

Board of Municipal Utilities  
**Meeting Minutes**  
**March 16, 2021**  
201 Miller Road  
Avon Lake, Ohio

***Call to Order – Roll Call***

The meeting was called to order at 6:31 PM. As allowed by the Ohio Legislature during the Governor’s declared emergency, the meeting was held using web-based video conferencing technology and streamed live over Facebook.

Present: Mr. Abram, Mr. Dzwonczyk, Mr. Rush, and Mrs. Schnabel.

Excused: Mr. Phillips.

Also present: Acting CUE Munro, Technical Support Specialist Collins, Community Outreach Specialist Arnold, Mayor Zilka, and Councilman Spaetzel.

***Approve Minutes***

Chairman Dzwonczyk presented the Minutes of the March 2, 2021 regular meeting. With no changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

***Public Speakers***

Mayor Zilka stated that Ford will not be bringing a new line of vehicles to the Avon Lake Ford plant, but will be moving the new line to Mexico. He said that he has reached out to several public officials regarding the matter to see if they can help change Ford’s management’s decision. He said that Ford is still continuing with an expansion at the Avon Lake plant but not to the extent that Ford was originally intending.

***Correspondence***

None.

***Expenditures***

Following review of expenses dated March 16, 2021, for funds and amounts as follows, Mr. Abram moved, Mr. Rush seconded, to approve the expenditures of March 16, 2021:

|                                  |    |            |
|----------------------------------|----|------------|
| Water Fund 701                   | \$ | 155,966.00 |
| Wastewater Fund 721              | \$ | 164,101.27 |
| MOR Fund 703                     | \$ | 219,540.04 |
| MOR Fund 762                     | \$ | 333,066.98 |
| West Ridge Interconnect Fund 702 | \$ | 838.80     |
| LORCO Fund 749                   | \$ | 16,553.54  |
| Wastewater Construction Fund 724 | \$ | 244,950.00 |

Ayes (per roll-call vote): Abram, Dzwonczyk, Rush, and Schnabel.  
Nays: None  
Motion carried.

### ***Avon Lake Regional Water Regulations***

Mr. Munro informed the Board that staff had submitted a draft of the Avon Lake Regional Water Regulations to the Board at the February 16th Work Session for their review. He said that certain sections of the regulations have been periodically updated, but a comprehensive review and update has not been completed for some time. He added that the adoption of these regulations is critical to the effective management of the utility. Mr. Munro said there are certain sections/schedules of the proposed regulations that are of a time-sensitive nature and staff is recommending to the Board that those sections be approved at this meeting. He continued saying the first motion dealt with the due date of the Backflow program certification by Avon Lake residents.

*Section 1.19 In-Ground Sprinkler System. All in-ground sprinkler systems require backflow preventers. Atmospheric pressure type vacuum break is an approved device, however it must be testable, i.e. have test ports. A reduced pressure type backflow preventer is also acceptable. All backflow preventers used shall be listed and approved by the Chief of Utility Operations. All backflow preventers must be tested every year by a person certified by either the Operator Training Committee of Ohio (OTCO) or the Department of Commerce to perform such tests. Failure to test as required will result in shut off of water to the sprinkler system or user if they are not separate. Reinstatement of water service will be at the standard, Board approved, turn-on fee. Owners or users of such systems will be notified by mail each year in April regarding the required inspection and are expected to provide a test report to Avon Lake Regional Water from a State certified tester by 4:30 PM on June 25th. Should no reply regarding this matter be received by Avon Lake Regional Water by that date, a penalty (see Schedule N) will be applied to the account. Should no test report be received by 12:00 PM (noon) on July 9th, water service to the sprinkler or home will be terminated.*

*Immediately upon connection of an in ground lawn sprinkling system to the Avon Lake potable water system, the required backflow prevention device must be in place and tested and approved for operation by a certified backflow prevention person. Such person shall have either an OTCO or Department of Commerce certification. Failure to provide such test and certification of same with ten (10) days of the activation of the system may result in a \$500.00 fine and possible loss of water service. It is the property owner's responsibility to assure that such certification is received by the required time. No pump shall be connected to an in ground sprinkler system either to increase pressure or to purge the sprinkler system. If a pump or air compressor is used to purge the system, the backflow preventer must be removed and the sprinkler line shut off. Continued noncompliance with this regulation subjects the offender to an immediate fine of \$500.00 to \$1,000.00 and termination of water service or loss of backflow testing certification, which the Chief Utilities Executive shall determine.*

The Chairman suggested amending the last sentence in the first paragraph to provide clarification for Avon Lake residents. Mr. Rush moved, and Mr. Dzwonczyk seconded, to amend the section to remove "to the sprinkler or home" from the original motion.

