

MINUTES
NORTHEAST OHIO REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES MEETING
NOVEMBER 5, 2020

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

President Brown opened the meeting by addressing the COVID-19 pandemic, and read the following statement:

Due to the COVID emergency, we are again conducting our Board meeting via live stream video conference using the Zoom Video Communications tool and pursuant to House Bill 197.

Members of the public may have access to the meeting using the Zoom login link found on the top of the District website, and those who wished to address the Board were able to make that request through the Zoom system prior to the start of the meeting.

I. Roll Call

PRESENT: Darnell Brown
Ronald Sulik
Samuel Alai
Terence Joyce
Jack Bacci
Timothy DeGeeter
Sharon Dumas

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

II. Approval of Minutes

MOTION – Mayor Alai moved, and Mayor Bacci seconded to approve the Minutes of the October 15, 2020, 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, began her report by providing an update regarding the District's ongoing COVID-19 pandemic response. Ms. Dreyfuss-Wells informed the Board that as of November 4, 2020, the District has a total of twenty-two employees with confirmed diagnoses, of whom eleven have recovered and returned to work, three have recovered and are in

various stages of the return-to-work process, and eight are convalescing. There are two additional employees who are symptomatic and awaiting test results. The District wishes them a full and speedy recovery.

The District is monitoring the COVID-19 situation locally and statewide. Reconstitution efforts across District facilities remain paused and will be reevaluated after December 1, 2020.

The District has continued its efforts to assist its customers during the pandemic. The District began working with state advocates in May to approach the Ohio House and Senate to attempt to qualify the District to receive CARES funding for COVID-19 related expenditures. In August, the District reached out to the Governor, the Speaker, and President of Senate. In September, the District shifted its focus to obtain CARES funding for customer assistance. In working with Governor DeWine's office on a draft proposal, this was determined to be a better approach as the economic impacts of the pandemic on District customers are evident in growing delinquencies.

Concurrent with the District's state effort, it drafted a proposal to County Executive Budish to create a county-wide sewer, water, and stormwater customer assistance program using unspent Cuyahoga County CARES funding. Ms. Dreyfuss-Wells acknowledged Mayor DeGeeter's integral assistance in those efforts. The District has experienced success at the state and county levels to obtain customer assistance that builds in the \$1 million in funding that was previously allocated by the City of Cleveland to assist residents with utility payments during the pandemic.

At the county level, County Executive Budish has initiated legislation for \$2 million to assist residents experiencing difficulty paying their utility bills and County Counsel will consider the issue on November 10, 2020. On October 23, Governor DeWine announced the Home Relief Program, which provides \$50 million statewide to assist residents in making rent, mortgage, water, and sewer payments. The District feels that its efforts in working with the Governor's office were integral to water and sewer being included in the Home Relief Program. The District is working with CHN Housing Partners and Cleveland Division of Water to promote the availability of these funds. These efforts include communication to customers about the availability of funds, extending the District's customer service hours to accommodate increased calls, and assisting CHN Housing Partners in processing applications for assistance.

Ms. Dreyfuss-Wells acknowledged the efforts of Constance Haqq, Chief Administrative Officer, and Eric Luckage, Chief Legal Officer, for their leadership in these matters and moving these efforts forward with their staff.

Ms. Dreyfuss-Wells turned the Board's attention to a document included in the Board Packet entitled Here and Now, which provides a summary of the work that District staff has done in 2020 and a preview of Ms. Dreyfuss-Wells' priorities for 2021. Ms. Dreyfuss-Wells noted that even during the pandemic, District staff has been incredibly focused, dedicated, and productive and thanked everyone for their great work.

Here and Now contains three topic sections: People and Relationships, Projects and Programs, and Finances and Future. Regarding People and Relationships, 2020 was defined in many ways by the

COVID-19 pandemic and the District's commitments to public health and the environment has been more important than ever. District staff have shown flexibility, creativity, and dedication to that mission. Specifically, the District enacted policies to adapt to evolving conditions. The District continues to manage and monitor the financial impacts of the pandemic and is proactive and responsive in its communications to staff.

This year has also been defined by conversations regarding racial justice, diversity, equity, and inclusion. The Board formally committed the District to equity and justice against the impacts of racism, which led to internal conversations with participation by many District employees. Ms. Haqq has led department directors through a conversation around diversity, equity, and inclusion goals and tactics at each department level. There has been significant work done by department directors to generate key performance indicators that are specific to the work of their departments structured around the objectives to be a workforce that reflects the communities it serves, to engage in strategic business and community partnerships to eliminate barriers, to be a work environment that fosters creativity, innovation, and to promote employee engagement. The District maintained its focus on affordability, customer service, and advocacy in 2020.

