

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
DECEMBER 19, 2024

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District (NEORS) was called to order at 12:30 p.m. by Darnell Brown.

I. Roll Call

Present: Darnell Brown
Ronald Sulik
Jack Bacci
Samuel Alai
Sharon Dumas

Absent: Timothy DeGeeter
Marjorie Chambers

The acting Secretary informed the President that a quorum was in attendance.

II. Approval of Minutes

MOTION – Mayor Bacci moved, and Mayor Alai seconded, to approve the Minutes of the December 5, 2024 Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

Kyle Dreyfuss-Wells, Chief Executive Officer, reminded the Board that NEORS began work this year on its Strategic Plan for the years 2025 through 2027, which included meetings that encouraged employees from all departments to voice their feedback. Senior staff then held multiple work sessions and met with their staff throughout the iterative process. Work on the Strategic Plan was completed on December 9th and the final draft will be distributed to reviewers in the first full week of January, with the full final Strategic Plan to be shared in mid-February 2025. Ms. Dreyfuss-Wells thanked Jennifer Elting, Senior Manager of Community and Media Relations, for her work in managing the process.

In 2025, NEORS will launch its Good Neighbor Ambassador and Job Training Program. This will build on 10 years of experience with the Good Neighbor Ambassadors (GNAs) to enhance it based

on lessons learned. The GNAs have a positive impact on the community and are relied on for a range of projects and events. GNA graduates have stepped from the program and into careers with NEORSD and other organizations. The enhancements implemented in 2025 are to expand the working hours from the existing 30 hours per week to 40 hours per week, and the current one-year term will be extended to three years with an optional fourth year. GNA responsibilities will also expand beyond the Project Clean Lake sites to Regional Stormwater Management sites and to other departments within NEORSD. The program's purpose, criteria, size, and target audience will remain the same. Ms. Dreyfuss-Wells thanked Crystal Davis, Government Affairs Program Manager, and Galen Adams, GNA Supervisor, who is also a former GNA, for guiding NEORSD through the program changes.

Ms. Dreyfuss-Wells advised that Shawn Hageman, Chief of Security, is retiring at the end of January 2025. Chief Hageman has been with NEORSD since 2004 and has served as Chief since 2009. As Chief, she has guided the Security Department through the transition from armed security guards to peace officers and has enhanced and supported her team's training to ensure compliance with the Ohio Peace Officers' Training Academy certifications. She has been instrumental in the agreement before the Board today with the Village of Cuyahoga Heights to become the commissioning agency for NEORSD peace officers. Ms. Dreyfuss-Wells thanked Chief Hageman for her efforts and wished her well in her future endeavors.

President Brown thanked Chief Hageman for her role in safeguarding this utility and taking NEORSD Security Department staff from security officers to sworn officers, which makes a difference in terms of the seriousness of which the facility, infrastructure and impact on quality of life in the community for which NEORSD is responsible, as well as working with Cuyahoga County and other entities to understand threat analysis. President Brown added that Chief Hageman has demonstrated the ability to create partnerships with other entities and communities and thanked her on behalf of the Board for all of her hard work.

Chief Hageman expressed gratitude for her 20-year career with NEORSD, which has provided her opportunities for growth, leadership training, career advancement, and ensuring that NEORSD is safer and more secure. Chief Hageman added that she is happy with the place that she is leaving the Security Department and thanked the Board, the Village of Cuyahoga Heights, and Mayor Bacci, for their support in providing a commissioning path for NEORSD's peace officers.

V. Action Items

Authorization to Advertise

Resolution No. 304-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract for the Westerly Headworks Grit Diverter project with estimated probable construction costs of \$300,000.00.

Resolution No. 305-24 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract to construct the Flood Reduction at Riverview Road in Brecksville project with estimated probable construction costs of \$4,833,000.00.