Ayes (per roll-call vote): Abram, Dzwonczyk, Rush, and Schnabel.

Nays: None  
Motion carried.

The amended section will read:

*Section 1.19 In-Ground Sprinkler System. All in-ground sprinkler systems require backflow preventers. Atmospheric pressure type vacuum break is an approved device, however it must be testable, i.e. have test ports. A reduced pressure type backflow preventer is also acceptable. All backflow preventers used shall be listed and approved by the Chief of Utility Operations. All backflow preventers must be tested every year by a person certified by either the Operator Training Committee of Ohio (OTCO) or the Department of Commerce to perform such tests. Failure to test as required will result in shut off of water to the sprinkler system or user if they are not separate. Reinstatement of water service will be at the standard, Board approved, turn-on fee. Owners or users of such systems will be notified by mail each year in April regarding the required inspection and are expected to provide a test report to Avon Lake Regional Water from a State certified tester by 4:30 PM on June 25th. Should no reply regarding this matter be received by Avon Lake Regional Water by that date, a penalty (see Schedule N) will be applied to the account. Should no test report be received by 12:00 PM (noon) on July 9th, water service will be terminated.*

Ayes (per roll-call vote): Abram, Dzwonczyk, Rush, and Schnabel.  
Nays: None  
Motion carried.

Mr. Abram asked for the Acting CUE to clarify why there was no permit for inspection in Schedule O for the deduct meters. Mr. Munro said there is a zero-charge permit associated with the Deduct Meters, but there is an additional 10% fee for administrative costs and inspection on top of the cost for the deduct meters. He added that once the deduct meter is operable for the customer, they would no longer be eligible for the Summer Billing Adjustment. The Chairman asked that when the consumer wants to get a deduct meter how, when, and where does the consumer pay for the meter. Mr. Munro said that once the form is approved for the deduct meters it will be available on the website. The customer will be able to call the office, come in, fax, or email the form, which will serve as their official request. He added that the cost will not be added to the customer's bill, but once the form is approved and before they receive the deduct meter, the customer must make full payment to Avon Lake Regional Water.

The Chairman asked if the deduct meter becomes part of the customer's property and if the meter could be removed once the customer sells the property. The Acting CUE said that the deduct meter would be the customer's property, and they would decide if they wanted to uninstall the meter if they moved. The Chairman said that while Avon Lake Regional Water does not own the deduct meter, the utility has the right to examine and ensure it is working properly. Mr. Munro confirmed that was the intent of the deduct meter program. The Chairman said that there have been years in the past where the span of the Summer Billing Adjustment does not account for a wetter or drier season resulting in customers unhappy that their sewer bill was higher. He said this was a way to ensure that the customer is getting directly the deduction on their bill. With the deduct meter the customer does not pay for sewer charges for watering their lawn. He added that in his own experience he has found his deduct meter pays for itself with how much he saves.

Mr. Rush read a portion of Schedule O for the viewing audience: "Consumer's and/or the Consumers' approved contractor shall request a deduct meter from Avon Lake Regional Water by filling out the Request for Deduct Meter from and returning to Avon Lake Regional Water. The deduct meters shall be installed with a radio meter read. The deduct meter shall be purchased by the Consumer and/or the Consumer's approve contractor at the costs listed below. Ten percent overhead will be added to the cost at time of purchase to cover administration and inspection. Costs will automatically be updated by the annual Avon Lake Regional Water supply bidding. Current costs for 2021: 3/4" tap - \$298.38. 1" tap - \$366.61. 2" tap - \$1,235.30." Mr. Munro said the costs for the deduct meter program are bid on annually, and therefore with the program being in Schedule O they will be updated on an annual basis. Mr. Abram moved, Mr. Rush seconded, to amend the Avon Lake Regional Water Regulations to include Title II, Chapter 4, Section 4.07 Deduct Meters and add Schedule O as attached.

*Title II, Chapter 4, Section 4.07 Deduct Meters.*

*(A). Avon Lake Regional Water shall allow Consumers to have a deduct meter on the property.*

*(B). Consumers that install a deduct meter shall follow the guidelines in accordance with Schedule O attached hereto.*

Ayes (per roll-call vote): Abram, Dzwonczyk, Rush, and Schnabel.

