

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
MAY 2, 2013

Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District was called to order at 12:32 p.m. by Darnell Brown.

I. Roll Call

PRESENT: D. Brown (arrived 12:40 p.m.)  
R. Sulik  
S. Kelly  
J. Bacci  
T. DeGeeter  
W. O'Malley  
G. Starr

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

II. Approval of Minutes

**MOTION** – Mayor Bacci moved and Mr. O'Malley seconded to approve the minutes of the April 18, 2013, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

Deputy Executive Director F. Michael Bucci informed the Board that no one signed up to speak about a specific agenda topic.

IV. Executive Director's Report

Deputy Executive Director Bucci stated that Executive Director Ciaccia was out of town and he would provide the report on his behalf.

Deputy Executive Director Bucci advised that an Audit Committee meeting was held that morning. The Committee is currently working on revising their charter, which will be brought to the Board for review and approval in the future. He noted that Mayor Starr is the chair of the Committee and inquired if he would like to comment.

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Mayor Starr stated that it was a productive meeting. They discussed internal audit reports, external audit reports and finance, insurance and legal updates. Rhonda Hall, of Ciuni & Panichi, discussed the financial audit they will perform.

Moving to the topic of the Stormwater Management Project (hereinafter "SMP") litigation, Deputy Executive Director Bucci advised that oral arguments took place in the Court of Appeals on April 29 and the Board will be apprised as soon as there is a ruling on the case.

The Suburban Council of Governments met on April 25 and elected officers. Mayor Renda of Moreland Hills was reelected president; Mayor Welo of South Euclid was reelected vice president; and the new secretary is Mayor Currin of Hudson. During the meeting Executive Director Ciaccia gave a report regarding the SMP, the separated bill issue and he introduced the concept of integrated planning.

Last week Executive Director Ciaccia attended the National Association of Clean Water Agencies (hereinafter "NACWA") environmental policy forum in Washington, D.C. with Darnella Robertson and Kyle Dreyfuss-Wells. He was the president-elect this year. They, along with Andy Futay, the District advocate, met with representatives from Senator Portman's and Senator Brown's offices, and in-person with Congressman Latta. Their discussion focused on affordability legislation, the Combined Sewer Overflow Long-Term Control Plan (hereinafter "CSO LTCP") and proposed incinerator rules.

Moving to the next item, Deputy Executive Director Bucci stated that District staff had a second meeting with the Cleveland Department of Public Utilities (hereinafter "DPU"). The three major topics were the status of the bill separation project, account receivable/collections and local sewer charges.

The bill separation is moving forward. There is a November implementation date and they plan to meet with their suburban council of governments next month.

Deputy Executive Director Bucci stated that both parties agreed to develop metrics regarding accounts receivable and collections. Potential metrics discussed were the number of turn-offs per year and the percentage of collected to billed. Also discussed was the percentage of delinquencies over 90 days or 180 days. Metrics would help District staff report to the Board on DPU performance. The District and DPU agreed to jointly work on procedures and processes to deal with final bills. Deputy Executive Director Bucci stated that he will be the District's point person on the project.

Local sewer charges was an item Executive Director Ciaccia talked about with SCOG and DPU. Currently there is one joint bill with both the DPU fee and the District's sewer and SMP fees. DPU intends to separate the District fee from the other charges, whether it is trash collection,

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water or local sewer fees from DPU or other suburban communities. District staff asked them to evaluate putting at a minimum, the suburban local charge on the bill, which would lower the confusion. He stated they also want to consider negotiating a different fee calculation for the communities.

Deputy Executive Director Bucci advised that the District currently pays \$6.17 per bill. A local community also pays the same billing fee. Staff would like DPU to either lower that considerably for the communities or make it low enough so the District could pick it up. Some communities' local fees may be on a tax duplicate rather than the sewer bill. The first \$6.17 goes towards just getting the bill out. Staff thinks it would be advantageous to the communities to lower the fee and put the money into the sewer system.

Mr. Sulik inquired if someone with DPU could explain the rationale of splitting the bill. He stated that it did not make sense since it is more costly to both DPU and the District. Deputy Executive Director Bucci stated that staff will ask.

Mr. Sulik also requested a status report regarding the District collecting its own bills. Deputy Executive Director Bucci informed the Board that staff currently has a study underway on alternatives to water consumption and it is close to completion. An RFP is being developed for internal billing.

Ms. Kelly questioned if the separated bills would go out in the same envelope. Deputy Executive Director Bucci stated that there would be separate mailings and accounts. DPU has said there will be a two-to-three day delay in the timing of the mailings.