MOTION – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution Nos. 304-24 through 305-24. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the project associated with Resolution No. 305-24. Matt Scharver, Director of Watershed Programs, provided photographs of the project area and explained that this is a road raising project at the intersection of Riverview Road and Greenhaven, in the City of Brecksville. There are sediment vaults adjacent to the intersection that catch the stream sediment as it moves through Brecksville across to Riverview Road and into the Cuyahoga Valley National Park (CVNP), where there is a large wetland complex. The project area will include approximately 1,800 feet of road to be raised, which will require utility relocation. The sediment vaults are problematic to CVNP and the downstream wetland.

West of the project area is Picha Lake, a regional stormwater detention basin that NEORSD previously assumed responsibility of to trap sediment there to keep it out of the regional tributaries and regional stormwater system. On Weise Road, NEORSD has been able to achieve voluntary property acquisition to address streambank erosion threatening a residential home along the regional stormwater system. All of these improvements will come together to take Riverview Road from flooding at less than a 1-inch rainfall to a 100-year level of service.

Authorization to Purchase

Resolution No. 306-24 Authorization to renew the annual software license from sole source vendor OpenGov, Inc. for the District's eProcurement software for the period February 15, 2025 through February 14, 2028 in an amount not-to-exceed \$93,458.07.

MOTION – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 306-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

- Resolution No. 307-24 Authorization to enter into an agreement with the Village of Cuyahoga Heights for Special Police Officer Commissioning for a twenty-five-year term in an amount not-to-exceed \$682,296.32, and a District option to renew the agreement for an additional twenty-five years with further Board authorization.
- Resolution No. 308-24 Authorization to enter into Watershed Partner Service Agreements with eleven watershed organizations, for professional services in 2025-2029, in varying amounts as presented, in the total amount for all agreements combined not-to-exceed \$2,920,000.00.
- Resolution No. 309-24 Authorization to enter into agreements with Birthing Beautiful Communities and Village of Joy Corporation; Calvary Hill Temple Church of God in Christ, Inc. and The Calvary Hill Church, Inc.; Dunham Tavern Museum & Gardens; Harmony District Foundation Inc.; MidTown Cleveland Inc. and Antunesia Harris; The East End Neighborhood House Association; Waterloo Arts; and West Creek Conservancy and Fares Family Realty LLC.; to implement projects under the 2025 Green Infrastructure Grant Program for the Combined Sewer Area, as presented, in a total amount not-to-exceed \$1,500,000.00.
- Resolution No. 310-24 Authorization to enter into a professional services agreement with the consultant discussed in the privileged and confidential security memo provided to the Board, for an information security project for the period January 2025 through December 2027, in a total amount not-to-exceed \$193,842.00.
- Resolution No. 311-24 Authorization to enter into a professional services agreement with Diversified Fall Protection for consultation, engineering, materials, and new installation of certain fall prevention systems at all District locations for the Fall Prevention Services project in an amount not-to-exceed \$200,000.00.

Resolution No. 312-24 Authorization to enter into professional services agreements with Occupational Health Centers of Ohio, P.C. dba Concentra Medical Centers, and with SCT Operations, Inc. for Occupational Health Services for the term January 1, 2025 through December 31, 2027, in a total amount not-to-exceed \$200,000.00 allocated to both agreements according to District needs.

MOTION – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 307-24. After the following discussion, without objection, by roll-call vote, with all present members voting yes, and recusal from discussion and abstention from voting by Mayor Bacci, the motion carried.

President Brown noted that NEORSD has been working toward having a commissioning agency for quite some time, originally attempting to work with Cuyahoga County. There was positive feedback followed by political ramifications state-wide that impeded progress. This was a great opportunity afforded to NEORSD by Mayor Bacci and his team to keep the commissioning process moving forward in a way that allows NEORSD to provide security at its facilities.

