwinski to accept her resignation with regret. All voted yea. Motion carried.

It was moved by Ernest Hartman, with a second by Doug Edwards to tentatively hold the LORCO monthly meeting of July 10, 2008 at the Eaton

Township complex. It was noted during discussion of this motion, that holding the board meeting at Eaton Township would be subject to additional progress of the Phase-I project, e.g. EPA field study, closing of loan with USDA 90% guarantee, etc. If demonstrable progress has not been made, the meeting at Eaton Township may be delayed to a succeeding month. All voted yea. Motion carried.

Attorney O'Toole reviewed the signed conditional commitment and noted that it is a work in progress. The signing commits funds for the construction of the Phase-I project and the final closing will take place when the project is completed. The important issue is communication during all phases of construction. Basically letting LORCO's members know where the project is in terms of completion and or changes. Letters regarding easements for construction and maintenance are being mailed this week to those property owners that will see construction wholly on their property. These are permanent easements. Temporary easements entail construction within the road right-of-way. These additional letters are going out throughout the month of April and May.

**RESOLUTION NO 2008-5** It was moved by Scott Grills, with a second by Thomas Lahetta WHEREAS, the following have been submitted:

Verizon North Telephone – March	\$ 51.67
Bureau of Workers' Compensation Jan-Dec 2007	\$ 2,248.05
Health Insurance – March & April	\$ 927.10
Payroll - 03/13/08 – 03/27/08	\$ 2127.80
First Merit – federal taxes for March	\$ 172.11
Ohio Treasurer of State – 1 <sup>st</sup> quarter taxes	\$ 596.37
OPERS – contribution for March	\$ 553.85
URS – engineering services for December	\$ 15,069.31
First Merit – monthly analysis fee	\$ 47.95
North Grafton Realty – Joseph Hamm bore	\$ 3,975.00
LMRE – NISC Software for March	\$ 92.97
Stumphauzer   O'Toole – legal fees for March	\$ 864.00
LMRE – rent for March	\$ 250.00
LMRE – Administrative contract for March	\$ 7,036.43
Postage- 1 <sup>st</sup> quarter	\$ 235.38
Copies & Faxes – 1 quarter	\$ 123.45
Mileage – 1 <sup>st</sup> quarter	\$ 434.30
URS – engineering services for March	\$ 1,329.01

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.

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

The executive director reported on recent attendance at both the county subdivision review committee and the County Planning Committee (CPC) meetings. He then provided the number of hours worked along with the weekly staff report and news article printed in the Rural Urban newspaper. The financial report was reviewed regarding the cash flow and deferral statement.

A memo was provided regarding the request of Carlisle Township Trustees to provide a cost of study for the Butternut Ridge Road and Indian Hollow Road area. This will be forwarded to the Carlisle Township Trustees for their review.

**Other Business:**

Tom Lahetta provided information and brochures regarding the NCBA sponsored elected officials reception to be held April 24, 2008.

**Adjourn:**

With no further business to come before the board, it was moved by Ernest Hartman with a second by Scott Grills to adjourn at this time 8:30 p.m. and meet again in regular session at 7:00 p.m. on Thursday, May 8, 2008 at the LORCO office located at 22898 West Road, Wellington. All voted yea. The motion carried.

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President

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Secretary-Treasurer