

Board of Municipal Utilities  
**Meeting Minutes**  
**August 15, 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. Dzwonczyk, Mr. Rickey, Mr. Rush and Mrs. Schnabel.

Also present: CUE Munro, CUO Yuronich, and Attorney Bruce Rinker of Mansour Gavin.

***Approve Minutes***

Mr. Dzwonczyk presented the Minutes of the June 20, 2023 regular meeting. With no additional changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

***Public Speakers***

None.

***Correspondence***

None.

***Expenditures***

Following review of expenses for funds and amounts as follows, Mr. Abram moved, Mr. Dzwonczyk seconded, to approve the expenditures of June 16 through July 20, 2023:

Water Fund 701	\$ 1,133,342.81
Wastewater Fund 721	\$ 396,510.07
ETL1 Fund 703	\$ 249,089.38
ETL2 Fund 762	\$ 534,261.67
LORCO Fund 749	\$ 20,919.48
Water Construction Fund 704	\$ 98,593.76
Wastewater Construction Fund 724	\$ 68,640.79

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

Nays: None

Motion carried.

Following review of expenses for funds and amounts as follows, Mr. Abram moved, Mr. Rickey seconded, to approve the expenditures of July 21 through August 10, 2023:

Water Fund 701	\$ 418,972.18
Wastewater Fund 721	\$ 257,810.95
ETL1 Fund 703	\$ 204,809.78
ETL2 Fund 762	\$ 545,374.89

LORCO Fund 749	\$	26,830.38
Water Construction Fund 704	\$	49,299.16
Wastewater Construction Fund 724	\$	49,299.16

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

Nays: None

Motion carried.

### ***Laboratory Analyst***

Mr. Munro stated that the retirement of longtime Lab Analyst Terri Longwell there had been a vacancy in the laboratory at the Water Filtration Plant. After internal and external postings of the position staff had completed interviews and Miss Emily Lenz had been hired at Step 3 and has been working as a team member since July 24, 2023. Mr. Munro added that she had undergone her testing for bacteriological certification through the Ohio EPA earlier in the day. Mr. Dzwonczyk inquired about her experience. Mr. Yuronich stated that she had worked in medical laboratories previously but that even though the actual tests had been different, the laboratory skills translated very well to working in our laboratory.

Mr. Rickey asked about the piece of laboratory equipment purchase that was approved at a previous meeting. Mr. Munro stated that it was an Inductively Coupled Plasma Mass Spectrometer. Mr. Yuronich informed the Board that it was slated to be delivered mid-September.

### ***Water Filtration Plant Operator***

Mr. Munro reminded the Board that at the last meeting he had informed them that Nick Jacobs was going to begin working at the Water Filtration Plant as an Operator on July 5, 2023. Due to personal reasons Mr. Jacobs resigned after only five days. Mr. Munro stated that during summer recess the WFP Manager Jason Gibboney and the CWO Mr. Yuronich had conducted interviews and we have a new WFP Operator that began on August 7, 2023. Brandon Bennit is currently shadowing other operators and once he feels comfortable will enter the rotation soon.

### ***Employee Promotions***

Mr. Munro stated that there are three employees that have earned promotions. Mr. Kameron Kuhl, Jr. is moving from a Maintenance Technician - Step 5 to Step 6. Mr. Vince Petruccelli is also a Maintenance Technician – Step 5 moving to Step 6. Tim Bradley is being promoted from Line Maintenance Technician – Step 5 to Line Maintenance Operator – Step 5. Mr. Bradley is filling a vacant position. When Rudy Ackerman resigned to accept a position in law enforcement with the City of North Ridgeville that left an open position that is now being filled. Mr. Dzwonczyk asked if this was a licensed position and Mr. Munro stated that either a Water Distribution or Sewer Collection System license through the Ohio EPA is required and Mr. Bradley holds valid certifications in both. Mr. Munro also stated that these promotions took effect August 14, 2023 and thanked all three for their dedication to the organization, their work ethic and performance.

