

**MINUTES
BOARD OF TRUSTEES MEETING
LORAIN COUNTY RURAL WASTEWATER DISTRICT
JANUARY 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 pursuant to written notice. President McConnell called the meeting to order at 8:00 p.m. with the pledge of allegiance.

Trustees in Attendance –

James Woodrum	James Wright (8:07 p.m.)	Ernie Walker
Dominic Ferritto	Ed Born	Ernest Hartman
Barbara Harper	John Piwinski	James McConnell
Gerald Cowie	Don Wittmer	Thomas Lahetta
Dorothy Collins	Dwaine Clinker	Neil Lynch

Also in Attendance –

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

Absent –

Rick Hutman

A warm welcome was extended to Camden Township Trustee Scott Grills who returned after a lengthy absence.

Oath of Office –

Attorney O'Toole administered the Oath of Office to Don Wittmer newly appointed to represent Wellington Township for the unexpired term through March 27, 2008.

Election of Officers –

In accordance with Article IV, Section 1 of the LORCO Bylaws, election of officers is to take place at the first meeting of the year. Attorney O'Toole then opened the floor for nominations for President.

It was moved by Ernest Hartman, with a second by Thomas Lahetta to nominate James McConnell for the office of President. Hearing no further nominations, it was moved by Gerald Cowie to close the nominations and cast a unanimous vote for James McConnell as President. All voted yea. Motion carried.

Attorney O'Toole called for nominations for Vice President. It was moved by John Piwinski, with a second by James Wright to nominate Ernest Hartman for the office of Vice President. Hearing no further nominations, it was moved by Gerald Cowie to close the nominations and cast a unanimous vote for Ernest Hartman as Vice President. All voted yea. Motion carried.

Attorney O'Toole called for nominations for Secretary-Treasurer. It was moved by James McConnell, with a second by Ernest Hartman to nominate Thomas Lahetta to the office of Secretary-Treasurer. Hearing no further nominations, it was moved by Ernest Hartman to close the nominations and cast a unanimous vote for Thomas Lahetta as Secretary-Treasurer. All voted yea. Motion carried.

Changes to the Agenda –

President McConnell called for any changes or additions to the agenda. Executive Director Alspach stated that the members were provided with an amended agenda prior to the beginning of the meeting.

Approval of the Minutes –

President McConnell noted that the minutes of the regular meeting held on December 8, 2005 were mailed to all board members and called for any corrections or additions. It was moved by Ernest Hartman, with a second by Gerald Cowie to approve the minutes as written. All voted yea. Motion carried.

New Business –

Resolution No. 2006-01 it was moved by Ernest Hartman, with a second by Ed Born WHEREAS, the following have been submitted:

LMRE – January rental fee	\$	250.00
Radachi & Company – accounting services	\$	971.50
LMRE – Administrative contract	\$	4,257.36
Verizon – telephone	\$	47.53
PayChex – payroll for 11/19/05 through 12/02/05	\$	1,755.87
OPERS – retirement contribution for December	\$	763.28
GRW Engineers – Update final engineering study	\$	2,000.00
GRW Engineers – engineering fees for Phase One	\$	75,000.20
PayChex – payroll 12/3/05 through 12/16 /05	\$	1,755.87
PayChex – account maintenance fees	\$	86.38
First Merit - Visa	\$	19.35
Baumgartner & O'Toole – legal services for December 2005	\$	814.00
Rural Urban Record – subscription renewal	\$	27.00
CJ Business Forms – payroll vouchers	\$	82.80
Health Education Services – 10 States Standards	\$	17.00
Bobel's Office Supplies	\$	22.98
LORCO – petty cash	\$	187.53
William Carter Enterprises – name & door tags	\$	323.79

Postage – fourth quarter	\$	219.58
Copies/Fax – fourth quarter	\$	197.85
Mileage – fourth quarter	\$	363.60
PayChex – payroll 12/17/05 through 12/30/05	\$	1,755.87
Computers by Steve – website maintenance	\$	75.00
William Carter Enterprises – table cloth	\$	378.41

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: 16 yea 0 nay 0 abstain. Motion carried.

