

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
SEPTEMBER 21, 2023

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
Timothy DeGeeter
Jack Bacci
Sharon Dumas
Samuel Alai
Marjorie Chambers

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

II. Approval of Minutes

MOTION – Ms. Chambers moved, and Mayor Bacci seconded to approve the Minutes of the September 7, 2023 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, advised the Board that NEORS's 15th annual Clean Water Fest will be held on September 23. This year's event includes 50 hands-on and educational exhibits showcasing the work of NEORS and many of its community partners including the Cleveland Metroparks, the Great Lakes Science Center, the Greater Cleveland Aquarium, and a number of other nonprofit organizations. Visitors will have an opportunity to tour the Southerly WWTC, visit the lab, touch the trucks, and learn about Project Clean Lake and the Regional Stormwater Management Program.

New this year, there will be a Women in Wastewater panel, an opportunity to meet the Discovery Channel's Sewer Divers, as well as see behind the scenes inside the Sewer Cinema Theater. Ms. Dreyfuss-Wells noted that Clean Water Fest requires a massive planning effort and thanked NEORS staff and partners for their hard work.

NEORSD is a founding member of the Greater Cleveland Water Equity Partners. On September 13, the group hosted a forum titled "Why Plumbing Matters. How Residential Water and Sewer Infrastructure Intersects with Housing Sustainability and Health". County Executive Ronayne provided the opening remarks and Cleveland Water Pollution Control Commissioner Ramona Lowery-Ferrell moderated a wide-ranging discussion among Andrea Yang, Interim Executive Director of Greater Cincinnati Waterworks, Kim Foreman, CEO of Environmental Health Watch, and Monica Martello, Director of Energy and Lead Services at CHN Housing Partners.

NEORSD hosted its first Utility Assistance Resource Fair Clinic on September 15. NEORSD has been asked by multiple organizations what it takes to put together one of these fairs. The clinic was held virtually and recorded to allow organizations to access the recording as well as a manual that was created for guidance. Staff provided planning specifics and information about coordinating with other utilities and entities. Ms. Dreyfuss-Wells thanked Angela Jones, Government Affairs Specialist, Raquel Gregory, Customer Service Specialist, and Jacqueline Muhammad, Senior Manager of Government and Customer Relations, for their efforts in organizing the event.

On August 10, NEORSD's Charity Choice program was honored with the Creative Special Events award at United Way's Torchbearer Awards ceremony. These awards recognize corporations, executives, and volunteers who go above and beyond in terms of their dedication to the community. NEORSD received the Creative Special Events Award for its efforts to bring creativity to the fundraising campaign, visibility, and participation. NEORSD staff is very creative in terms of its Charity Choice events which include a cornhole tournament, chili cookoff, spring plant sale, and various donation events to support Harvest for Hunger, Toys for Tots, and other organizations. Ms. Dreyfuss-Wells thanked NEORSD staff for organizing and participating in these events.

V. Action Items

Authorization to Advertise

Resolution No. 250-23

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for the Southerly Tunnel and Consolidation project with the District engineer's estimate of probable costs of \$347,500,000.00.

MOTION – Mayor Alai moved, and Mr. Sulik seconded to adopt Resolution No. 250-23. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the project will be advertised after NEORSD's new Bylaws go into effect and asked why, when the new Bylaws will allow for a contract to be awarded within 20% of the engineer's estimate, NEORSD is seeking a contract within 10%. President Brown also requested additional information regarding the CSO control to be gained and what impact this project has on NEORSD's estimated \$3 billion Consent Decree commitment.

Devona Marshall, Director of Engineering and Construction, explained that NEORSD determined to only award this contract within 10 % of the engineer's estimate, despite changes to the Ohio Revised Code, as authorized under the revised NEORSD Bylaws. The engineer's estimate for the project is \$347.5 million. With the recommended 10% threshold, which is also authorized under the newly amended Bylaws, NEORSD can award the contract up to \$382.25 million. NEORSD is confident that the 10% contingency will allow for the project to be successfully bid, awarded, and delivered in a cost-effective manner.

Ms. Marshall invited Charles Huse, Project Manager, to provide an overview of the project.