Nays: None

Motion carried.

Mr. Munro said the third motion pertains to the schedules contained in the regulations. He said this motion would update Schedule A, Schedule C, Schedule G, and Schedule I. He said Schedule A has not been updated for seven years, and staff is looking to update the turn-on charges. He said Schedule C is the fees for a developer when they are developing a new subdivision, and they have new water and sewer mains being put in. Mr. Munro said Schedule G is the tap charges. He said this has schedule has not been updated for seven years, and the updated fees reflect the current material and labor costs. He said Schedule I is for Laboratory Charges and Analysis. He added that Mr. Abram commented in adding the clarification of "per sample" after each corresponding charge. The Chairman said that there are dollar amounts for each tap charge except for anything over a 2-inch tap. He asked if a larger-than-2" tap could be less than a smaller tap if installed on a time and material basis. Mr. Munro said the taps larger than 2-inches are considerably more expensive for the parts and labor and would be installed in commercial properties. He said a recent property on Walker Road required a 6-inch fire meter. He said whatever the cost for the meter per Avon Lake Regional Water's supplier plus the meter vault with the addition of labor costs which results in a more expensive tap charge than the 2-inch meter.

Mr. Rush asked why there was a 3/4-inch meter and a 3/4-inch sprinkler meter when they are charging the same amount, and he doesn't know why the schedule separates the two. Mr. Munro said in the current regulations the sprinkler tap was less than the regular tap. He said the reason for this was because, in the past, staff would put both a sprinkler and meter in the same meter vault. The past sprinkler taps were a reduced in price because it saved costs to put the meter in one vault. Mr. Munro said that going forward staff will be putting the sprinkler and regular meter in two separate vaults. He said if a customer has a sprinkler tap, that is similar to having a deduct meter, and there is a different account in the system. Mr. Rush asked that if a customer wants to install a 2-inch meter it would be \$5,389.05 and it would be installed in its own meter vault. Mr. Munro confirmed that that was correct.

Mr. Rush moved, and the Chairman seconded, to amend the Avon Lake Regional Water Regulations to update Schedule A, Schedule C, Schedule G, and Schedule I as attached.

Ayes (per roll-call vote): Abram, Dzwonczyk, Rush, and Schnabel.

Nays: None

Motion carried.

Mr. Munro said that staff plans to bring the entirety of the regulations before the Board soon for their approval.

### ***OAWWA Rates & Finance Committee***

Mr. Munro informed the Board that the Ohio section of the American Water Works Association (OAWWA) formed a new statewide committee to deal with water utility rates and financing. He said that he was asked to join this committee and serve as a founding member. The goal of this committee is to engage in discussion around significant water utility management issues impacting the water and wastewater industry and also assist with influencing legislative outcomes in the State of Ohio as they pertain to water and wastewater utility rates and financing. Meetings will be held monthly via virtual online platforms and the committee plans to meet in-person annually at the One Water State Conference. The committee is comprised of sixteen public and private sector individuals who will provide a diverse makeup of personal and professional experiences, including chief executives and chief financial officers.

The first meeting was held on Thursday March 11th via Microsoft Teams and the topics that were discussed included affordability programs, capital improvement financing, system valuations, and calculating/setting utility rates. System valuation is one topic that is important to staff, as we are currently working on completing a system-wide valuation in the near future.

### ***American Rescue Plan Act of 2021***

Mr. Munro stated that on Thursday, March 11th President Biden signed into law the American Rescue Plan Act of 2021. He said that included in this relief package is specific funding line items for water, sewer, and broadband infrastructure. He is currently working with the Ohio EPA Chief of the Division of Environmental & Financial Assistance (DEFA) Jerry Rouch on how Avon Lake Regional Water can access this funding, and as details become available Chief Rouch will relay them to Avon Lake Regional Water. The Chairman asked if the Act was similar to the "shovel-ready" projects of a few years ago. Mr. Munro said that he confirmed with the Ohio EPA that the design projects that staff has been working on will be ready in about 6-months and are "shovel ready." He said Mr. Rouch appreciated that information and that it was very positive to have those projects ready for the Ohio EPA once more information becomes available around the American Rescue Plan Act. The Chairman stated that Avon Lake Regional Water benefited greatly from the program by having projects ready when the funding was available.

