

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
JULY 2, 2026

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

I. Roll Call

Present: Darnell Brown
Ronald Sulik
Timothy DeGeeter
Sharon Dumas
Samuel Alai
Marjorie Chambers

Absent: Jack Bacci

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

II. Approval of Minutes

MOTION – Mr. Sulik moved, and Ms. Chambers seconded, to approve the Minutes of the June 18, 2026 Board Meeting. Without objection, the motion carried unanimously.

III. Election and Instillation of Officers

Mr. Brown asked for the report on the election of officers for the 2026/2027 term.

MOTION – Mr. Sulik moved to reappoint Mr. Brown as Board President, Mr. Sulik as Vice President, and Mayor DeGeeter as Secretary of the Board of Trustees. Without objection, the motion carried unanimously.

President Brown invited Eric Luckage, Chief Legal Officer, to administer the Oath of Office to the Board officers. Mr. Luckage administered the Oath of Office to Mr. Brown, Mayor DeGeeter, and Mr. Sulik.

President Brown noted that, during his time on the Board of Trustees, there have been challenging but rewarding times in terms of outcomes with the Consent Decree, and achievements as a Board and with the senior leadership of NEORSO.

President Brown reminded the Board that at NEORSD, the bottom line is not profit; it is service. NEORSD has served the community in a way that is beneficial to the community, for example, in negotiating a 25-year period to complete the Consent Decree, as a shorter time period would have drastically changed the rate structure. In speaking with people from around the country that work in water and wastewater, they are often unaware of affordability and rate structures to allow for discounts to certain populations. NEORSD and the Board are aware of what is happening in the community and are always working to provide service in a fair and equitable manner.

President Brown expressed his appreciation to the Board and NEORSD senior staff for their hard work and collaboration in meeting challenges and added that it is an honor and a privilege to serve on the Board.

IV. Public Session

There were no items.

V. Chief Executive Officer's Report

Kyle Dreyfuss-Wells, Chief Executive Officer, advised the Board of Trustees that on June 10th the Ohio state legislature passed their \$3.7 billion capital budget, which includes \$100,000 towards the Mill Creek Restoration Near Cricket Lane project in Warrensville Heights under the Regional Stormwater Management Program. Ms. Dreyfuss-Wells provided photographs of the project area and explained that the project will reduce flooding and streambank erosion, protect critical infrastructure including an exposed interceptor sewer, reduce sediment entering the downstream Kerruish Flood Control Basin, and restore 2,400 linear feet of stream, 2.5 acres of riparian area, and create 1.6 acres of floodplain. Mill Creek is a tributary to the Cuyahoga River. The project is also pending nearly \$750,000 in federal funding towards the total estimated construction cost of \$5.7 million. The design and land acquisition activities are complete and NEORSD hopes to advance the project ahead of its current 2028 start date. Ms. Dreyfuss-Wells thanked Ohio Senator Nickie Antonio and State Representative Juanita Brent for sponsoring this project.

On June 16th NEORSD welcomed representatives from the Great Lakes Compact Council and their Regional Science Team for a tour of the Doan Brook watershed, which included green infrastructure, stormwater management, the Fairhill/MLK Green Infrastructure site, the Doan Brook Restoration of Rockefeller Park, and the Doan Valley Tunnel at Ambler Park, where staff opened the hatch into the shaft, allowing attendees a look inside. The Great Lakes Compact Council involves all Great Lakes states and provinces and serves as a forum for their management and protection of waters and related natural resources across the Great Lakes Basin.

On June 17th NEORSD continued its two-year partnership with HHW Ohio with a tour of the Southerly WWTC. HHW WISE Pathways is a registered pre-apprenticeship program through Apprentice Ohio which creates supportive pathways for women to enter high demand skilled

occupations in industries by connecting them with apprenticeships and low-to-no-cost education and training opportunities. NEORSD's Kate Rybarczyk, Assistant Superintendent of Plants, Brandy Reischman, Assistant Superintendent of Plants, and Cece Edwards, Wastewater Plant Operator in Training, facilitated the tour and participated in a panel discussion. Andrea Taylor, Talent Acquisition Specialist, and John McGinnis, Plant Operations Instructor, also participated.