Mr. Huse advised that the project is to be performed under Control Measure 21, which will capture three of the largest CSOs along the Cuyahoga River, limit those to three or less activations per year and remove and average of 760 million gallons of CSO from the river annually.

Mr. Huse provided a map of the project area and explained that this will be a 3.5 mile long, 23-foot diameter CSO storage tunnel to be constructed in soil. Shaft Site 1, located across from EMSC, will be the main mining site. The tunnel will begin there and continue along the E. 49th Street corridor to Shaft Site 2, located in Newburgh Heights, to pick up CSO 035, the Burke Brook Culvert. The tunnel will continue to Shaft Site 3, located in Cleveland, to pick up Morgana Run Culvert, which is CSO 036. The tunnel will continue into Slavic Village to pick up CSO 040, connecting to the future Kingsbury Run Consolidation Sewer Project, which is currently in design.

This is NEORSD's longest soft ground tunnel, and the four deep shafts are up to 200 feet deep. The main mining site will house the future Southerly Dewatering Tunnel Pump Station and the tunnel boring machine (TBM) will be removed at Shaft 4. Shaft 4 will also receive the two branches of the Kingsbury Run Consolidation Sewer. Additionally, there will be large diversion gate structures constructed, a dewatering shaft tunnel, additional consolidation sewers, modification of existing regulator structures, and rehabilitation of existing sewers.

Mr. Huse provided a 3D rendering demonstrating the infrastructure that will be constructed in Shaft Site 2 in Newburgh Heights at Washington Park. Burke Brook Culvert is a double barrel culvert, requiring construction around it with a new diversion gate structure to divert flows through a consolidation sewer into the shaft and down to the tunnel for storage. Any excessive flows will go out of CSO 035 to protect the system on the other barrel of the culvert.

Based on current market conditions NEORSD staff feel confident in the \$347.5 million estimate and anticipates a number of larger contractors bidding on a project of this size. Staff anticipates reporting at least \$5 million in value engineering later this year. \$3.2 million in value engineering savings was reported in 2022 for the elimination of the proposed Southerly interceptor gate structure. The Southerly Tunnel design exceeds Consent Decree storage requirements for the project.

Critical stakeholders for the project include the Village of Newburgh Heights and the Cleveland Metroparks. Staff worked with them to develop a restoration plan at Washington Park.

The Business Opportunity Program (BOP) goal is 10% MBE/WBE and 5% SBE for a total of 15%. This will equate to approximately \$50 million.

The pre-bid meeting is scheduled for October 12. The Office of Contract Compliance is planning to distribute 250 invitations to BOP businesses.

President Brown asked whether this is the largest project NEORSD has done. Ms. Marshall explained that it is the largest tunnel and overall project that NEORSD has done. It is comparable to the Euclid Creek Tunnel in length, however, that tunnel was constructed in rock versus soil, which impacts the cost. Mr. Huse advised that it is most comparable to the Shoreline Storage Tunnel, but this project is deeper, a mile longer, and has an additional shaft site. This project will take 4.5 years to complete.

President Brown asked what progress this project gains for the program overall. Ms. Marshall explained that this is the sixth of seven tunnels that will be constructed. The fifth tunnel is under construction, the fourth will achieve operation by year's end, and the next and last tunnel will be the Big Creek Tunnel.

As for volume of CSO control achieved to date, when the Westerly Storage Tunnel comes online at year's end, the total will be approximately 2 billion gallons of CSO captured annually.

President Brown asked if the entire project must be completed before activation. Ms. Marshall answered affirmatively and explained that this is the largest component of Control Measure 21. There will be a large consolidation sewer that is in design, and authorization to advertise for its construction will be requested next year. It is the largest input into the tunnel. There will also be a pump station which is anticipated to commence design by the end of the year. All in total, it will take approximately 5 years for this project to achieve activation.

President Brown added that this project and its ancillary projects are very expensive and as this is the sixth of seven storage tunnels, will make great strides towards achieving compliance with the Consent Decree. Ms. Marshall agreed and added that there is also the Westerly CEHRT, which is currently in construction and will provide 411 million gallons per day in CSO treatment. Additionally, there is the pending Control Measure 2 at the Easterly WWTP, which will provide a high level of CSO control.