Jim Bunsey, Chief Operating Officer, added that the bulk of the cost, \$500,000, is set aside to cover liability that may arise that is above and beyond the existing insurance of either NEORSD or the Village of Cuyahoga Heights. The other component is \$5,000 annually for administrative fees that escalate by 3% per year over the 25 years, which gives the total of \$682,296.32.

As for the history, when Mr. Bunsey assumed the role of COO, it was brought to his attention that NEORSD had always had a Memorandum of Understanding with Cuyahoga County for commissioning. The County has had several different Sheriffs over the years, all of which had varying opinions on the commissioning aspect. Approximately three years ago, NEORSD began unsuccessfully working to try to change the Ohio Revised Code to establish its own police department. Cuyahoga County advised NEORSD that it would no longer commission NEORSD officers after 2024. The Village of Cuyahoga Heights was receptive to working with NEORSD to achieve a resolution.

MOTION – Mayor Alai moved, and Mayor Bacci seconded to adopt Resolution No. 308-24. After the following discussion, without objection, by roll-call vote, with all present members voting yes, and recusal from discussion and abstention from voting by President Brown, the motion carried.

Mr. Scharver explained that the term was increased from one year to five years and the annual support increased from \$40,000 to \$45,000, as well as offering an additional \$10,000 for supplemental restoration type projects that align with NEORSD's strategic and sustainability plans.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 309-24 through 312-24. Without objection, the motion carried unanimously.

Authorization to Enter Into Contract

Resolution No. 313-24 Authorization to enter into a public improvement contract with Herbst Electric, for the District Wide Fire Alarm and Security Upgrades project at the District's Environmental & Maintenance Services Center, GJM Administration Building, and Southerly and Westerly Wastewater Treatment Centers in an amount not-to-exceed \$1,582,110.00.

MOTION – Mayor Alai moved, and Mr. Sulik seconded to adopt Resolution No. 313-24. Without objection, the motion carried unanimously.

Authorization to Amend Employment Agreement

Resolution No. 314-24 Authorization to enter into a Third Amendment to the January 1, 2021, employment agreement with Kyle Dreyfuss-Wells as Chief Executive Officer, to increase Ms. Dreyfuss-Wells' 2025 salary by 3.0% in addition to the 3.25% increase pursuant to the agreement, for a total 2025 salary increase of 6.25%, to be reflective beginning with the first payroll in 2025.

MOTION – Mr. Sulik moved, and Mayor Bacci seconded to adopt Resolution No. 314-24. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that this is the third amendment, meaning that there has been much ground covered, and progress made. President Brown added that NEORSD is on a great path, and he is excited to see what is to come in terms of the Strategic Plan, the next Rate Study, and being on the back half of the Consent Decree.

There is much in progress and to be anticipated. The Board and Ms. Dreyfuss-Wells have had a good partnership in moving the organization forward. President Brown thanked Ms. Dreyfuss-Wells for her efforts and senior staff for supporting her and added that the Board is very satisfied with her performance to date.

Hearing Officer Findings and Recommendations

Resolution No. 315-24 Adopting the findings and recommendations of the Hearing Officer regarding the sewer account of Rose Milano ending in 2397, Sewer District Hearing No. 24-014, that no further adjustments be made.

Resolution No. 316-24 Adopting the findings and recommendations of the Hearing Officer regarding the sewer account of Stanley and Carol Kobzowicz ending in 9448, Sewer District Hearing No. 24-015, that no further adjustments be made.

MOTION – Mayor Alai moved, and Ms. Dumas seconded to adopt Resolution Nos. 315-24 through 316-24. Without objection, the motion carried unanimously.

Authorization to Grant Credit

Resolution No. 317-24 Authorizing the District to issue a credit adjustment in the total amount of \$194,077.83 against sewer charges on the account ending in 4793 to Omni Lakewood LTD, 13001 Athens Road, Lakewood.

MOTION – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 317-24. Without objection, the motion carried unanimously.