Resolution No. 2006-02 It was moved by James Wright, with a second by Thomas Lahetta WHEREAS,

Be it resolved by the Board of Trustees of the Lorain County Rural Wastewater District that:

In accordance with the criteria established by the Ohio Turnpike Commission for the issuance of a permit to complete a bore and occupy Ohio Turnpike Commission right of way, Lorain County Rural Wastewater District must approve a resolution constituting acceptance of all conditions, provisions and regulations set forth by the Ohio Turnpike Commission.

Lorain County Rural Wastewater District shall repair or replace any property of the Commission damaged or destroyed in connection with the performance of the work, and shall pay for any and all damage to the real estate and to the improvements thereon or both, if the same be not restored, caused by the performance of the work.

To the extent permitted by law, Lorain County Rural Wastewater District shall defend, indemnify and save harmless the Commission, its members, employees, and agents and each and every one of them against and from all claims, suits, and costs of every kind and description and from all liability for damages to which the Commission or any of its members, employees, and agents may be subjected to by reasons of injury to the person or property of any persons whomsoever resulting from or arising out of, or in any manner caused by the construction, installation, operation, maintenance or use of said facilities, or by the acts of Lorain County Rural Wastewater District, or its contractors, agents, employees or representatives. Provided however, nothing herein contained shall require Lorain County Rural Wastewater District to indemnify or hold harmless the Commission for acts or omissions caused by the sole negligence of the Commission.

Vote resulted as follows 16 yea 0 nay 0 abstain. Motion carried.

Administrative Report –

Executive Director Alspach discussed the current bank balance, time sheet and news articles included in the board package.

Bert Latran, alternate for Pittsfield Township, submitted his letter of resignation to the Board effective immediately.

Mike Kiley, Senior Auditor with the State Auditor's office had contacted LORCO regarding Amendment #1 to the Letter of Arrangement for the increased fees associated with the revisions to the financial statement, related reports and management letter comments. The total amount of these amendments will be an additional \$700.00.

Executive Director Alspach reviewed correspondence over the past several weeks with the Village of Lagrange and the LaGrange Township Trustees. A letter was received from the LaGrange Township Trustees who voted to expend up to \$10,000.00 to contract with LORCO for a feasibility study to provide sanitary sewers within their township. A copy of this letter was forwarded to Bob Smallwood of GRW Engineers to provide the appropriate contracts and work plan to the township officials.

The Village of LaGrange submitted a request that LORCO formally release identified properties from our 201 Facility Planning Area for them to serve. Executive Director Alspach recommended the Board of Trustees authorize Legal Counsel and himself to enter into discussions with the Village of LaGrange to negotiate a wholesale treatment agreement. It was moved by Ernest Hartman, with a second by Ernie Walker authorizing Executive Director Alspach and Attorney O'Toole to enter into discussion and negotiation of a wholesale treatment contract with the Village. All voted yea. Motion carried.

Executive Director Alspach discussed a letter sent to Northeast Areawide Coordinating Agency (NOACA) on behalf of the Carlisle Township Trustees requesting a change of the 201 Facility Planning Area in accordance with their 208 Water Quality Management Plan for Northeast Ohio under Policy 4-6b. An email was received earlier in the day from Andy Vidra, Senior Environmental Planner of NOACA, explaining the changes in Policy 4-6b of the Clean Water 2000 Plan that was updated in June 2005. A thorough review of the update will be completed for report at the February board meeting.

Other Business –

President McConnell informed the board of an informational meeting scheduled for January 26, 2006 at 7:00 p.m. at the LORCO office for newly appointed trustees and councilmen. The orientation introducing our organization, discussing our goals and objectives is planned to last approximately two hours. An invitation was extended to the board members to attend at their discretion.

Executive Director Alspach requested authorization for the payment of \$15,100.00 to the Ohio EPA for the permit review fee. The permit fee must accompany the completed design plans when submitted by GRW Engineers. The plans are expected to be submitted in the latter part of February. A motion was made by Ernest Hartman, with a second by Ed Born authorization the payment of \$15,100.00 to the Ohio EPA for the permit review fee. All voted yea. Motion carried.

President McConnell stated there were no additional meetings scheduled for January and scheduled the next LORCO meeting to be held on Thursday, February 9, 2006 at 8:00 p.m.

Adjourn –

President McConnell called for a motion to adjourn. It was moved by Ernest Hartman, with a second by Dominic Ferritto to adjourn at this time 9:25 p.m. All voted yea. Motion carried.

President

Secretary - Treasurer