Authorization to Issue Request for Proposal

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| Resolution No. 251-23 | Authorization to issue a joint RFP with Cuyahoga Community College (Tri-C) to procure an offsite solar power purchase agreement that includes 100% renewable electricity for the District and Tri-C. |
| Resolution No. 252-23 | Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for Third Party Administrator services for Operational Insurance and Workers' Compensation. |
| Resolution No. 253-23 | Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for Engineering & Construction Department General Engineering Services – Mechanical/Electrical/ Plumbing (GES-13) professional services. |

MOTION – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution Nos. 251-23 through 253-23. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that the project associated with Resolution No. 251-23 is a long-term commitment of 10 to 20 years and requested additional discussion as to what is meant by “offsite” and “in partnership with Cuyahoga Community College.”

Shola Ojo, Manager of Finance and Compliance, reminded the Board that this was presented in March with a request to issue a joint RFP with Tri-C in June, Energy Edge was selected as the consultant to assist with the development of the RFP.

Mr. Ojo invited Jacqueline Williams, Manager of Procurement Services, and Marie Fechik-Kirk, Manager of Sustainability and Special Projects, to provide additional information.

Ms. Williams explained that the offsite solar projects will not be on NEORSD property and there will be an onsite project proposed to the Board in the near future. The reasons for partnering with Tri-C are to reduce the cost for both entities and combine usage to make the opportunity more attractive to the market, as usage over 100,000 MWh is what developers look for and joining with Tri-C provides a combined 120,000 MWh.

Ms. Williams provided a graphic demonstrating energy market conditions and explained that in Ohio, natural gas has grown from 18% of electric supply mix in 2014 to nearly 60% in 2023. The increased demand for natural gas keeps costs high, and unpredictable weather conditions coupled with solar and wind projects causes market volatility. This unpredictability is why NEORSD is seeking long-term contracts.

Ms. Fechik-Kirk advised that NEORSD is looking to source power from the PJM electric grid, which spans 13 states from Ohio to New Jersey, serves 65 million people and is one of the largest electric markets in the world. Sourcing power from the same grid that Ohio is on is less complex and risky with reduced volatility. Additionally, Ohio and many other states within the grid are deregulated, meaning there is market competition, which makes it easier to implement a large solar project such as this.

NEORSD is looking into a smaller onsite project in the future. However, there is not enough space at Southerly to generate enough solar or wind energy for the entire electric load of Southerly WWTC, GJM, EMSC, and 60 outlying facilities which are currently served by FirstEnergy. The Easterly and Westerly plants, along with 30 remote sites have a 10-year electric supply contract with Cleveland Public Power and are not included in the RFP. The standard term would be 15 years, because of the economics of the system.

Because the current power contract expires May 2025, the intent is to immediately release the RFP in hopes of securing a contract by Q1-2024. This allows sufficient time to return to the Board and release a traditional RFP for a two-to-three-year contract if these efforts are unsuccessful. Additionally, this would allow NEORSD to optimize the benefits of the Federal Inflation Reduction Act incentives for renewable energy, which start to sunset and get more stringent after 2025. If construction begins before December 2025, and NEORSD meets federal criteria, NEORSD would qualify for a 30% to 40% credit for eligible project costs.

If this project is successful, it would provide budget certainty, allow for stable prices, and reduce greenhouse gas emissions.

Authorization to Enter Into Agreement

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| Resolution No. 254-23 | Authorization to enter into a professional services agreement with 360water, Inc. for Computer-Based Training Module Design, Development, and Maintenance for Ohio EPA Contact Hour Training Courses in an amount not-to-exceed \$100,000.00. |
| Resolution No. 255-23 | Authorization to enter into a professional services agreement with Wade Trim, Inc. for the Stormwater Model Data Management and Supporting Services 2 project in an amount not-to-exceed \$3,000,000.00. |
| Resolution No. 256-23 | Authorization to enter into a professional services agreement with OHM Advisors for the Cuyahoga River North and South Spherical Imagery project in an amount not-to-exceed \$563,584.69. |

Resolution No. 257-23 Authorization to enter into a professional services agreement with Logicalis, Inc. for the Network Infrastructure Edge Upgrade project in an amount not-to-exceed \$77,530.00.