Authorization to Appoint

Resolution No. 318-24 Appointing Devona Marshall to the position of Chief Operating Officer of the Northeast Ohio Regional Sewer District, effective February 17, 2025.

MOTION – Mayor Bacci moved, and Mayor Alai seconded to adopt Resolution No. 318-24. After the following discussion, without objection, the motion carried unanimously.

President Brown stated that the Board has enjoyed its time with Ms. Marshall serving as the Director of Engineering and Construction. The process of choosing the new COO has been expansive, with 45 applications received for the position.

In the restructuring of NEORSD over the past five to ten years, the COO position has become one of the critical positions in the organization. NEORSD transitioned from relying on significant amounts of outside consulting to bringing the work in-house. Mr. Bunsey was previously part of the outside consulting years ago and has done an excellent job as NEORSD's COO. President Brown on behalf of the Board thanked Mr. Bunsey for his work.

One of the significant challenges going forward will be finishing the 25-year Consent Decree, which as it reaches completion, will transition to a lot of Operation and Maintenance work, that will require planning for the workforce, and what technology and instrumentation will be implemented in those facilities.

President Brown added that Ms. Marshall has done an exceptional job as Director of Engineering and Construction, and the Board is concerned about who will take over that role, as Ms. Marshall has done a great job specifically in terms of capital programming and presenting to the Board in clear and concise language to keep them informed on deliverables, budget, and progress in terms of value engineering and saving hundreds of millions of dollars.

President Brown congratulated Ms. Marshall on her new role and added that the Board is confident that she is the best person to move NEORS D forward as COO.

Ms. Marshall thanked President Brown and the Board for not only their support and leadership but for empowerment that is critical to the success of NEORS D staff. The Board's commitment to NEORS D and its staff is crucial. Ms. Marshall added that she has spent her entire 27-year career with NEORS D and plans to finish her career at the District as well.

VI. Information Items

President Brown informed the Board that the Chief Legal Officer's Report of Settlement and Release Agreements for the period of July through December 2024 was contained in the meeting materials and any questions should be directed to the Chief Legal Officer separately.

Ms. Marshall provided the monthly Capital Improvement Plan (CIP) update for November 2024 beginning with cashflow, specifically for the top seven projects which account for 76% of total cashflow in 2024. Those seven projects through November are tracking at 101% of planned spending, which is a good indicator for overall cashflow that is expected to be near 100% for the year. The Engineering and Construction Department is working to hone its projected spending and carry those efforts into the next Rate Study.

As for Key Performance Indicators (KPIs), the design of the Westerly Sludge Handling Improvements Project was completed. The project includes improvements to aging and failing infrastructure associated with the sludge handling process at the Westerly Wastewater Treatment Center (WWTC). It will also address near-term solids management needs as the long-term options are explored for the Westerly WWTC.

Construction of the Westerly Tunnel Dewatering Pump Station achieved substantial completion on November 6, 2024. This is one of two Consent Decree projects that encountered significant supply chain issues related to the electrical equipment. The project is part of the Westerly Storage Tunnel System. Under the Consent Decree, NEORS D is required to achieve full operation of Control Measure 14 by the end of 2024, and is on track to do so, despite the project delays.

Ms. Marshall invited Lita Laven, E&C Project Manager, to provide an update regarding the capital planning process for 2025.

Ms. Laven began the update with an overview of the process, which starts in July of each year and culminates in March of the following year, noting that E&C uses tools such as the scheduling software and other internal resources to ensure that the CSO Consent Decree milestones are being met. There is significant coordination between the various NEORSO budget centers throughout the process, including prioritizing new, non-CSO project nominations and determining whether they are added to the capital plan, either in the near or long-term. The capital planning team also coordinates with the Finance Department to ensure that the planned cashflow is in alignment with the rate model and discuss how short-term projects will be funded, either through cash or loan fund applications.

