

Board of Municipal Utilities
Meeting Minutes
April 4, 2023
201 Miller Road
Avon Lake, Ohio

Call to Order – Roll Call

The meeting was called to order at 6:30 PM. The meeting was held in-person using web-based video conferencing technology and streamed live over Facebook.

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

Excused: Mr. Dzwonczyk

Also present: CUE Munro, CUO Yuronich, Councilman Mark Spaetzel, LORCO Trustee Del Roig and Attorney Rinker of Mansour Gavin.

Approve Minutes

Mr. Rush presented the Minutes of the March 21, 2023 regular meeting and work session. Mr. Munro stated that Councilman Spaetzel and LORCO Trustee Del Roig had been omitted from the minutes and will be added. With no additional changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

Public Speakers

No comments.

Correspondence

No correspondence.

Expenditures

Following review of expenses dated March 21, 2023, for funds and amounts as follows, Mr. Abram moved, Mrs. Schnabel seconded, to approve the expenditures of March 17 through March 29, 2023:

Water Fund 701	\$	253,650.46
Wastewater Fund 721	\$	183,154.25
ETL1 Fund 703	\$	28,450.83
ETL2 Fund 762	\$	75,492.24
LORCO Fund 749	\$	6,559.24
Water Construction Fund 704	\$	19,441.66
Wastewater Construction Fund 724	\$	12,049.05

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

Nays: None

Motion carried.

Additional Storage Building Bid

Mr. Munro stated that on March 28, 2023 bids were opened for the utilities for the additional storage building that included electric, HVAC, fire suppression and mechanical. The online Bid Express platform was utilized along with physical, hard-copy bids and they were all opened concurrently in person. Two bidders, North Bay Construction of Westlake, OH and Butchko Electric of Amherst, OH. Butchko Electric was the apparent low bidder on the fire suppression system but the company requested it to be withdrawn after making a serious error in their submittal. With that item withdrawn, North Bay Construction had the low bid across all three items. Mr. Munro noted that all three items in the bid were well below the Engineer's estimate and recommended to the Board that the bid be awarded to North Bay Construction, Inc.

With no further discussion, Mr. Rickey moved, Mr. Abram seconded, to authorize the CUE to execute a contract with North Bay Construction for the lump-sum amount of \$511,269.00, per the Engineer's Certified Bid Tabulation, plus an additional 5% contingency for any out-of-scope items.

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

Nays: None

Motion carried.

Additional Step Increase

Mr. Munro informed the Board that Rudy Ackerman was omitted from the list of ALRW employees that were to receive a step increase April 1, 2023. Rudy Ackerman will be promoted from Line Maintenance Operator Step 4 to Step 5.

Project Updates

Power Plant Update: Mr. Yuronich informed the Board that the portion of the power plant known as Precipitator #9 was almost completely demolished and that when finished they will move eastward with the demolition. ALRW staff have been in regular contact with Charah employees. Mr. Yuronich also stated that not only due to the power plant, but also due to chemical releases such as the one that happened in East Palestine that staff have made arrangements to conduct sampling that goes above and beyond what is required to offer an additional layer of reassurance to our customers. Staff will begin taking raw and tap samples quarterly for volatile organic compounds (VOCs) and asbestos. Asbestos has normally been once every nine years.

ETL Design Services: Mr. Yuronich informed the Board that staff was investigating options for running the waterline underneath the Norfolk & Southern railroad tracks to see if the approximately \$80,000 license fee could be mitigated. Mr. Munro added that the plan is to have two 60" casings under the railroad tracks. Norfolk & Southern is unable to provide the calculations that show how they arrived at the \$80k fee. If the crossings are done at a road crossing where there is a public right-of-way that these fees could be avoided. Mr. Rickey asked if we are abandoning the existing suction line. Mr. Munro stated that the intent is to do a full condition assessment after the new line is installed. If the existing line can be rehabilitated or slip-lined, it would offer additional redundancy for the water feed to the ETL Pump Station. Mr. Rush asked why it was only a twenty-year agreement. Mr. Munro stated that Norfolk & Southern would only say that is what they were willing to offer.

WFP Improvements: Mr. Yuronich stated that the Ohio EPA had said in an email that comments could be expected by April 17th. Mr. Rickey asked if this was the second round of comments. Mr. Yuronich replied that we have responded to the first round of OEPA questions and are waiting to see if they are ready to approve the plans or if they will have more questions.

2022 Water Line Bundle Project: No update.

Additional Storage Building: Mr. Yuronich stated that the demising wall has been completed and the seven standard garage doors have been installed. The wash bay doors will be bid with the commercial truck wash system and will be installed at that time. ALRW staff have done the trenching for electric, sanitary and gas services and have installed the conduit and piping in preparation for the respective utilities to complete their services. Mr. Munro informed the Board that we have paid the fee for electric service and are in the queue for that installation. An approximate lead time of 12 weeks was given.