MOTION –Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 254-23 through 257-23. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that, regarding Resolution No. 255-23, only one proposal was received and asked if staff knows why that is and if not, are they able to find out why.

Frank Greenland, Director of Watershed Programs, noted that this is an important contract for the execution of the Regional Stormwater Management Program, as it utilized for design, construction, and inspection and maintenance activities.

Thirty-nine firms downloaded the RFP, so there was interest in this contract. Wade Trim was the only firm to submit a proposal, however, they formed a team that includes two large engineering firms that were heavily involved in Stormwater Master Planning.

NEORS can reach out to the firms that downloaded the RFP but did not submit a proposal in an attempt to gain insight.

Authorization to Enter Into Contract

Resolution No. 258-23 Authorization to enter into a contract with Boiler Specialists, Inc. for the Easterly Wastewater Treatment Plant Headworks Building Boiler System Deaerator Tank Package purchase in an amount not-to-exceed \$163,142.00.

Resolution No. 259-23 Authorization to enter into a contract with Markleys Precision Company, LLC for the REF Sludge Storage Bin #1 Restoration project in an amount not-to-exceed \$67,788.60.

Resolution No. 260-23 Authorization to enter into a one-year requirement contract with JCI Jones Chemicals, Inc. for the delivery of up to 7,441,500 wet pounds of sodium hypochlorite solution to all Wastewater Treatment Plants in an amount not-to-exceed \$1,273,984.80.

Resolution No. 261-23 Authorization to enter into a contract with D&R Commercial Flooring, Inc. for the George J. McMonagle East Side Second Floor Carpet Replacement project in an amount not-to-exceed \$49,183.75.

Resolution No. 262-23 Authorization to enter into a construction contract with Marra Services, Inc. for the Mill Creek Culverted Streams Rehabilitation Package 1 project in an amount not-to-exceed \$1,038,468.00, and authorization for a general allowance in excess of 10% of the base contract price bid, excluding specific allowances.

Resolution No. 263-23 Authorization to enter into a construction contract with Synergy, LLC for the Southerly Skimmings Decant and Storage Facility AHU Replacement project in an amount not-to-exceed \$578,690.00.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution Nos. 258-23 through 263-23. After the following discussion, without objection, the motion carried unanimously.

President Brown requested an explanation regarding the greater than 10% general allowance proposed in Resolution No. 262.23. Mr. Greenland explained that the 20% general allowance was requested because of the changing nature of conditions in the stormwater system. Given recent inspection results and the violent storms that have occurred this year, the 20% general allowance is to ensure that the needed work can be completed under this contract.

Authorization to Amend Agreement

Resolution No. 264-23 Authorization to amend professional services Agreement No. 3810 with Enel X North America, Inc. for the Curtailment Service Provider and Demand Response Services project to pay for emissions upgrades at the Easterly WWTP and Westerly WWTC through an offset of shared revenue in the Synchronized Reserve Market program, and to directly pay the remaining project costs after such offset, if any, in an amount not-to-exceed \$31,082.02.

MOTION –Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 264-23. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding Resolution No. 264-23.

Jim Bunsey, Chief Operating Officer, explained that NEORSD is currently enrolled in three energy programs to reduce electricity costs. Under the Enel X contract the District is funding the air emissions control equipment with the savings generated under the Emergency Load Reduction Program (ELRP).

After successful implementation of the ELRP, NEORSD added two more programs and the three programs combined have netted savings of approximately \$950,000. The ELRP savings generated at the Southerly plant have paid for the air emission control equipment at Southerly. However, due

to marginal performance of Easterly and Westerly under the ELRP during the extreme cold weather in December 2023 the air emission equipment at Easterly and Westerly is not yet paid off. This resolution is requesting that the Easterly and Westerly equipment be funded from the savings gained under the ELRP and the Synchronized Reserve Market Program, which would leave a current unpaid balance of \$31,082.02.

It is anticipated that by the conclusion of the Enel X contract in 2024, there will be additional savings of \$85,000 under these two programs. In this case there would not be a balance due. If the savings gained under the programs are not up to expectations and there is a remaining balance, this resolution also authorizes the District to pay any remaining balance up to \$31, 082.02.

