

**MINUTES**  
**BOARD OF TRUSTEES MEETING**  
**LORAIN COUNTY RURAL WASTEWATER DISTRICT**  
**April 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, 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	Gary Crane	Barbara Harper
Don Wittmer	Thomas Lahetta	Neil Lynch
Jim McConnell	John Piwinski	Jeanette Leimbach
Doug Edwards	Dominic Ferritto	Rick Hutman
	Ernest Hartman	

**Also in Attendance –**

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

**Absent –**

Joseph Knoble, Gerald Cowie and Dwaine Clinker

**Approval of the Minutes –**

President McConnell noted that the minutes of the regular meeting held on March 8, 2007 were mailed to all board members and called for any corrections or additions. It was moved by Thomas Lahetta with a second by Barbara Harper to approve the minutes as written. All voted yea. Motion carried.

**Old Business –**

Executive Director Alspach reported on the current status of the application to USDA Rural Development for the Guaranteed Loan Commitment. A lengthy meeting was held at the Rural Development office in Massillon with staff from both the District and State offices of Rural Development, Mark Roan and Dan Freeman of FirstMerit Bank, John Kniepper, Rick Goddard of Calfee, Halter and Griswold LLP, and Mr. Alspach to discuss the application and supporting documents. Focus was given to the revenues and debt service, maintenance and treatment services, default scenarios, and flows.

From this detailed conversation a new appreciation and understanding was garnered by all for this project. With suggested additions to the contracts, spread sheet, and additional supporting documents the application will be submitted to the State office for review before submittal to the Washington, DC office.

**New Business –**

President McConnell briefly reviewed the draft of the 2006 Annual Report and discussion followed. A motion was made by John Piwinski with a second by Scott Grills to publish the 2006 Annual Report with the changes discussed. All voted unanimously and the motion passed.

Policy Committee Chairman Lynch reported that a meeting had been held earlier in the evening to consider changes to LORCO's Fiscal Policy regarding a uniform service rate and tap fees throughout the entire LORCO service area. The policy amendments should be complete for final review and recommendation at the May board meeting. He called for a Policy Committee meeting to be held on May 10, 2006 at 6:00 p.m. at the LORCO offices.

**Resolution 2007-05** Be it resolved by the Board of Trustees of the LORCO Rural Wastewater District that it was moved by Scott Grills, seconded by Ernest Hartman, WHEREAS, the following have been submitted:

Payroll 02/25/07 – 03/10/07	\$	1,419.23
Payroll 03/11/07 – 03/24/07	\$	1,419.23
LMRE – NISC monthly fee	\$	92.97
Lorain County Fair – booth fee	\$	100.00
CJ Business Forms	\$	186.24
Radachi & Company – February accounting fees	\$	449.50
Stumphauzer & O'Toole – March legal fees	\$	1,322.00
LMRE – First Quarter Mileage	\$	157.08
LMRE – First Quarter Postage	\$	198.12
LMRE – First Quarter Copies & Faxes	\$	161.20
LMRE – March rent	\$	250.00
LMRE – Administrative Contract for March	\$	6,664.77

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 2007-06** Herein a motion was made by Dominic Ferritto, seconded by Ernest Hartman for the Board of Trustees of the Lorain County Rural Wastewater District to consider the following:

A RESOLUTION APPROVING AN AMENDED WASTEWATER SERVICES AGREEMENT WITH THE CITY OF AVON LAKE.

Whereas, the board has previously adopted resolutions approving the district's intentions to engineer, finance, construct, install and thereafter operate a waste water collection and distribution system known as the Phase One Project, and

Whereas, the board has also authorized the execution of certain agreements with the City of Avon Lake for the purpose of providing treatment services to the district for the Phase One Project as well as other projects undertaken by the district, and

Whereas, it is necessary to amend the previous agreement so as to update and properly document the modifications required by the additional services Avon Lake has agreed to in regard to the district's Phase One Project, and

Whereas, both parties have set forth the terms of such amendments and modifications, which changes have been approved by legal counsel.

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

Section 1. That the executive director is hereby authorized to enter into and execute the aforementioned amended agreement with the City of Avon Lake on behalf of the district and to do all things necessary and incidental to the authority hereby granted under the terms of this resolution;

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.

Vote resulted as follows: 13 yea 0 nay. Motion carried.

**RESOLUTION NO. 2007-07** Herein a motion was made by Barbara Harper, seconded by Scott Grills for the Board of Trustees of the Lorain County Rural Wastewater District to consider the following:

A RESOLUTION APPROVING A FACILITIES LEASE AGREEMENT WITH AVON LAKE.

Whereas, the board has previously adopted resolutions approving the district's intentions to engineer, finance, construct, install and thereafter operate a waste water collection and distribution system known as the Phase One Project, and

Whereas, the board has also authorized the execution of certain agreements with the City of Avon Lake for the purpose of providing treatment services to the district for the Phase One Project as well as other projects undertaken by the district, and

Whereas, Avon Lake has agreed to assist the district with its Phase One Project by the construction and operation of certain facilities necessary for the project, specifically a pump station and force main facility, which facility will be used exclusively for the benefit of the district, and the district is desirous of Avon Lake's assistance in this regard, and

Whereas, both parties have set forth the terms of such assistance, including the payment for the use of such facilities to be constructed, which agreement has been approved by legal counsel.

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

Section 1. That the executive director is hereby authorized to enter into and execute the aforementioned agreement with the City of Avon Lake on behalf of the district and to do all things necessary and incidental to the authority hereby granted under the terms of this resolution;

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. The motion carried.

Executive Director Alspach reviewed the weekly staff reports, correspondence, and relative news articles. Mr. Alspach emphasized the time spent meeting with those associated with the LORCO project over these past weeks and the continued efforts by all to finalize the application packet.

Administrative Assistant Haines stated that she had been working with Cindy Grabo of Radachi & Company on the 2006 Financial Statements to be presented to the Board for review and approval.

**Other Business –**

President McConnell called for any further questions or comments from the audience.

Discussion was had regarding Eaton Township and Carlisle Township hosting a regular board meeting in which their residents can attend in their area. Although it is uncertain what information will be available regarding the funding at that time it was moved by Ernest Hartman with a second by Doug Edwards to schedule the June 14, 2007 board meeting in Eaton Township. All voted unanimously and the motion carried.

Gary Crane, alternate for Carlisle Township, will discuss scheduling a LORCO meeting with township officials and report the wishes of the officials at the next LORCO meeting.

**Adjourn**

With no further business to come before the board, it was moved by Dominic Ferritto with a second by Doug Edwards to adjourn at this time 8:20 PM and meet again in regular session at 7:00 PM on Thursday, May 10, 2007 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

