

Board of Municipal Utilities  
**Meeting Minutes**  
**October 1, 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, Attorney Connie Carr of Seeley, Savidge, Ebert & Gourash, Avon Lake Councilwoman Amy Gentry and resident Nick Mondello

***Approve Minutes***

Mr. Dzwonczyk presented the Minutes of the September 17, 2024 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. Rickey seconded, to approve the expenditures of September 13, 2024 through September 26, 2024:

Water Fund 701	\$	258,049.91
Wastewater Fund 721	\$	384,808.50
ETL1 Fund 703	\$	15,319.65
ETL2 Fund 762	\$	5,913.35
LORCO Fund 749	\$	6,930.78
Water Construction Fund 704	\$	2,003.54
Wastewater Construction Fund 724	\$	2,003.54

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

Nays: None

Motion carried.

***HZW Environmental Report***

Mr. Munro informed the Board that he received the final, independent environmental report that was conducted by the firm HZW Environmental Consultants on Monday September 23, 2024. Mr. Munro stated that ALRW contracted HZW to review the Phase I and Phase II reports that were conducted by Deigan and Associates and Verdantas. Mr. Munro stated that the HZW

review of all environmental testing conducted at the coal yard property recently purchased by ALRW met all applicable standards to apply for the Ohio Voluntary Action Program (VAP) and also to seek a No Further Action Letter (NFA) and a covenant not to sue to be issued by the Ohio EPA. Mr. Munro added that a NFA will protect ALRW in the future along with any future property owners should ALRW decide to sell any or all of the property. Mr. Munro pointed out that there was one area that Verdantas and HZW did not specifically agree upon and that related to the area where a multi-purpose trail could be located. Mr. Munro stated that Verdantas looked at that area as a high frequency child exposure standard and the rest of the site as a commercial-industrial standard. Mr. Munro stated that HZW felt that this designation was overly conservative and overly cautious. Mr. Munro stated that the high frequency child exposure standard assumes contact for eight hours a day, five days a week, two hundred and eighty days a year of exposure. Mr. Munro stated that he was ok with taking a precautionous approach. Mr. Munro added that Councilmembers Shamir and Gentry had requested a technical discussion regarding this property and that this was going to be scheduled in the coming weeks. Mr. Munro stated that this would include Steve Gross of Verdantas, Matt Knecht of HZW and ALRW staff. Mr. Abram stated that he was pleased and Mr. Dzwonczyk reaffirmed that. Mr. Rickey inquired if the full report had been furnished to the Mayor and City Council and Mr. Munro responded that it had. Mr. Dzwonczyk inquired if the full report has all of the individual analytes that were tested and Mr. Munro stated that while the Board members received only the summary, the full analytical data was included in what was distributed to those who wanted it. Mr. Rickey also inquired if this only applied to the property ALRW had purchased and did not include the power plant property on the north side of Lake Rd. Mr. Munro stated that it was only for the three parcels that were purchased by ALRW. Mr. Dzwonczyk stated that even if another purchaser was interested in these or other parcels in the area, they would want to have their own analyses performed. Mr. Munro added that adjacent parcels are looked at as part of the due diligence process and that between these three parcels and the parcels that are next to the existing water filtration plant (WFP) there are multiple sites that previously housed gas stations. Mr. Rush also stated that there was an additional site that was formerly a gas station. Mr. Munro stated that as part of the Phase I reports, Verdantas had contacted the State Fire Marshall and queried things such as gas stations or underground storage that could potentially affect the properties even if it wasn't directly located on the property being purchased.

### ***Project Updates***

***Power Plant Update:*** Mr. Yuronich stated that ALERG continues to clean up the various piles of scrap and debris so that they can begin preparations for the next implosion which is still tentatively scheduled for November. Mr. Munro asked if they have given a date for this implosion yet. Mr. Yuronich responded that they have not.

***ETL Design Services:*** No update.

***WFP Improvements:*** Mr. Yuronich stated that The Great Lakes Construction Company (GLC) has made more progress forming and pouring the concrete for the new chemical feed building. (Pictures of the construction site were shown in person and on the live-stream.) Mr. Yuronich stated that GLC has already poured the sump pits for the building along with the mud mat. Mr. Dzwonczyk stated that it appeared in the picture that the base is well below grade. Mr. Yuronich stated that the actual foundation for the building will be eighteen-inches thick and that this will bring it up to the existing grade. Mr. Yuronich explained that the pads that will hold the bulk storage tanks have been formed. Mr. Dzwonczyk inquired about the square structures that had been formed and Mr. Yuronich explained that these were the sump areas that would allow for the containment and evacuation of chemical spills. Mr. Yuronich added that any chemical feed area is required to have secondary storage in the event that the main tanks leak or there is a spill and the building is designed to account for this. Mr. Yuronich explained that one of the benefits of housing the treatment chemicals closer to where they are fed is that changes in