### ***Commercial Truck Wash System***

Mr. Munro informed the Board that bids were solicited for the commercial truck wash system that will be installed in the additional storage building being constructed at 201 Miller Rd. Bids were opened on July 28, 2023. One bid was received via the online Bid Express platform from

North Bay Construction. There was one base bid and two alternate bids. The first alternate bid was for the two-part chemical system and the second bid was for the Hotsy pressure washer system. The second bid came in higher than what Avon Lake Regional Water could procure the equipment for on their own so this is not being recommended for award. Staff is recommending the award of the base bid and alternate bid one to North Bay Construction for the not-to-exceed amount of \$349,000. That amount came in under the Engineer's estimate of \$372,743.75

Mrs. Schabel moved, Mr. Rush seconded, to authorize the CUE to execute a contract with North Bay Construction for the supply and installation of the commercial truck wash system base bid and alternate number one bid for a total not-to-exceed amount of \$349,000.

Mr. Rush inquired if we were concerned about only one bidder. Mr. Munro stated that there were many plan holders and already mobilized on site doing the HVAC and electrical work on the project. Mr. Munro stated that we will continue to advertise and look for more bidders in the future.

Mr. Dzwonczyk asked how staff would manage use of the wash system so that we don't have a line of vehicles just waiting. Mr. Munro stated that there will be scheduling and a Standard Operating Procedure involved so that we don't have vehicles idly waiting. He also stated that there may be times such as ETL breaks where many vehicles are very dirty and in need of cleaning at the same time but those would be isolated events. Mr. Dzwonczyk also wanted to ensure that icing of the floor and freshly washed vehicles during cold weather would not be an issue and Mr. Munro stated that the heat in the building will prevent that from becoming a safety issue. We currently do not have enough space to park all vehicles inside but once the additional storage building is complete, we will be able to store everything inside of a building.

Mr. Munro stated that the lead time is approximately 120 days.

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

Nays: None

Motion carried.

### ***Fleet Vehicles***

Mr. Munro informed the Board that staff has been working with Enterprise Fleet Management on a vehicle leasing program to update the fleet and reduce operating expenses. He stated that this program is different from a lease that would be available to a consumer, but an ownership lease that is available to government customers that is pre-bid through Sourcewell Cooperative Purchasing Contract. This allows flexibility to ALRW as we can end the contract at any time without a penalty. There is no mileage limitation and we share in the equity of the vehicles when they are sold.

Mr. Munro stated that a comprehensive evaluation of the existing fleet was conducted and twelve vehicles were identified as needing replacement. The twelve vehicles that we are turning in will be sold by Enterprise and that equity will be used to reduce the lease payments on the new vehicles. If we find that a vehicle is not working well for us for whatever reason, we can have Enterprise sell it and put any equity towards a different vehicle at any time. This will be done on a case-by-case basis. Some vehicles may work well and we could carry out the full lease term or we could turn them in sooner. Mr. Munro also stated that another way to reduce the cost of ownership was that all of the vehicles will have better fuel efficiency than the current fleet and that several of the new vehicles will have diesel engines. Mr. Munro informed the Board that the vehicles slated to be sold have an approximate value of \$88,000 and is being applied to the leasing of the new vehicles.

Mr. Munro stated that prior to proposing this he researched references. The City of Avon Lake has begun utilizing this program as has North Ridgeville. He confirmed that those entities have indeed seen reduced maintenance and upkeep costs since they've started using this program.

Mr. Munro also stated that due to the narrow ordering period staff is recommending to proceed. There was money in the current budget to purchase vehicles but those are not likely to be delivered until 2024 so no allocation of funds is anticipated.

Mr. Rush, although agreeing with the need to update the fleet, questioned replacing twelve vehicles at once. Mr. Munro stated that although they are all being replaced at the same time, there can be variability as to when they will need to be replaced/sold back as time progresses.

