

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
JULY 16, 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
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. Dumas moved, and Ms. Chambers seconded, to approve the Minutes of the July 2, 2026 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 of Trustees that over the July 4th weekend, Lake Erie's Kelleys Island experienced a significant rain event from Sunday to Monday. This record rainfall is another example of changing probabilities across the Midwest and Northeast. Such storms continue to bring into focus the purpose of the Regional Stormwater Management Program. Ms. Dreyfuss-Wells invited Matt Scharver, Director of Watershed Programs, to discuss these weather events.

Mr. Scharver explained that these weather events are becoming more frequent. The rain event on Kelleys Island was rather significant and two-fold. First there was a 1-to-2-inch rainfall on Sunday evening, followed by a 16-to-18-inch rainfall predominantly on the southeast side of the island, with as much as 4 to 5.5 inches of rainfall per hour.

The National Oceanic and Atmospheric Administration's (NOAA) Atlas 14 tool considers 3.55 inches of rain per hour and 7.39 inches of rain in a 24-hour event to be a 1,000-year level storm. This rain event at Kelleys Island far exceeds that threshold by either measure.

Mr. Scharver provided examples of recent significant rainfall events including a storm in Hudson in 2024 that exceeded the NOAA's 1,000-year storm level; a 2019 200-year storm in Parma wherein 2.8 inches of rain fell in a one-hour period; last week Missouri experienced a 1,000-year level storm with 12.25 inches of rainfall in a 24-hour period; last year, Kerr County Texas experienced a catastrophic 20-inch rainfall which led to the deaths 130 people including 28 people at Camp Mystic.

The National Weather Service shows that during the years 2015 through 2024, on average 114 people die in the United States each year due to flood events. Many of the deaths are vehicle-related and due to people attempting to traverse flooded areas.

These are very significant events and as such, NEORSD takes its work as public servants seriously. Accordingly, NEORSD will continue to perform its due diligence in inspecting and maintaining the regional stormwater system, continue master planning activities, as well as developing recommendations to bring forth projects to keep ratepayers as safe as possible in the regional system.

President Brown added that historically, NEORSD maintains contracts to have rain gauges strategically throughout the service area to provide data regarding weather trends in terms of intensity and duration, both of which are increasing. The ability to understand weather trends assists in right-sizing utilities and improving maintenance. Similarly, when a significant weather event occurs, local municipalities and NEORSD deploy staff to inspect hazardous culverts and other locations. President Brown noted that it would be helpful to understand the full picture of changing weather patterns and infrastructure needs, because the stormwater funding is separate from the operating and capital budgets, to ensure that NEORSD is able to keep up with stormwater requirements.

Mr. Scharver indicated that his team could prepare information regarding the tools the department relies upon, the organizations that NEORSD works with, and the work done to capture and understand the changing rainfall data.

Ms. Dreyfuss-Wells added that NEORSD continues its work with the U.S. Army Corps of Engineers (USACE) and the Ohio EPA on permitting for the Doan Brook Restoration at Horseshoe Park project, which will restore 7,662 linear feet of the north and middle branches of Doan Brook to address the public safety issues caused by the failing ODNR Class 1 high hazard dam that creates Horseshoe Lake. The public comment period for the Army Corps portion of the permitting process closed on June 25th. Ms. Dreyfuss-Wells invited Robin Halperin, Deputy Director of Watershed Programs, to provide an update regarding the potential timeline for the project.

Ms. Halperin explained that the Doan Brook Restoration at Horseshoe Park project will provide significant ecological uplift with the restoration of more than 7,000 linear feet of Doan Brook, and the required removal of a portion of the dam, which helps inform the permitting path in this project.

Under the guidance of the USACE, NEORSD applied for a Nationwide Permit 27 in May of 2025. Every five years, the USACE is required to review and reissue nationwide permits. In 2026, these updates excluded projects that include dam removal from the Nationwide Permit 27 even if the removal provides an overall ecological lift. Accordingly, USACE determined that NEORSD's application will now be processed as a standard Section 404 permit.