On June 24th Robin Rupe, Director of Engineering and Construction, received the 2026 George Warren Fuller Award from the American Water Works Association, which is given annually to an AWWA member from each section who embodies the engineering skills and constructive leadership of Mr. Fuller, who advanced water filtration technology at the turn of the Twentieth Century. Ms. Rupe has been an active AWWA volunteer for 25 years and has served as a District Officer Section Trustee and Ohio Section Chair. Ms. Rupe has served and chaired numerous committees helping in technology issues and bringing people into the engineering field. Ms. Dreyfuss-Wells congratulated Ms. Rupe on the accomplishment.

President Brown congratulated Ms. Rupe and added that sometimes residents in the region may take the systems that NEORSD operates for granted. The combined sewer system in the area presents challenges, and in particular, in the early days of identifying solutions that also address stormwater in a combined system that discharges to the Cuyahoga River and Lake Erie. There has always been a unique civil engineering discipline in Northeast Ohio.

VI. Action Items

Authorization to Purchase

Resolution No. 102-26	Authorization to renew annual software license, maintenance, and support services from sole source vendor StarTex Software, LLC for the District's Health and Safety application, EHS Insight, for the period July 23, 2026 through July 22, 2027, in an amount not-to-exceed \$96,690.00.
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MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution No. 102-26. Without objection, the motion carried unanimously.

Authorization to Enter Into Agreement

Resolution No. 103-26	Authorization to enter into a professional services agreement with Kahua, Inc., for the Kahua Application Enhancements project, in an amount not-to-exceed \$433,152.00.
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MOTION – Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution No. 103-26. Without objection, the motion carried unanimously.

Authorization of Contract Modification

- Resolution No. 104-26 Authorization to modify Contract 24007027 with Independence Excavating, Inc. for the Kinsman and East 149th Regulator and Relief Sewers project to extend the contract term by 120 calendar days, and to authorize a general allowance in excess of 10% of the base contract price bid, excluding specific allowances, and to increase the contract amount by \$200,000.00, thereby bringing the total contract amount not-to-exceed \$5,686,300.00.
- Resolution No. 105-26 Authorization to modify Contract 22002520 with Shook Construction Company for the Westerly Chemically Enhanced High-Rate Treatment project to reallocate funds from the unused portions of bid Items 6, 7 and 11, and specific allowance bid items 15, 17 and 23, to the general allowance, and authorizing a general allowance in excess of 10% of the base contract price bid, excluding specific allowances, with no increase in the total contract amount.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 104-26 through 105-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested additional information regarding the project associated with Resolution No. 104-26. Ms. Rupe explained that the Kinsman and East 149th Regulator Relief Sewers project was originally included in the Kingsbury Run and Consolidation Sewer project. The work was expedited in coordination with Jordan Community Resident Center in order for the project to be completed in time for the community center to perform its own project without overlapping. During construction, there was a rock fallout at one of the shafts as well as some unforeseen conditions related to coordinating with third-party utilities. As the project is nearing completion, it has become apparent that there are insufficient funds and time to close out the contract.

Authorization to Grant Credit

- Resolution No. 106-26 Authorizing the District to issue a credit adjustment in the total amount of \$127,809.20 against sewer charges on the accounts of Legacy Village Investors, LLC and Lifestyle Center, 25001 Cedar Road, Lyndhurst, ending in 0000 and 0001.
- Resolution No. 107-26 Authorizing the District to issue a credit adjustment in the total amount of \$47,150.35 against sewer charges on the account of Boaz and Eva Kahana, 4421 University Parkway, University Heights, ending in 0003.

Resolution No. 108-26 Authorizing the District to issue a credit adjustment in the total amount of \$45,331.38 against sewer charges on the account of Arrow International, 9900 Clinton Road, Brooklyn, ending in 9303.