Mr. Dzwonczyk stated that since half of the vehicles are diesels, depending on the mileage, they will still have a lot of life left in them after five years. Mr. Munro added that those will be things that will influence the decision as to keep them full term or sell back early. The Ford Transits and Rangers that get a lot of miles may be candidates to replace early as compared to the Ford Escape that will be used by the lab. The laboratory doesn't typically add a large number of miles so those vehicles may not incur much wear. These are all things that will be evaluated as ALRW continues with this program.

Mr. Abram asked if Sourcewell and Enterprise were the same company. Mr. Munro stated that they are two different entities. Sourcewell conducts the bidding from different companies allowing government entities to proceed directly into agreements with companies like Enterprise without having to solicit bids prior to the procural.

With no further discussion, Mr. Abram moved, Mrs. Schnabel seconded, to authorize the CUE to enter into a lease agreement with Enterprise Fleet Management for the purpose of leasing vehicles through the Sourcewell Cooperative Program per the presented spreadsheet.

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

Nays: None

Motion carried.

### ***Project Updates***

***Power Plant Update:*** Mr. Yuronich informed the Board that he had spoken with Dan Rogatto of Charah/ALERG to go over what work has taken place at the power plant the last couple of months. He stated that they have completely removed Precipitator #9 on the west side of the property. They will be moving their work to the north side of the property along the lakefront so much of their work over the next few months may not be visible to the public.

Mr. Yuronich stated that the asbestos removal has been completed with over 2650 tons of asbestos containing material disposed of offsite. The subcontractor handling the asbestos removal has left a trailer onsite in the event that any questionable material is discovered. This will allow them to quickly remobilize in order to safely dispose of potentially asbestos containing material before it is disturbed.

Mr. Yuronich, referencing a slide showing two pictures of the coal pile property, explained that all of the coal has been removed and they are down to the topsoil and coal fines that were too small to be captured. They are in the process of building up the base of what will become the bike path to be utilized by the Lorain County Metroparks that runs along the east side of the property. ALERG is waiting on the results of soil samples that were taken all along the bike path. If there are any concerning results in those test results the plan is to remove additional

topsoil and replace it with soil that was excavated during the construction of the clearwells at the Water Filtration Plant.

Mr. Yuronich then spoke of the underground holes that were part of the structures that conveyed the coal from the south side of Lake Rd. to the power plant on the north. Crushed concrete will be used to fill those voids in and if there isn't sufficient crushed concrete to accomplish this, soil from the clearwells may be utilized here also.

Mr. Yuronich discussed the retention pond at the northern end of the coal pile property. He informed the Board that this handles the storm water from the coal pile property and that they have received approval to connect this pond in the next few weeks to the 108" storm sewer that runs parallel to the coal pile property on the west as no further treatment is required of that drainage.

*ETL Design Services:* Mr. Yuronich stated the staff is still working with the United States Army Corps of Engineers (USACE) on completing the paperwork to use the one million dollars of Congressionally Directed Spending that was awarded by United States Senator Sherrod Brown and that staff feels they will have an agreement in place by the end of September. The USACE has yet to finalize the project permit but that work is ongoing as well. The second payment of \$20,700 was made to the Stream & Wetlands Foundation for wetlands mitigation credits and there is a balance remaining of \$96,600.

*WFP Improvements:* Mr. Yuronich stated that the plans for the Water Filtration Plant Improvement Project was approved on June 30, 2023. Staff is in the process of compiling all of the plans and bid documents in conjuncture with HDR so that bids can be solicited in mid-September. He stated that we are looking at a six-week bidding period.

*2022 Water Line Bundle Project:* Mr. Yuronich stated that Underground Utilities Inc, has completed the removal of the sandstone culvert under Lear Rd. on July 31, 2023. The only thing left is to ensure that all properties that were affected have had their restoration completed. This will take place by mid-September

*Additional Storage Building:* Mr. Yuronich stated Bluescope had just completed their repairs of defects on the roof that were discovered during the acceptance inspection. The fire sprinklers, fire alarm and carbon monoxide protection systems have all been installed and are complete pending the hydrostatic testing of the sprinklers. Mr. Yuronich stated that the Avon Lake Fire Department was out and completed their inspections and other work. They installed the Knox Box which is a safety feature that houses keys to the building that are only accessible to the unique key that the ALFD has. They also ensured that all connections had the correct threads utilized by the ALFD.