The public notice and the 30-day comment period was issued on May 26, 2026 and closed on June 25, 2026. The USACE is reviewing the public comments and responding as needed. The 404 USACE permit also requires an individual Ohio EPA Section 401 permit. NEORSD applied for the Section 401 permit on June 23, 2026. Ohio EPA requires very detailed information, including the alternatives analysis also required for the Section 404 permit. Ohio EPA has determined that NEORSD's application is complete and will issue the formal Letter of Completeness and the draft public notice, which will begin the 30-day comment period. The public notice will also contain information regarding a public hearing which will be held by Ohio EPA. Following the public hearing, there will be an additional shorter public comment period. There is also still potential for a USACE and/or joint public hearing. Following the hearing(s) and review of public comment, Ohio EPA must issue their permit first, followed by USACE. The process is on track to hopefully be completed and permits received in Q3 2026.

President Brown thanked Ms. Halperin for the review and noted that NEORSD has taken all of the necessary and appropriate steps to obtain proper permitting despite incorrect information that is circulating and even contained in correspondence that he has received. It is important to periodically provide these reviews and updates to ensure that NEORSD is aligned with the rules and regulations and to be very vocal about what the project is, what the requirements are, and that the due diligence has been completed.

President Brown added that at times, NEORSD's subject matter expertise is challenged, yet he has been working in public utilities for nearly 50 years; NEORSD is hosting the National Association of Clean Water Agencies (NACWA) and Ms. Dreyfuss-Wells has just been appointed as the president of that organization. Sometimes people tend not to look upon their local organizations and give them the respect they are due.

The Board is proud of this well-earned honor being bestowed upon Ms. Dreyfuss-Wells and intends to continue the work being done with NACWA, particularly as it relates to big challenges such as data centers and their implications.

President Brown reiterated the importance of being visible and vocal about the work being performed in order to avoid discussions being hijacked by misinformation.

Ms. Dreyfuss-Wells thanked Ms. Halperin and President Brown for their comments and noted that there was an article published in The Land and on July 7th and again on July 10th which contained significant factual inaccuracies, in particular, regarding NEORSD's adherence to permitting requirements. As Ms. Halperin presented, NEORSD has applied for and is in compliance with the appropriate state and federal permits.

NEORSD reached out to the editor of The Land and provided corrected information and in response, The Land Editor pulled the article for internal review. However, they chose to republish the article with numerous inaccuracies and unsubstantiated claims. NEORSD continues, as it always has, to provide correct information to the media and public, and all of the relevant information is available through NEORSD's website and staff is available for conversation.

In closing, Ms. Dreyfuss-Wells added that on July 9th, NEORSD was joined by Cuyahoga County's Fresh Water Institute to host a career fair and panel at Tri-C welcoming more than 125 attendees that were interested in water-related careers, in partnership with Cuyahoga County Executive Ronayne, who has led the way with the Fresh Water Institute. Mitch Falatach, Assistant Superintendent of Maintenance Services, served on a panel discussing his career and how he came to work in this sector.

V. Action Items

Authorization to Enter Into Contract

Resolution No. 112-26

Authorization to enter into a three-month requirement contract with Nerone & Sons, Inc. for Odor Control Facilities Media Replacement Services at the Southerly Wastewater Treatment Center Southwest Interceptor Odor Control and Euclid/Green Odor Control facilities in an amount not-to-exceed \$314,490.00.

MOTION – Mr. Sulik moved, and Ms. Chambers seconded to adopt Resolution No. 112-26. Without objection, the motion carried unanimously.

Authorization of Contract Modification

Resolution No. 113-26

Authorization to modify Contract No. 25005503 with Ohio Bulk Transfer Co., Inc. for the excavation, removal and hauling of Biosolids Incinerator Ash from the Southerly Wastewater Treatment Center, by increasing the contract amount by \$758,223.20 to account for quantities of ash above the prior estimates to fully clean Southerly Ash Lagoon B, up to an estimated 48,000 tons of ash, thereby bringing the total contract amount not-to-exceed \$2,349,640.50.

MOTION – Mayor Alai moved, and Ms. Chambers seconded to adopt Resolution No. 113-26. After the following discussion, without objection, the motion carried unanimously.

President Brown requested an update regarding the beneficial use of ash. Matt Gaugler, Director of Operation and Maintenance, explained that since 2018, NEORSD has not sent any ash biproducts to landfill, and all ash has been reused under the beneficial reuse agreement.

This particular contract is separate from that and is for the hauling of the ash and to provide an allowance if the need to divert ash to a landfill were to arise. NEORSD cleans one ash lagoon each calendar year. The intent of this contract was to clean two lagoons across two calendar years. Last year, when cleaning the lagoon there was significantly more ash than anticipated, as the quantity is unknown until the lagoon is drained and hauling is completed. The intent of this modification is to ensure that there are sufficient funds available to fully clean and inspect the second lagoon as scheduled in the fall.

