

Board of Municipal Utilities
Meeting Minutes
September 3, 2024
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 to Facebook and YouTube.

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

Also present: CUE Munro, CUO Yuronich, Business & Financial Coordinator Logan, Attorney Bruce Rinker of Mansour-Gavin, William Zimmerman, and Gerald Phillips.

Approve Minutes

Mr. Dzwonczyk presented the Minutes of the August 20, 2024 regular meeting. With no additional changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

Public Speakers

William Zimmerman inquired why the previous meeting video was not uploaded to Facebook until fourteen days later. Mr. Munro stated that as he had discussed with Mr. Zimmerman on the phone, there were technical difficulties related to the Facebook streaming. Mr. Munro stated that it was available on the Avon Lake Regional Water YouTube Channel. Mr. Zimmerman responded that is where he had viewed it but felt many in the community prefer Facebook.

Mr. Zimmerman informed the Board that he felt the draft meeting minutes did not accurately reflect his statements at the previous meeting.

Gerald Phillips of 461 Windward Way stated that he is asking for a copy of the resolution by the Board authorizing the purchase of the property from ALERG and that he will put that request in writing. Mr. Phillips stated he will also be requesting a copy of the insurance policy naming ALRW as an insured for the fifteen-million-dollar environmental policy. Mr. Phillips also stated that he has a public records request for documents supporting the conditions listed in the purchase agreement that fall under the headings A1, A2, A3 and A4 along with B1 and B2. Mr. Phillips stated that he asked for a copy of the storm water permit along with demolition permits for the property that had the implosion. Mr. Phillips also added that he knew this Board had presented to the City of Lorain about providing water and stated that the City of Vermillion's water plant is in worse shape and wanted ALRW to consider supplying water to them.

Correspondence

None

Expenditures

Following review of expenses for funds and amounts as follows, Mr. Abram moved, Mrs. Schnabel seconded, to approve the expenditures of August 16 through August 29, 2024:

Water Fund 701	\$	1,884,622.46
Wastewater Fund 721	\$	1,727,198.34
ETL1 Fund 703	\$	14,278.89
ETL2 Fund 762	\$	817.69
LORCO Fund 749	\$	10,469.24
Water Construction Fund 704	\$	259.33
Wastewater Construction Fund 724	\$	259.33

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

Nays: None

Motion carried.

Supplemental Appropriations

Business & Financial Coordinator Logan stated that it is necessary to make reappropriations throughout the year within individual budget funds to address expenses in certain line items. Mr. Logan stated that this is not increasing the budget as long as the total expenditures for each fund has the funds to cover the reappropriations. Mr. Logan stated that only the finance director has the authorization to make the reappropriations within the accounting system so that this is the reason for requesting the Board to act. Mr. Logan added that only a small portion of the reappropriations will increase the actual budget, and these were limited to Fund 706 – Water Debt Service, Fund 727 – Wastewater Debt Service and Fund 749 – LORCO. Mr. Logan stated that ALRW acts as the custodial agent for the LORCO 1 system, ALRW collects all revenue from all LORCO phases. The LORCO 1 checking account then reimburses LORCO 2 for money received for LORCO Phase II. Due to growth within that area of the system, more money has been reimbursed this year compared to years past.

Mr. Rush stated that because this is a public record he felt Mr. Logan should state the amount being reappropriated for each fund but that it was not necessary to state each individual line item. Mr. Logan informed the Board that funds would be reappropriated as follows: Fund 701 - \$80,669.64, Fund 703 - \$85,000, Fund 706 - \$68,730.74, Fund 721 - \$53,970.62, Fund 727 - \$39,659.39, Fund 749 - \$77,555.27 and Fund 762 - \$70,000 with a total for the appropriations being \$475,585.66.

Mr. Dzwonczyk moved, Mr. Rush seconded, to authorize the CUE and the Business & Financial Coordinator to execute the appropriations as presented to the Board.

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 the Avon Lake Environmental Redevelopment Group (ALERG) has been focused on clearing the debris from the implosion of two of the precipitators so that they can plan for the next implosion. Mr. Yuronich stated that staff has not been informed of when this next implosion will take place.

ETL Design Services: No update.