chemical dosages will take effect more quickly as there is no delay with a reduction in travel time. Mr. Yuronich also stated that currently alum and carbon utilize carrying water to assist in moving them through the great length of pipe and that this won't be necessary with the improvements as the chemicals will be fed "neat." Mr. Rickey inquired if there were any major change orders or issues that have used any of the contingency money in the contract and if the project was still on schedule. Mr. Munro stated that although there have been minor change orders but that some of those have actually resulted in credits back to ALRW. Mr. Munro added that when excavation takes place there are always unknowns that will be discovered and that once the construction enters the above-ground phase things typically progress more quickly and the surprises are reduced.

*SCADA Communication Upgrade:* Mr. Yuronich presented a non-descript drawing that compared the existing server room and the proposed server room that will be built. Mr. Yuronich mentioned that staff had previously met with the Cybersecurity and Infrastructure Security Agency (CISA) and they had reviewed these plans and informed ALRW that they met all of the standards for server rooms. Mr. Yuronich explained that for security purposes ALRW did not want to display too many details but that the existing server room is approximately three-and-a-half feet by six feet that is a closet. Mr. Yuronich explained that when the WFP was constructed there was not a need for a server room and that staff has made due with what was available. Mr. Yuronich stated that the new room will be able to control the temperature, humidity, dust and also have additional security along with providing an appropriate amount of space to house and access the server and SCADA equipment. Mr. Yuronich added that staff is going to be compiling detailed plans with cost estimates and proceed with this design. Mr. Yuronich stated that staff is also going to develop a plan to relocate the equipment so that plant operations are minimally affected. Mr. Rush inquired if there was redundancy to the existing equipment. Mr. Yuronich replied that there are two redundant servers and that the plan will likely involve relocating the server that is not in operation and then switch to that server while the other one is relocated so that the transition appears seamless to the operations staff. Mr. Yuronich also added that staff regularly simulates operating the facility without the assistance of SCADA so that in the event they lose this equipment, staff can continue to operate the WFP. Mrs. Gentry inquired how old the SCADA system itself was. Mr. Yuronich stated that it was approximately four years old and unlike the server room, has been upgraded numerous times throughout the years. Mr. Dzwonczyk stated that the SCADA system is on its own network and has an air gap isolating itself from outside internet access.

Mr. Dzwonczyk inquired about the time frame for obtaining a NFA letter from the OEPA. Mr. Munro responded that while there isn't currently an exact time frame there is a series of events that need to take place and that ALRW has a process for working through those. Mr. Munro added that as part of Verdantas' scope of work, technical assistance for navigating that process was included. Mr. Dzwonczyk stated that a PERT (Project Evaluation and Review Technique) chart would be beneficial for the Board to understand the process and Mr. Munro responded that this could be provided to them in the near future. Mr. Munro also added that Verdantas will be supplying a schedule and scope that will assist in tracking this effort.

### ***CUE Report***

No report.

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

Mr. Abram shared two articles with the Board. Mr. Abram stated that the first article deals with EPA grant money available for workforce development and that this may be something ALRW should look into if they haven't already. Mr. Abram stated that the second article related to the OEPA modifying a consent decree with the Northeast Ohio Regional Sewer District (NEORS) and the article gives details on the new timeline to comply. Mr. Dzwonczyk inquired if Mr.

Abram could summarize the second article. Mr. Abram responded that the NEORSD has made some good progress but was granted until 2034 to fully comply.

**Public Speakers**

No comments.

**Executive Session**

CUE Munro stated that he did not anticipate any formal action by the Board following the Executive Session.

Mr. Rush moved, Mr. Abram seconded, to meet in executive session as allowed by ORC §121.22 (G)(2) to discuss the purchase or sale of public property and to include the CUE, the CUO and Attorney Carr.

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

Nays: None

Motion carried.

The Board entered Executive Session at 7:08 PM

The Board reconvened the public meeting at 7:41 PM

**Adjourn**

As there was no further business, Mr. Abram moved, Mr. Dzwonczyk seconded, to adjourn. The meeting adjourned at 7:42 PM.

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

Nays: None

Motion carried.

Approved October 15, 2024.

John Dzwonczyk, Chairman

Robert Munro, Clerk