Authorization to Close Out Public Improvement Contract

Resolution No. 114-26

Authorizing the Final Adjusting Change Order to close out Public Improvement Contract No. 25000660 with Cold Harbor Building Company for the Easterly Actuator and Skimmings Collection Trough Replacement project, to decrease the contract amount by \$58,613.69, thereby bringing the total contract amount to \$2,162,386.31.

MOTION – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution No. 114-26. Without objection, the motion carried unanimously.

Hearing Officer Findings and Recommendations

Resolution No. 115-26 Adopting the findings and recommendations of the Hearing Officer with regard to the sewer account of Mark Obral ending in 7419, Sewer District Hearing No. 26-003, that no further action be taken on the account.

MOTION –Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 115-26. Without objection, the motion carried unanimously.

Authorization to Adopt

Resolution No. 116-26 Adopting revisions to Titles I and V of the District's *Code of Regulations*, reflecting sewer and stormwater rate adjustments for Years 2027-2031, and including several other non-rate changes in Title I, all as presented.

MOTION –Ms. Chambers moved, and Mr. Sulik seconded to adopt Resolution No. 116-26. After the following discussion, without objection, the motion carried unanimously.

President Brown noted that significant work went into the rate study process which included affordability analysis, the economic realities of Northeast Ohioans, EPA mandates, the cost of service, and other issues to provide the required level of service to rate payers and requested a summary of the Title changes.

Ken Duplay, Chief Financial Officer, reminded the Board that a rate study is performed every five years to establish rates for the following five-year increment. NEORSD began its intensive work with its consultants from Stantec Consulting Services in the fall. It was a several months long processes that involved staff from across NEORSD and Stantec experts which culminated in the initial rate recommendations presented to the Board in a special public meeting on April 7, 2026, followed by recommendations from the Board being integrated into the current proposed rates which were presented at the May 7, 2026 Board meeting. Following the May 7 meeting, there was a week of public outreach activities, then on June 4, 2026, the Board authorized NEORSD to release the proposed Title changes to member communities and begin the 30-day public comment period. No comments were received regarding the proposed rate changes or the other changes to Titles I and V. The resources related to those outreach activities are still available on NEORSD's website.

The proposed rate increases include a 2% annual increase to the sanitary sewer rates for each of the next five years. The proposed increase for stormwater rates will be 4% for each of the years 2027 and 2028, followed by a 3.5% increase for each of the years 2029 through 2031. This will raise

the typical residential customer's bill by approximately \$1.85 per month annually over the five years.

Ms. Dumas thanked Mr. Duplay and NEORSD staff for their hard work and collaboration throughout the process. Mr. Duplay expressed the staff's appreciation to the Board for their guidance.

Ms. Dumas requested a brief summary of the non-rate changes to Titles I and V. Mr. Duplay invited Scott Broski, Superintendent of Environmental Services, to discuss the changes.

Mr. Broski explained that the adjustments are primarily regarding how billing adjustments and credits are made to accounts. Additionally, there are some changes to the SSCBOUTS program to support customer needs. There were some changes to the scavenger waste language to protect NEORSD facilities, and the septic hauled waste rate will increase from \$0.08 per gallon to \$0.14 per gallon based on cost of service.

President Brown thanked Mr. Duplay and the team for their responsiveness including provision of multiple rate modeling scenarios to the Board for consideration.

VI. Information Items

Robin Rupe, Director of Engineering and Construction, delivered the 2026 midyear status update for the Capital Improvement Program, beginning with contract management. There are 85 active contracts valued at more than \$1.3 billion, with nearly \$1 billion in construction costs and the remaining funds for design. Most of the work is in the collection system, specifically deep tunnels, then WWTP improvements, followed by District-wide improvements.

There were three professional services contracts awarded, including the BCSO-2 Bellaire Tunnel and BC Regulators project, part of Project Clean Lake. Two construction contracts were awarded and one construction contract, the Easterly Stockroom Relocation project was closed.

As for key performance indicators (KPIs), cashflow is on target at 85% of planned. The Business Opportunity Program goal of 25% is currently exceeded at 36.42%. There are nine required Consent Decree Compliance milestones, and one has been achieved this far. As for design, all of the KPIs are currently being met, including completing designs within 60 days of planned. There was \$2.2 million in value engineering savings identified on the CSO-203 relocation project. There was only one construction project that achieved substantial completion, which took longer than the 90-day goal and the contract did not close within 95% of the original contract value, failing to meet that KPI as well.