CUE Report

Mr. Munro provided a summary of his visit to Washington D.C. with the American Water Works Association, Water Matters, fly-in. He had meetings with staff members from Senator Brown's, Senator Vance's, Representative Kaptur's, and Representative Miller's office. He also was able to meet with Representative Latta in person. There were four topics that they focused on. Cybersecurity was the first issue. The USEPA passed a rule and it was pointed out that there were several issues. The State EPAs are tasked with assessing whether an entity is meeting the requirements. It is felt that placing this burden on an OEPA staff members who's background is in the environmental sciences will lead to a lot of confusion. One thing all of the water utilities agree upon is that cybersecurity is important, but that there needs to be more involvement from all in the industry in creating these rules.

The second topic covered involved funding. Congressionally directed funding takes money set aside for the State Revolving Loan Fund. The utilities would like to see Congress fully fund the SRLF and that CDS is funded separately, and Mr. Munro stated that this request seemed to get a lot of traction.

Mr. Munro provided an informational item to the Board. Effective April 3, 2023 Robin Liepold was promoted to Laboratory Chief Analyst – Step 2. She was the only internal candidate and was interviewed by CUO Yuronich and WFP Manager Gibboney.

Miscellaneous & Member Reports

Mr. Rickey inquired about the work being performed on the pond in front of 201 Miller Rd. Mr. Munro informed him that staff was preparing to install the pond liner that was purchased last year. There was an old drain tile previously located on this property that was allowing water to drain from the pond into the sanitary sewer.

Mr. Rickey also stated that he was at the City of Avon's office and observed their Consumer Confidence Report. He found it to be very well done and pointed out that it provided their customers with knowledge of how ALRW treats the water.

Mr. Abram reported that Lorain County Auditor Craig Snodgrass was recently elected president of the Ohio County Auditor's Association.

Public Speakers

None.

Executive Session

Mrs. Schnabel moved, Mr. Abram seconded, to meet in executive session as allowed by ORC §121.22 (G)(3) to discuss pending legal matters and to include the CUE, the CUO, the Facilities and Asset Manager and a representative from Mansour Gavin.

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

Nays: None

Motion carried.

The Board entered Executive Session at 6:55 PM

The Board reconvened at 7:44 PM

Adjourn

As there was no further business, Mr. Abram moved to adjourn, and Mrs. Schnabel seconded. The meeting adjourned at 7:44 PM.

Ayes (per voice vote): Abram, Rickey, Rush, Schnabel

Nays: None

Motion carried.

Approved April 18, 2023.

Tim Rush, Acting Chairman

Robert Munro, Clerk

Engineer's Bid Tabulation Analysis

Avon Lake Regional Water

Bid Opening: 03/28/23 at 12:00 noon.

Additional Storage Building Utilities

<u>Bid item</u>	<u>Description</u>	<u>Qty</u>	<u>Unit</u>	<u>Engineers Estimate</u>	<u>Butchko Bid</u>	<u>North Bay Bid</u>
1	Electrical	1	Lump Sum	\$376,977.85	\$ 205,900.00	\$175,614.00
2	HVAC / Mechanical	1	Lump Sum	\$286,871.42	no bid	\$233,597.00
3	Fire Protection	1	Lump sum	\$202,275.16	\$29,280.00[A]	\$102,058.00
Total Bid Award						\$511,269.00

Addendum No. 1	yes	yes
Addendum No. 2	yes	yes
Addendum No. 3	yes	yes
Addendum No. 4	no	yes
Addendum No. 5	no	yes
Addendum No. 6	no	yes
Bid Bond or 10% check Exception	yes	yes
	yes	yes

[A] Bidder requested withdraw of bid due to errors.



Jack R. Gaydar
P.S., P.E., M.ASCE

Jan Luedel Gaydar, P.S.P.E.
28 MAR 23



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OH LICENSE #24801

Avon Lake Regional Water
Mr. Jack Gaydar
201 Miller Road
Avon Lake, OH 44012

March 28, 2023

Re: Additional Storage Building Utilities Bid - Item #3 Fire Protection, Lump Sum

Dear Mr. Gaydar,

I have learned that the bid which was submitted by Butchko Electric, Inc. for the Fire Protection included a blatant error and would like to be withdrawn.

Sincerely,

William J Butchko CEO
Butchko Electric, Inc.

Subscribed and Sworn to before me this 28th day of March, 2023.

Notary Public

BRENDA L. CLICK
Notary Public, State of Ohio
My Commission Expires February 11, 2024