Mr. Yuronich informed the Board that the wash bay ventilation fans are currently being installed along with the delivery of the wash bay doors that will be installed on Wednesday, August 16, 2023. The electric equipment is ready to be installed upon delivery which is slated for mid-September. First Energy will then run the wire from the existing transformer to the new transformer for the additional storage building and North Bay Construction can then complete electrical service to this building.

Mr. Munro added that he as very pleased with the thorough response from Bluescope related to the defects that were discovered. They had sent employees out to fix this and will be providing a detailed report in the coming weeks.

## ***CUE Report***

Mr. Munro stated that the first item to address is the repair of the travelling screen at the water filtration plant. A purchase order has been issued and the shipping date is estimated to be the last week of September or early October. He stated that so far everything is holding together well enough and that through the care of staff it is being operated manually.

Mr. Rush asked if this was viewed as a premature failure of this equipment but Mr. Munro stated that it was originally installed in 1979 and was at the end of its life cycle. He added that this is an item that receives a lot of preventative maintenance along with regular inspection by the divers that are brought in once or twice each year. Mr. Munro stated that staff has known that this equipment was due to be replaced but staff had hoped it could be addressed during the upcoming improvement project. Unfortunately, just like the filter repairs, it could not wait that long.

Mr. Munro provided an update on large amounts of rain this summer and how that relates to storm sewer overflows at the Center Rd. lift station. Although there have been a few overflow events over the last couple of months, the most recent rain event did not cause any overflows and there are no known sanitary sewer backups into customer's home. and that is a testament to the amount of work put in by staff to manage the system. Mr. Munro added that on August 10, 2023 staff had a meeting with the Ohio EPA regarding the Long-Term Control Plan (LTCP.) When the sewer separation was completed, the Ohio EPA gave ALRW a couple of years to study the effects of that work as to how it would affect any overflows. Staff had to complete a report to submit to the Ohio EPA in December of 2022. After review the Ohio EPA still wants to see some sort of underground retention/storage constructed to help alleviate future overflows at the Center Rd. lift station. Mr. Munro stated that staff feels that underground storage is the equivalent of a "band-aid." Staff would rather invest those millions of dollars into a permanent solution such as additional pumps and perhaps an additional force main that would allow that water to be pumped to the Water Reclamation Facility for immediate treatment. Mr. Munro added that while the Ohio EPA appreciates all of the work and effort that has been taking place, they want staff to come up with a schedule as to what will take place moving forward. There will be additional work with Brown & Caldwell to review the plan and come up with possible solutions. Mr. Munro also added that staff has begun utilizing the new camera truck to investigate areas of inflow and infiltration that would also help alleviate the large amount of rain water getting into the sanitary sewers.

Mr. Dzwonczyk asked if it was fair to assume that Avon Lake Regional Water's sanitary sewer system was in the top third of systems throughout the state. He inquired if there was any funding available to help offset the cost of these improvements. Mr. Munro replied that there is some money available through the state revolving loan fund but that because we have taken such a proactive approach, there is no grant money currently available. Communities that have been forced into consent decrees are where the grant money is currently being allocated. Mr. Munro added that although this is frustrating, Avon Lake Regional Water is going to continue taking a proactive approach and strive to be a model as for how an organization should handle issues like these with the Ohio EPA.

Mr. Abram referenced a Water Finance Conference held in Cleveland during the last week. Mr. Munro stated that he did in fact attend that meeting on one of the days and was able to make aware of some good ideas.

Mr. Munro stated that he attended the City Council meetings on June 26<sup>th</sup> and also July 10, 2023. Those meetings were in regards to property purchases that were read on June 26, 2023 but did not pass on the first two readings. Mr. Munro states that he expects that to pass on the next reading.