### ***Customer Service Clerk***

The Acting CUE stated that Robin Liepold would be starting on Wednesday, March 17th as the new Customer Service Clerk at Step 1. The Chairman asked the Community Outreach Specialist to put a picture of staff members up on the website so customers know who they are talking to. Mrs. Arnold said that she can provide the Board with an updated employee guidebook

and staff can look into adding a customer service feature on the Avon Lake Regional Water website.

### ***Project Updates***

*Orthophosphate Point of Application:* The Acting CUE said that UUI reached substantial completion of the project at the WFP on Monday, March 8th. He said that there are a couple of punch-list items that need completed, mainly site restoration, which will take place in the spring when weather permits. Mr. Rush asked if there has been a testing showing the turbidity has decreased. Mr. Munro said that the work is still being done in-house, and the sampling has not been able to take place. The Chairman said that the project is now completed and now the Board wants to know if it works. He added that the project went to bid roughly one year ago, and after comments from the Board, staff rebid the project and saved the ratepayers over \$100,000 on the project.

*Division Road Water Tower:* The Acting CUE informed the Board that Dixon Engineering is in the process of performing the additional structural evaluation. This work should be completed by the end of March. The Chairman asked what the next steps were. Mr. Munro said that Mr. Collins is reviewing the cell phone leases of those cell phone antennae on the tower. He added that there will also be a review of how much the demolition charges will be to remove the tower. The Chairman asked for a timeline of when the project will be completed. Mr. Munro said there are several aspects to the current project that are being determined. He said AT&T is interested in purchasing the property and putting their own structure on the site, which would then include the City. Mr. Munro stated that he hopes to have the loose ends completed by May, and he will inform the Board of the next steps that staff will be taking.

*SCADA Upgrade:* The Acting CUE said SOS Integration will begin installation of the new servers and workstations the week of March 15th. Installation of the new servers and system will take approximately 2 weeks. Once installation is complete the new system will run in parallel to the current system so that SOS can test the new system's functionality. The Chairman said he saw that the route in for hackers was through the HVAC system controller. He asked if Avon Lake Regional Water has an airgap in the system. Mr. Munro stated the system is autonomous and isolated from the outside. He said it is not connected to the internet and there is not control of it unless you are in the facility. He added that there are several fail-safes in the system which would not allow there to be any access from the outside and to increase or decrease anything to more than is allowable by the fail-safe.

*WFP & ETL Design Services:* Mr. Munro said the design services kickoff meeting with HDR took place on Friday, March 5th. There is a pipe materials workshop scheduled for March 30th. He said this workshop will assist the team in finalizing a decision on pipe material for the ETL portion of the project. Mr. Munro said that PVC and cast in place concrete pipe, similar to ETL2, are the frontrunners. He said the larger diameter PVC increases the price significantly. The Chairman said that in the middle of the LORCO project the cost of PVC increased astronomically causing the cost of the project to also increase. He said PVC is a petroleum product and with the cancellation of the Keystone XL pipeline, that has increased the price of gasoline, it will also result in an increase in the cost of PVC.

### ***CUE Reports & Action Items***

Mr. Collins informed the Board that there were two updates to the Action Items. He reported that staff has met with several prospective vendors for a new Enterprise Resource Planning (ERP)

program. He added that several of the proposals include a dashboard for the Board members. He also said that staff is working to set up a date in the spring for the Board to visit both the Water Filtration Plant and the Water Reclamation Facility. He said this would take place during a Work Session before a Board meeting.

### ***Member Reports***

None.

### ***Miscellaneous***

None.

### ***Public Speakers***

Mayor Zilka said he has been working with Mr. Munro on setting up a system called Marks to have a safety system available for the community.

### ***Executive Session***

Mr. Rush moved, and Mr. Abram seconded, to meet in executive session as allowed by ORC §121.22 G (3) to discuss legal matters and include the Acting CUE, Technical Support Specialist, and the Community Outreach Specialist.

Ayes (per roll-call vote): Abram, Dzwonczyk, Rush, and Schnabel.

Nays: None

Motion carried.

The Board resumed the regular meeting at 8:16 PM.

### ***Adjourn***

As there was no further business, Mr. Abram moved to adjourn, and Mrs. Schnabel seconded. The meeting adjourned at 8:16 PM.

Ayes (per voice vote): Abram, Dzwonczyk, Rush, and Schnabel.

Nays: None

Motion carried.

Approved \_\_\_\_\_ 2021.

John Dzwonczyk, Chairman

Rob Munro, Clerk