Ms. Kelly inquired how partial payments would be handled. Deputy Executive Director Bucci advised that is an issue to be worked through. That concern has been raised by Executive Director Ciaccia.

Deputy Executive Director Bucci advised that yesterday the Cleveland Utilities Committee met and an item presented as part of legislation was the authority for DPU to terminate service on the District's behalf. Currently they terminate service under a certain methodology. Staff is concerned that with separate accounts, DPU may or may not have that authority, so they are asking explicitly for it. The item passed through the Committee and next goes to the legislative and finance committees before council.

Mr. Brown was now in attendance.

Mayor Starr questioned if local communities will still have the option to put local assessments on the property tax bill rather than the sewer or water bill. Deputy Executive Director Bucci affirmed that it can be put on the tax duplicate. Staff wanted to have another tool that is not cost





the Delivery of 325 Tons of Bulk Treated Ice Control (Rock Salt). Anticipated Expenditure: \$12,500.00.

**MOTION** – Ms. Kelly moved and Mr. O’Malley seconded to adopt Resolution No. 103-13. After discussion and without objection, the motion carried unanimously.

Authorization of Appropriation

Resolution No. 104-13 Authorize Fee Simple Acquisition Appropriation from D&D Paving and Construction for the Dugway Storage Tunnel Project. Consideration: \$27,000.00.

**MOTION** – Mayor Bacci moved and Mr. Sulik seconded to adopt Resolution No. 104-13. After discussion and without objection, the motion carried unanimously.

Authorization of Property Related Transaction

Resolution No. 105-13 Authorize Two Permanent Easement Acquisitions and One Temporary Easement Acquisition Necessary for Construction of the Dugway West Interceptor Relief Sewer Project. Total Consideration: \$2,400.00.

Resolution No. 106-13 Authorize the District to Enter Into a License Agreement with the City of Cleveland for Construction of the Dugway West Interceptor Relief Sewer Project. Consideration: \$0.00.

**MOTION** – Mayor Bacci moved and Mr. O’Malley seconded to adopt Resolution Nos. 105-13 and 106-13. After discussion and without objection, the motion carried unanimously.

Authorization to Modify Agreement

Resolution No. 107-13 Modify Existing Agreement with the City of Cleveland for the Woodland Avenue Storm Sewer Project. Cost: An Increase in the Amount of \$400,000.00 Bringing the Total Agreement Price to \$3,000,000.00.

**MOTION** – Mr. Sulik moved and Mayor DeGeeter seconded to adopt Resolution No. 107-13. After discussion and without objection, the motion carried unanimously.

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Mr. Sulik requested an explanation. Kellie Rotunno, Director of Engineering & Construction, advised that this is for the agreement being negotiated with the City of Cleveland repaving Woodland Avenue in partnership with the Green Infrastructure Program. There was an opportunity to do strategic sewer separation for the green infrastructure under the CSO LTCP.

The District originally approached the Board to enter an agreement for \$2.6 million. The big prices were not available when the authority was requested. The cost of the bid items came in higher than expected. To cover the increase of cost of the bid items, and to provide a buffer for construction changes involving green infrastructure pieces, staff returned to the Board to request an increase of \$400,000.

Mr. Brown stated that he would think there would be similar issues as the green infrastructure program moves forward. Ms. Kelly stated that this is the mechanism utilized to deploy green infrastructure projects, particularly with the City of Cleveland in the CSO area.

Authorization to Enter Into Contract

Resolution No. 108-13

Two-Year Requirement Contract with Inland Waters of Ohio, Inc. for Skimmings Removal at All Wastewater Treatment Plants. Cost: \$46,770.50.

**MOTION** – Mayor Bacci moved and Mr. O’Malley seconded to adopt Resolution No. 107-13. After discussion and without objection, the motion carried unanimously.

VI. Information Items

There were no Information Items.

VII. Public Session (any subject matter)

No members of the public registered to speak during Public Session.

VIII. Open Session

There were no matters for Open Session.

IX. Executive Session

There were no matters for discussion during Executive Session.

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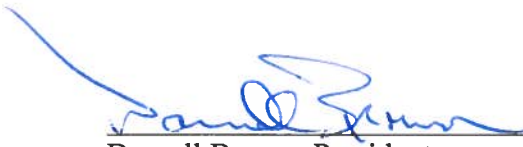
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X. Adjournment

**MOTION** – Mr. Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved and Ms. Kelly seconded the motion to adjourn at 12:56 p.m. Without objection, the motion carried unanimously.

  
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Sheila J. Kelly, Secretary  
Board of Trustees  
Northeast Ohio Regional Sewer District

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