Regarding Project Clean Lake, there are 77 projects that are either active or complete, and there is only one remaining project that has not yet begun. To date, there has been \$1.88 billion spent or

awarded in 2009 dollars, and \$591 million in value engineering savings realized in 2009 dollars. Project Clean Lake will result in 2 billion gallons of CSO reduction, equating to a 99% capture rate.

Ms. Rupe provided Project Clean Lake project highlights, including the BCSO-2 Bellaire Tunnel and BC Regulators project, part of the Big Creek Tunnel system, which has entered the design process and will reduce an annual 580 million gallons of CSO. The Big Creek Tunnel design is completed, and the construction bids were received on July 15.

Design was completed on the Southerly Tunnel Dewatering Pump Station, which is out to bid now. This project is part of the Southerly Tunnel System which will capture 760 million gallons of CSO annually. Mining operations are ongoing for the Southerly Storage Tunnel and the Kingsbury Run Consolidation Sewer, also part of the Southerly Tunnel System.

Looking ahead for the remainder of the year, highlights include commencing construction of the Easterly Chemically Enhanced High-Rate Treatment Facility, which will reduce 745 million gallons of annual CSO. NEORS D hopes to award the construction contract next month for the Big Creek Tunnel. Construction of the Southerly Tunnel Dewatering Pump Station will begin later this year and by the end of the year, the Shoreline Tunnel System will achieve full activation, resulting in 350 million gallons of annual CSO control. Additionally, the Southerly Chemically Enhanced High-Rate Treatment Facility will achieve full operating meeting Control Measure 5-2.

President Brown noted that the bids came in for the construction of the last of the seven tunnels and asked how much of the 2 billion gallons of CSO reduction as required by the Consent Decree has been achieved. Ms. Rupe explained that there will be an estimated 155 million gallons remaining of CSO volume by 2034 after activation of the remaining Consent Decree projects.

VII. Open Session

Jennifer Wintner provided the following statement to the Board:

“Good afternoon. I’m actually going to make a rebuttal to some of the things that Ms. Dreyfuss-Wells spoke to. The Sewer District’s interference with the operation of free press on July 7th raises additional serious questions about the agency’s ability to act in the public interest. On July 7th The Land published an article by Peter Gelderloos with the headline, “Residents lose trust in local government over plan to drain the Lower Lake.” The article was extremely well researched and fact checked. The article included explanations of what federal statutes and regulations the Sewer District has failed to comply with in its process of applying for permits to drain Horseshoe and Lower Lake and ultimately destroy the Shaker Lakes Parkland as we know it.

The article stated that the Sewer District has not conducted all of the required analysis or prepared necessary alternative studies are factual. Nonetheless, the Sewer District representative who

objected to the article took the highly inappropriate action of pressuring The Land to withdraw Mr. Gelderloos' article from its website and later published a watered-down version.

If Sewer District staff and/or board members believe the article contained inaccurate statements why didn't a representative write a letter to the editor or issue a press release with contradictory information? This action raises abundant questions such as what other information important to the public regarding the Shaker Lakes or any other project is the Sewer District suppressing? Why is it suppressing and distorting information? How can any statements the Sewer District provides be trusted given this blatant and inappropriate manipulation of access to The Land's publishers. I'm hoping the public gets some answers. Thank you."

President Brown thanked Ms. Wintner for her comments and explained that in his capacity as the Chief Operating Officer for the City of Cleveland for 18 years, it was common practice to provide media outlets with corrected information in response to inaccurate reporting. It is up to the media outlet to determine whether they want to modify, retract, or do nothing in response.

NEORSD informed The Land of its concerns regarding its inaccurate reporting, and The Land chose to modify the article, though it is still inaccurate. President Brown added that he majored in journalism in college and is well aware of the value of fact checking and correcting errors. It is the responsibility of the publishing party to determine whether they will publish fair and accurate information. While NEORSD can and did provide corrected information, it cannot dictate to a news outlet what they choose to publish. NEORSD and its Board believe in the free press which includes NEORSD's right to be heard.

Ms. Dreyfuss-Wells agreed with President Brown and added that NEORSD has continued to provide correct factual information to the public, including making all relevant information available on its website for quite some time, and it is unfortunate that the inaccuracies continue in The Land's published article.

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. Mayor Bacci moved, and Ms. Dumas seconded the motion to adjourn at 1:26 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