Mr. Munro stated that the project bundle list for 2024 is being finalized. Drummond Rd. is at the top of the list as far as breaks per one hundred feet. The rest of the list is being evaluated as well but there are numerous older streets with some potentially containing lead packing. This would also allow potential funding options to get these removed. Mr. Gaydar and Mr. Larson will handle the design in house. Mr. Munro also stated that he spoke with Mr. Spaetzel to potentially coordinate work that may be planned by the City of Avon Lake as far as street resurfacing and storm sewer work. Mr. Dzwonczyk asked if the timeline would be similar to the last bundle project and Mr. Munro stated that it would be finalized and bid so that the work could start early in 2024 at a time when many contractors are in their off-season. This could potentially lower the cost of the project.

### ***Miscellaneous & Member Reports***

Mr. Rickey thanked Mr. Munro and a large number of the distribution crew for supporting his fundraiser for Alzheimer's that he held on August 14, 2023. He also thanked the Board members for supporting his Alzheimer's walk.

Mr. Rickey also brought up an article in the Chronicle Telegram that mentioned water problems in Legacy. There was some confusion in the article relating to whose responsibility the water issues were attributed to. Mr. Munro stated that he, Mr. Yuronich, Mr. Kimevski and Mr. Frankiewicz visited the property in Legacy and there were absolutely no issues related to any cross connections to any Avon Lake Regional Water sanitary sewers. Mr. Munro stated that although we are happy to offer any troubleshooting ideas, such as the possibility that the clay dam that prevents storm water from flowing back to the house along the drainage lines, we do not have any direct involvement.

Mr. Dzwonczyk mentioned that the ponds in Legacy are "flow-through" designs that could also potentially contribute to saturated soils. Mr. Munro replied that although he is not very familiar with the design of those ponds, it is another possibility.

Mr. Rickey stated that there are five home owner's associations in Legacy that are interested in disconnecting the irrigation systems from using pond water to connecting to the potable water system. The pond water can cause odor and staining issues during certain times of the year. Mr. Rickey wanted to make sure that the organization would be helping these HOA's with any assistance that they may need. Mr. Munro assured him that staff would assist as needed.

Mr. Rickey thanked staff for showing him the operation of the new camera truck when he noticed them out using the new equipment. He was very impressed both with the knowledge and skill of the operators Dennis Knick and Tim Bradley and the quality of the images captured by this equipment.

Mr. Rickey asked about who's responsibility it was to monitor grease traps that are located on various commercial properties. Mr. Munro stated that if falls under the purview of Avon Lake Regional Water, specifically the Water Reclamation Facility, as part of our pretreatment program and the Fats, Oils and Grease program (FOG.) Ryan Hill and Will Fischer are working on it and as they visit these facilities for inspection, they monitor the records of those with a grease trap onsite. This occurs not only in Avon Lake, but in parts of Avon that sends their sewage to Avon Lake. Mr. Munro also added that the camera truck can also be used to monitor the lines for any buildup as the laterals will contain buildup near the locations with the grease traps and observe any failure to maintain the grease trap. The locations are required to maintain records of any maintenance of their grease traps and that is all information that is reportable to the Ohio EPA.

Mr. Rickey asked if that is also overseen by the Lorain County Health Department and Mr. Munro stated that although he is unsure, it is something that we can inspect and is also under the purview of the Ohio EPA.

Mr. Abram mentioned a Wall Street Journal newspaper article stating that 3M is going to be required to pay approximately \$10-12.5 billion to settle a lawsuit related to contamination of water supplies with PFAS/PFOA compounds. Mr. Munro mentioned that the United States EPA has implemented new more stringent regulations that cover various PFAS/PFOA compounds. He deferred to Mr. Yuronich for more details. Mr. Yuronich stated that the Unregulated Contaminant Monitoring Rule number 3, UCMR3, covered five PFAS/PFOA compounds. After sampling for those, none were detected in our water. This was done with a minimum detection level of 40 parts per trillion. The new UCMR5 covers twenty-eight compounds but has a minimum detection level of four parts per trillion. Mr. Yuronich stated that we have received preliminary results of “non-detect” for one of the methods that covers four of these compounds. Staff is still waiting on the results of the other test method that will cover an additional twenty-four compounds. Mr. Yuronich stated that as soon as those results are received that he will let both the Board and our customers know the results.