Resolution No. 109-26 Authorizing the District to issue a credit adjustment in the total amount of \$49,472.10 against sewer charges on the account of Heathermore Condo, 34110 Chagrin Boulevard, Moreland Hills, ending in 0001.

MOTION –Ms. Chambers moved, and Mayor Alai seconded to adopt Resolution Nos. 106-26 through 109-26. Without objection, the motion carried unanimously.

Authorization to Reject and Rebid

Resolution No. 110-26 Authorization to reject all bids and publish a notice calling for bids, in accordance with Ohio Revised Code Section 6119.10, for a public improvement contract to construct the Easterly Chemically Enhanced High-Rate Treatment Facility, with an estimated probable construction cost of \$220,000,000.00.

MOTION –Ms. Dumas moved, and Mr. Sulik seconded to adopt Resolution No. 110-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested an explanation as to why this project is going for another round of bids.

Ms. Rupe explained that the Easterly Chemically Enhanced High-Rate Treatment (ECEHRT) project is the largest wastewater treatment plant project that NEORSD has performed in construction and it is part of Control Measure 2 of the Consent Decree, for CSO-001 control.

This project went out to bid for the first time several months ago; however, no bids were received within 10% of the engineer's estimate. The Board granted approval to request bids a second time, which resulted in NEORSD receiving two bids. Unfortunately, both of those bids had material defects, one with a performance bond amount issue and the other had issues with the dates and limits of authority in the bond's power of attorney document. As a result, both bids need to be rejected and NEORSD is requesting approval to reissue the bid listing it at the same engineer's estimate of \$220 million with an allowable award of up to 20% above the engineer's probable construction cost.

Mr. Sulik asked when the bid will close Ms. Rupe explained that it will be open for the shortest allowable window of 15 days beginning on July 8th, and hopefully, NEORSD will award the contract in August. There is a Consent Decree deadline to issue the Notice to Proceed by September 9th.

Mayor Alai asked if the same bidders are expected to fix the defects and bid again. Ms. Rupe answered affirmatively and explained that they have been informed of the errors, and they are aware of what is needed in the future.

Ms. Dumas noted that there are a limited number of firms with the ability to complete such a project and asked if there is any insight into how major contractors in the area could submit bids with these errors. Ms. Rupe explained that she believes it to perhaps be due to oversight and/or misinterpretation.

President Brown added that had the bidders been looking closely at legal form and correctness, these defects could have easily been recognized before bid submittal and addressed. Ms. Rupe added that NEORSD is hopeful that this third round of bidding is successful.

VII. Information Items

Matt Scharver, Director of Watershed Programs, provided the Regional Stormwater Management Program Update, beginning with key performance indicators (KPIs). Planning, design, and construction are on track and performing well. Spending is slightly behind for the first half of the year at 59% of planned, equating to \$5.3 million. The Rehabilitation of Culverted Streams II Phase A project has experienced some scheduling delays, as have some partner projects. It is anticipated that spending will increase in the second half of the year.

NEORSD is working with Cuyahoga County to deliver the Sheldon Road profile raising project on the Cuyahoga River which involves the Cities of Brook Park and Middleburg Heights and anticipates coming to the Board in August for authorization to advertise for bids.

Mr. Scharver recognized Jeff Harraman, Manager of Stormwater Inspection Maintenance, and Paul Kovalcik, Supervisor of Stormwater Inspection Maintenance, and noted that they orchestrate much of what happens in the field under SWIM in terms of maintaining assets in the stormwater system, including green infrastructure. SWIM is also involved in sediment and debris removal in the regional stormwater management system and the demolition of properties obtained by NEORSD under the Regional Stormwater Management Program.

Mr. Scharver explained that SWIM staff have diverse disciplines and perform various tasks such as water quality monitoring, erosion and sediment control, invasive species management, debris rack and culvert maintenance, and arboricultural services. NEORSD has more than 155 sites that all require distinct land management plans.