Ms. Laven detailed several enhancements to the planning process over the course of the last year, including a new process for the Operation and Maintenance (O&M) Department to submit nominations to the planning team for the capital plan. Previously, nominations were submitted via the capital planning tool. However, the Technical Services Group worked with O&M to develop a project request form to submit project requests, which are then reviewed weekly by O&M Director Frank Foley, and E&C's Plant Design Manager, to discuss if the submission should be addressed directly through minor capital within O&M or if it requires minimal technical support from E&C, and then whether the construction or implementation is recommended for minor capital or the capital plan. If the request is determined to be submitted to the capital plan, the new tool will automatically transition the project request to the CIP tool to be scored and prioritized when the planning team meets with the various budget centers.

Ms. Laven also described CIP cashflow estimating process improvements, noting that the existing cashflow estimates were enhanced to exclude project allowances, and then reviewed by both Design and Construction Program Managers to manually adjust the projections based on professional judgement and historical project data.

As a result of this year's planning process, forty-three nominations were submitted to E&C to add to the CIP. This year over \$250 Million was added to the CIP over the next 20 years. Many of the nominated projects address the automation needs of the WWTPs and the collection system. Seventeen of the forty-three nominations were added as standalone projects; seven were added to previously planned projects that haven't started yet; six nominations were slotted for O&M minor capital projects; and four nominations were combined due to similar scope or location, with two new projects added to the capital plan as a result. Additionally, five nominations were added to existing active projects and two nominations require additional evaluation, which is being performed under the General Engineer Services contracts. One nomination to update the repair and renewal placeholder in the CIP as a budget placeholder using asset management data until nominations are submitted for the CIP. Finally, there is one nomination that did not make it into the CIP. The draft 2025 budget is approximately \$236 Million and will be finalized in January 2025. Ms. Laven specified that approximately \$150 Million is required for Project Clean Lake, treatment plant improvements accounting for under \$50 Million, collection system improvements totaling

under \$30 Million, and building improvements and District-wide projects rounding out the remainder.

Ms. Laven listed notable nominations, including: electrical gear improvements at the George J. McMonagle Administration Building and the Environmental Maintenance and Services Center; an I-beam repair which supports the Westerly grit effluent channel walkway; large diameter tunnel inspections to assess the condition of the tunnels and develop recommendations for maintenance; and the CSO-203 Relocation project which will relocate the outfall in conjunction with the Cleveland Metroparks' Cleveland Harbor Eastern Embayment Resilience Strategy (CHEERS) in order to construct a lakefront park in the CSO outfall's original location.

President Brown noted the importance of the asset management tool, as presumably, at this point in the Consent Decree process, many of the plant facilities may soon require retrofits or replacement. President Brown asked Ms. Marshall to explain to what extent the asset management program assists with ensuring that facilities are not falling into disrepair and there is funding available to support such repairs.

Ms. Marshall answered affirmatively and explained that the plant facilities plans that were developed for the Easterly WWTP and the Southerly WWTC in 2008, identified 15 to 20 years-worth of major improvements. Additionally, NEORS is in the midst of implementing similar improvements at the Westerly WWTC from its facilities plan that was completed more recently. Ms. Marshall elaborated that repair and renewal planning will be an area of future focus for capital planning with the completion of the plant facilities plan projects and consent decree projects. This includes using and improving the asset management data from the NexGen system. E&C will work closely with O&M to determine how to move forward with condition assessments and using criticality and life expectancy data to plan repair and renewal projects. Ms. Laven further added that two facilities plan projects were added to the capital plan for the Easterly WWTP and Southerly WWTC in the next five years.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session


There were no items.

X. Approval of Items from Executive Session


There were no items.

XI. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Ms. Dumas moved, and Mayor Alai seconded the motion to adjourn at 1:58 p.m. Without objection, the motion carried unanimously.



Timothy J. DeGester, Secretary
Board of Trustees
Northeast Ohio Regional Sewer District



Darnell Brown, President
Board of Trustees
Northeast Ohio Regional Sewer District