Authorization of Contract Modification

Resolution No. 265-23 Authorizing final adjusting change order for Contract No. 23004128 with Mark Haynes Construction, Inc. for the Southerly Wetland Forebay Dredging project to decrease the contract amount by \$8,628.90, thereby bringing the total contract amount to \$86,289.00.

MOTION – Ms. Chambers moved, and Mayor Bacci seconded to adopt Resolution No. 265-23. Without objection, the motion carried unanimously.

Authorization to Adopt Bylaws

Resolution No. 266-23 Adopting revised Bylaws of the Board of Trustees of the Northeast Ohio Regional Sewer District, as presented, to be effective October 3, 2023.

MOTION – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution No. 266-23. Without objection, the motion carried unanimously.

VI. Information Items

President Brown noted that a report of the certification of delinquent accounts was included in the meeting materials and requested additional information to provide context to the dollar amount of the certifications.

Mr. Ojo provided an overview of the certification process and explained that there is a team effort between the Finance Department and the Customer Service Department, wherein Finance provides the candidate list and Customer Service assists in communication with the customer. The CFO is authorized under Resolution No. 69-16 to certify the accounts with the counties. The criterion for certification includes that the account must be 180 or more days past due with a balance greater than \$500 for a sewer plus stormwater account and greater than \$100 for a stormwater only account.

Once Customer Service receives the candidate list, they issue letters to the customers informing them that they are at risk of account certification and attempt to enroll them in an affordability program if applicable and establish a payment plan.

The timeline for the current certification for the second half of 2023 began by identifying accounts with balances from November 30, 2022, and earlier. The candidate list was generated on March 31, 2023; the first letters to the customers were issued on June 28, 2023; the second letters to the customers were issued on August 7, 2023; and the certification was sent to the county on September 11, 2023.

The initial candidate list contained 8,684 accounts for a total of \$9.2 million and the final number of accounts certified was 4,536, equating to 1.2% of all NEORSD customer accounts, with a total amount of \$4.5 million, a 51% decrease from the initial dollar amount before Customer Service engagement.

Certification payments from the county have been \$2.4 million for second half 2021, \$6.8 million first half 2022, \$3.8 million second half 2022, and \$6.1 million first half 2023. The county carries the balance because NEORSD has done certification in the past.

Regarding benefits of the certification process, NEORSD's revenue collection rate is usually 96% and certification helps to recoup the 4% in delinquent accounts. It is helpful to engage customers and help to enroll those who are eligible into cost savings programs or payment plans, or to update credit card information for automatic payments. Additionally, it assists with revenue stability, which equates to better bond ratings and debt service payments.

Ms. Dumas asked whether certifications could force foreclosure. Mr. Ojo explained that NEORSD has confirmed that they do not force foreclosure. Eric Luckage, Chief Legal Officer, added that certification and foreclosure are two separate procedures and the decision to initiate and prosecute a foreclosure lies entirely with the county prosecutor's officer. Mr. Luckage personally confirmed with the prosecutor's office that the current prosecutor's policy continues, which is that a foreclosure action will not be initiated if the only delinquencies on the property are special assessments such as delinquent water and sewer accounts.

Ms. Marshall provided the Capital Improvement Program update for August 2023, beginning with cashflow. Through August, approximately \$108 million total has been spent in the Capital Improvement Program and of that, \$21.8 million, just over 20%, has been paid to BOP firms for their efforts on projects.

As for Key Performance Indicators (KPIs), four projects achieved substantial completion in August, three of which were within 90 days of planned, meeting that KPI. These projects included the Southerly Launder Support Concrete Repair Project, the Easterly Tunnel Dewatering Pump Station Groundwater Drainage and Cleaning Project, and the Brookside Culvert Repair project. The

Southerly Fire Alarm and Protection Upgrades Project did not meet the KPI of achieving substantial completion within 90 days of planned, due to a supply chain issue.

Also in August, the construction contract for the District-Wide Roof Improvements project was completed. The project was completed for \$3.9 million, not within 95% of the contract amount and therefore, not meeting that KPI. The KPI goal for BOP participation of 5% MBE/WBE was exceeded with a projected actual of 14.76%. Total work orders by change categories as a percent of construction accounted for \$1.3 million, or 33.21% of the project total. This was due to supply chain issues requiring that the contract be modified to incorporate priority items from a planned phase 2 project that was originally intended to be performed separately.