There are two subgroups under SWIM, Stormwater Inspection and Stormwater Maintenance and Mr. Scharver described the regular, seasonal, and conditional activities for which each group is responsible.

Mr. Scharver provided photographs from the Stickney Creek Stabilization project on Ridge Road in the City of Brooklyn demonstrating the trees and vegetation that NEORSD has planted and maintains, including tree pruning and removing invasive species so that the native species can thrive. In 2019, the Stickney Creek project initially involved shrub and vegetation plantings, as do all NEORSD stream restoration projects. In 2022, once the initial plantings matured, staff planted an additional 70 trees and 45 shrubs were planted; and again in 2024, it was determined that the project site needed additional plantings still, and another 60 trees were planted in the floodplain to strengthen the riparian corridor. Stickney Creek is a main tributary to the Cuyahoga River. This project re-meandered and restored approximately 1,000 feet of stream at a cost of approximately \$2.4 million.

Mr. Scharver then provided drone footage from the Doan Brook Restoration at Cleveland Museum of Art, which was a 1,000-foot stream restoration project at a cost of approximately \$2.4 million. Mr. Scharver showed the improved areas of the brook and its vegetation and explained that this is another area where NEORSD planted several trees to complement the existing large tree canopy and bolster the robustness of the riparian corridor.

President Brown thanked Mr. Scharver for the presentation and noted that, with changing and increasing rainfall patterns, SWIM presumably has several sites that they check for debris and downed trees after each significant weather event and asked whether there are noticeable budget impacts due to these increases over the past three to five years.

Mr. Scharver explained that while there is not necessarily a pattern that has evolved, there are noticeable differences inasmuch as some of these storms produce significant amounts of woody debris, particularly at the end of springtime. The wintertime, the storms are different and result in more blowdowns and dropped tree limbs. The projections are currently 20% greater rainfall during storm events occurring in volume and depth due to climate change. NEORSD continues to monitor the system to understand the weather changes. Since the RSMP has been put in place and is able to remove debris and blockages, the flow and conveyance through the system is greatly improved with reduced flood events.

President Brown asked if the Sowinski Park project will help to reduce road flooding in the area. Mr. Scharver answered affirmatively and explained that the Sowinski Park project is on Doan Brook in the Cultural Gardens and was performed by the Doan Brook Watershed Partnership. NEORSD provided additional funding for the project, which recaptured some floodplain area to Doan Brook, which will help to alleviate flooding in the immediate area. That floodplain has also been replanted which will improve water quality.

There are a series of projects being contemplated by NEORSD and community partners in the Cultural Gardens, including the potential removal of several low-head dams within Doan Brook once funding is secured. There is a continuous effort to restore this local system.

VIII. Open Session

There were no items.

IX. Public Session (any subject matter)

There were no items.

X. Executive Session

Mr. Sulik, pursuant to Ohio Revised Code Section 121.22 (G)(3) and (G)(6), moved, and Mayor DeGeeter seconded, to enter into executive session to consult with the District's legal counsel concerning disputes involving the District that are the subject of pending and immanent court action and to discuss details relative to District security arrangements and emergency response protocols, the disclosure of which could reasonably be expected to jeopardize District security. By roll call vote, the Board voted unanimously to enter into executive session at 1:14 p.m.

The Board returned to open session at 1:51 p.m.

XI. Approval of Items from Executive Session

Resolution No. 111-26	Adoption of the District's Cyber Security Program, as presented in a confidential security memo to the Board, and in accordance with Ohio Revised Code section 9.64.
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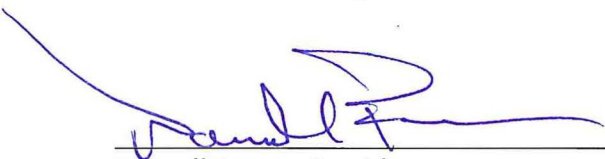
MOTION –Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 111-26. Without objection, the motion carried unanimously.

XII. Adjournment

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Ms. Chambers moved, and Ms. Dumas seconded the motion to adjourn at 1:52 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