Mr. Rush inquired if the Avon Lake FD uses any foam that contain those compounds and if they have to report use of the foam so that we would be aware to treat for it. Mr. Yuronich responded that he did not know if they use foams that have PFAS/PFOA but that he was not aware of any requirement to report its use. Mr. Yuronich added that there are so many sources of PFAS/PFOA including non-stick pans, stain resistant clothing and a wide-range of sources. Mr. Yuronich stated that although water utilities are the ones mentioned in the articles, there are many other sources of exposures and that the water treatment process is not adding to it. Mr. Munro added that while he was in Washington D.C. this was a topic that he and his colleagues discussed with their legislators. Water utilities are tasked with treating the water and paying for its removal. The producers of these forever chemicals need to be held accountable for the costs associated with treating this problem.

Mrs. Schnabel added that she had read an article about the author trying to remove all the sources of these forever chemicals from his life and that it was a ridiculous number of things that was a source of these chemicals.

Mr. Yuronich stated that when the Ohio EPA was making a presentation about the precautions their staff has to go through prior to sampling for these chemicals and it included things like not using most personal care products, washing their clothes in special detergents, doubling up on gloves, not touching anything, not using Sharpies, etc.

Mr. Dzwonczyk added that the concentrations are certainly higher in many of these items than the four parts per trillion. He agreed with Mr. Munro that the manufacturers of these chemicals need to be held accountable.

### ***Public Speakers***

None.

### ***Executive Session***

Mr. Rush stated that there is potential for Board action after the Executive Session. Mr. Rush moved, Mr. Dzwonczyk seconded, to meet in executive session as allowed by ORC §121.22 (G)(2) and (G)(3) to discuss the purchase and/or sale of property and pending legal matters and to include the CUE, the CUO, and Attorney Bruce Rinker of Mansour Gavin.

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



Nays: None  
Motion carried.

The Board entered Executive Session at 8:17 PM (Mr. Dzwonczyk abstained from voting the remainder of the meeting)

The Board reconvened the public meeting at 8:58 PM

Based on discussion in Executive Session, Mr. Munro asked the Board to consider three motions for approval.

Mr. Abram moved, Mr. Rickey seconded, to authorize the CUE to execute a real estate purchase agreement with Michael Hess, for the not-to-exceed amount of \$300,000 plus closing costs, for the purchase of property described in Exhibit A of the agreement.

Ayes (per voice vote): Abram, Rickey, Rush and Schnabel  
Nays: None  
Motion carried.

Mr. Abram moved, Mr. Rickey seconded, to authorize the CUE to execute a real estate purchase agreement with Linda Votruba, for the not-to-exceed amount of \$300,000 plus closing costs, for the purchase of property described in Exhibit B of the agreement.

Ayes (per voice vote): Abram, Rickey, Rush and Schnabel  
Nays: None  
Motion carried.

Mr. Abram moved, Mr. Rickey seconded, to appropriate \$600,000 from the Water Fund balance to Fund 701.180.000.55008 – Capital Land & Land Improvements for the purchase of property.

Ayes (per voice vote): Abram, Rickey, Rush and Schnabel  
Nays: None  
Motion carried.

### ***Adjourn***

As there was no further business, Mr. Abram moved, and Mr. Rickey seconded, to adjourn. The meeting adjourned at 9:00 PM.

Ayes (per voice vote): Abram, Dzwonczyk, Rickey, Rush and Schnabel  
Nays: None  
Motion carried.

Approved September 5, 2023.

John Dzwonczyk, Chairman

Robert Munro, Clerk