Ms. Marshall invited Doug Lopata, Program Manager, to provide an update on the Irishtown Bend Stabilization Project.

Mr. Lopata explained that the project area is located near West 25th Street, Detroit Road, and Franklin Avenue. There is a street called Riverbed that runs along the west side of the river, which contains the Westerly Low-Level Interceptor underneath the street. It is across the river from Merwin's Wharf Restaurant.

The project has a long history. NEORSD was integral in the early detection of the hillside failure, as it performed annual inspections of the interceptor and discovered significant damage on the street level of Riverbed Street with cracking of the local scarps that show the slope instability going toward the river.

Mr. Lopata provided photos of the project area showing changes over the years and explained that it started off as an industrial railroad facility where Irish immigrants lived and worked. The area was cleared out in 1963 along Franklin Avenue, but the railroad remained. Eventually, the railroad was removed and Riverbed Street was filled in. The changes kept the hillside moving toward the river, which has damaged the Westerly Low-Level Interceptor. Flows still pass through the interceptor. NEORSD has installed an internal lining to stabilize the interceptor and has designed a \$15 million pump station that has not yet had to be built. NEORSD has installed an emergency pump station and investigated other solutions.

President Brown asked if the interceptor were to fail, would NEORSD be able to mobilize a structure to pump from one side where it failed to the other side where it could go to gravity flow. Mr. Lopata answered affirmatively and explained that there is an emergency plan in place to install pumps in the sewer if needed. NEORSD assisted the Port of Cleveland in their design project of the stabilization effort.

Key elements of the project include protecting the shipping channel and the interceptor. Additionally, the stabilization will allow for a park area to be built for local residents, which other stakeholders are designing. Franklin Road will be relocated to align with the other portion of Franklin Road and out of the historic scarp area.

The Port of Cleveland design project assessed cross sections of the area and performed geotechnical borings and determined where the worst areas of the slope stability are and focused their design accordingly.

Mr. Lopata provided a graphic of what a catastrophic failure would look like, obstructing the sewer and the shipping channel.

The project scope will include removing earth to stop its migration toward the river, the design of a bulkhead, fixing the sewer that is in the slope, stabilization of the area, and then construction of the park.

The river bulkhead will be comprised of a combi-wall, which is a combination of pipe piles and sheet pile and tiebacks into the rock. Construction may require some interruption of the shipping channel and coordination with ships moving through the river.

The project also has components of a green bulkhead, an additional façade for signage, and trees and other vegetation lodged into the wall to provide a habitat for fish.

The project was delayed for approximately one year by a property dispute which has been resolved. The building in question is being removed and a billboard is being relocated to a different site.

The Port of Cleveland has contracted with a company called Geottle, with a bid price of \$59.9 million. Construction will begin in September 2023. Geottle has significant experience with bulkhead projects and their bid was \$4 million lower than the next lowest bidder.

NEORS is making a \$7 million contribution to the project, which will include \$2.9 million in repairs to the interceptor and surrounding sewers. The remaining funds will go toward the earth work and bulkheads to protect NEORS's assets in the hillside. The project will take 1 to 2 years to complete.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session

Mayor Bacci, pursuant to Ohio Revised Code Section 121.22 (G)(3), moved, and Mayor DeGeeter seconded, to enter an executive session to consult with the District's legal counsel concerning disputes involving the District that are subject to or are pending and imminent court action. By roll call vote, the Board voted unanimously to enter into executive session at 1:41 p.m.

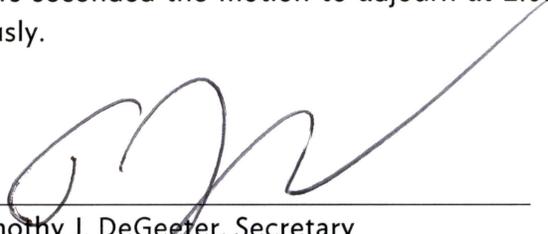
The Board returned to open session at 2:08 p.m.

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. Mr. Sulik moved, and Ms. Chambers seconded the motion to adjourn at 2:09 p.m. Without objection, the motion carried unanimously.



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



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