WFP Improvements: Mr. Yuronich stated that The Great Lakes Construction Company (GLC) has installed the electrical duct bank that will provide power to the new chemical feed building. Mr. Yuronich added that GLC has backfilled the area, compacted the fill and performed the compaction testing. Mr. Yuronich stated that they relocated the storm sewer and removed any abandoned storm sewer lines and removed a manhole and filled in those areas. Mr. Yuronich also informed the Board that ALRW staff and GLC had met to review the outage request to perform the filtrate line tie-in connecting the new filters to the existing plant. Mr. Yuronich added that because the WFP will have to be shut down for this tie-in, staff wished to include various cut-off points where the work could be paused to allow the WFP to resume treatment and replenish their reserves of treated drinking water. Mr. Rickey inquired if opening the West Ridge Emergency Interconnect to supplement the treated drinking water available was an option. Mr. Yuronich responded that due to not yet being able to flush the water main until Rural Lorain County Water Authority installs flushing points it would only be an emergency option. Mr. Dzwonczyk stated that he would like to see pictures to help the Board and the public understand what some of these discussions involve.

SCADA Communication Upgrade: Mr. Yuronich informed the Board that on August 28, 2024 he had met with a representative from the Cybersecurity and Infrastructure Security Agency (CISA) to review ALRW's cybersecurity practices and information technology (IT) network hardware and configuration. Mr. Yuronich stated that ALRW had already reviewed its physical security with CISA and that this was another offering they had. Mr. Yuronich stated that all of the IT system was reviewed with its third-party system integrator. Mr. Yuronich also added that this same review will be conducted for the operational technology (OT) integrator, but they had to cancel due to an emergency call-out with another customer of theirs. Mr. Yuronich informed the Board that there were a couple of easy to address improvements that will be made and that some of the other potential options will need to be planned out to balance accessibility with the improved security. Mr. Yuronich also added that once the report is complete staff will also have access to the assessment tool used in this evaluation to allow updates as improvements are made within the IT or OT networks. Mr. Yuronich added that even though a full review of the OT network was not conducted, CISA did perform review of the plans and location for the new server room at the WFP and felt that the plans met all current best-practices. Mr. Dzwonczyk reiterated that pictures would be beneficial to the Board and the public.

CUE Report

Mr. Munro addressed a few of Mr. Phillips questions from earlier in the meeting by stating that several of the documents Mr. Phillips had requested had either been provided to him in the past with other information requests or via email earlier in the day and that he would follow up with him to ensure everything requested had been received. Mr. Munro reiterated that any public record that is requested will be provided. Mr. Dzwonczyk stated that ALRW should have a transmittal record that acknowledges which records are distributed so that these could be referenced in the future so that staff aren't having to rely on memory which records have already been distributed.

Miscellaneous & Member Reports

Mr. Abram inquired if there was any possibility that ALRW could take over operations of Vermillion's WFP. Mr. Munro responded that if ALRW was going to expand its service area westward, taking over that facility was not the best option. Mr. Munro stated that WFP Gibboney had been a contract operator for a short period of time while at his previous job and that the facility is in very rough shape and was in need of many upgrades.

Mr. Abram informed the Board that plans are nearing completion for the Eaton Crossings subdivision that will be served by LORCO. Mr. Abram stated that as of August 31, 2024 there were a total of sixteen-hundred and thirty-one taps on the LORCO Phase 1 system.

Mr. Abram also stated that he had provided the Board and ALRW staff with an article from Water World that addressed the new USEPA rules regarding PFAS. Mr. Abram informed the Board that utilities have until 2029 to implement solutions to reduce PFAS within their water.

Mr. Dzwonczyk asked how many taps on the LORCO system are projected within the next twelve to twenty-four months. Mr. Abrams responded that it should be an additional one to two-hundred. Mr. Dzwonczyk stated that this would be approximately eighteen-hundred and getting closer to LORCO reaching a break-even point in the operating budget.

Public Speakers

Mr. Zimmerman restated that he was unhappy that the August 20, 2024 meeting was not available on Facebook as not all residents may use or like the YouTube platform. Mr. Zimmerman also stated that he did feel the interactions he had with Mr. Rickey and Mrs. Schnabel were fairly addressed. Mr. Zimmerman also claimed that he hopes the Board of Municipal Utilities does not reach the point of Avon Lake City Council whom he fights with regularly. Mr. Zimmerman stated that he has fought with, sued and won disagreements with the City of Avon Lake in the past and is prepared to do so again if needed.

Executive Session

Mr. Rush moved, Mr. Abram seconded, to meet in executive session as allowed by ORC §121.22 (G)(1) and (G)(2) to discuss the employment and/or dismissal of a public employee and the purchase or sale of public property and to include the CUE, the CUO, the Business & Financial Coordinator and Attorney Rinker.

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

Nays: None

Motion carried.

The Board entered Executive Session at 7:02 PM

The Board reconvened the public meeting at 7:57 PM

Adjourn

As there was no further business, Mr. Abram moved, Mr. Rush seconded, to adjourn. The meeting adjourned at 7:58 PM.

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

Nays: None

Motion carried.

Approved September 17, 2024.

John Dzwonczyk, Chairman

Robert Munro, Clerk