There were continued improvements in the District's Human Resources Department and its commitment to service and relationships in terms of how it interacts across the District. Ms. Haqq assumed leadership of the department, then Elizabeth Brooks joined as the Director of Human Resources, and the District is pleased to have her.

The District's mission remained essential as was seen across the Operation and Maintenance, Watershed Programs, and Engineering and Construction departments.

All three of the District's wastewater treatment plants received performance awards from the National Association of Clean Water Agencies (NACWA). Project Clean Lake continued its success with the Dugway Storage Tunnel completed at \$4.6 million under budget and achieving a cumulative billion gallons of CSO control since Project Clean Lake began.

The Regional Stormwater Management Program faced challenges with multiple significant rain events in 2020, demonstrating the importance of the program for flooding, erosion, and water quality protection across the region. Work on the Stormwater Master Plan and Local Sewer System Evaluation Program continued.

The Member Community Infrastructure Program has invested \$32.2 million across 54 projects since 2017, continuing with significant success in 2020.

The District maintains its focus on its sustained commitment to sound financial management which has continued throughout the pandemic with conservative forecasting and fiscal responsibility. The rate study for 2022 through 2026 was launched. The Business Opportunity Program provided \$39 million in work for small, minority, and women-owned businesses. The District's healthcare taskforce continued to realize savings through internal improvements. The District capitalized on the bond market in terms of refinancing and escrow substitutions.

As for 2021, Ms. Dreyfuss-Wells indicated that she will be focused on continuing to guide the organization through the pandemic while maintaining operations with no staff reductions and providing ongoing support to customers. The District will continue its work with its customers and Board of Trustees to adopt the 2022 through 2026 rates, continue to lead local and national conversations around affordability and equity, continue to leverage practices that ensure racism and other forms of discrimination are not structural impediments at the District to the success of underrepresented groups, complete its efforts to modify its Consent Decree governing Project Clean Lake, manage its reputational and external relationships, complete updates to the Code of Regulations, and continue to improve communication between labor and management.

President Brown thanked Ms. Dreyfuss-Wells for the update and added that it provides context for the challenges faced in addition to COVID-19 and how the District has responded.

President Brown added that he is always concerned about the impacts and significance of changing rainfall patterns, frequency, and intensity, and noted that even under the best circumstances with significant planning by outside resources and District staff to have systems in place and provide high levels of protection, there are still challenges to be faced by the organization and member communities, which is an important issue for discussion particularly around the next rating period to ensure that there is value added as a result of paying for that level of service. While Project Clean Lake is an important issue, some other issues are closer to home for several member communities and customers. It is important that the District's programs provide a holistic approach and maximize its resources to the community. President Brown further noted the importance of ensuring that everyone who is eligible has the opportunity to leverage those resources in such a way that provides them additional benefit. Additionally, President Brown noted that he frequently sees organizations not only providing a direct service to customers but also providing information regarding additional resources that may be of additional benefit to them from an affordability standpoint.

Ms. Dreyfuss-Wells thanked President Brown for his comments and invited Ken Duplay, Chief Financial Officer, to provide the financial update.

Mr. Duplay advised the Board that the third-quarter financial statements were included in the Board packet and noted that the actual financial results of the COVID-19 pandemic have been better than the conservative projections.

Regarding billed consumption, the month of September was down 2.5% from last year, which is typical. The District budgets for a 2% to 3% decline per year. Year-to-date, there has been a 4.5% decline. The District is projecting a 5% decline for the remainder of the year, which is a conservative projection as consumption rates have stabilized and there have been similar numbers over the past three months. In September, residential consumption was up 6%, commercial was down 11% and the net consumption was down 2.5% for the month. The decline in commercial consumption of 11% to 13% over the past three months has been offset by the increase in residential consumption over that period. The assumption is that it will continue this way until such time that more people return to working outside the home. Since consumption seems to have stabilized, it is becoming more projectable than at the beginning of the pandemic.

Collection rates have been better than anticipated. The District projected rates as low as 88% versus the typical 96% to 97% collection rate. The year-to-date collection rate is 93.7%, which while lower than a typical year is much better than initially projected. The District is projecting a 90% collection rate through year's end to remain conservative.

The District initially projected a \$40 million to \$50 million loss of revenue for sewer. With actual results through September and the new projections through the close of the year, the District now estimates its maximum total revenue loss for 2020 to be \$12 million on sewer accounts and the potential of up to \$2 million on stormwater accounts, related to uncollectable funds. The District continues to project conservatively and through the third quarter, is close to budget. The District continues to maintain existing budget cuts without initiating any additional restrictions and will use available data to inform the 2021 budget planning process.

V. Action Items

Authorization to Advertise

Resolution No. 294-20 Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for construction of the Southerly Primary Settling Tanks 1-10 Flush Valves project with an anticipated expenditure of \$2,600,000.00.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution No. 294-20. Without objection, the motion carried unanimously.

Authorization to Issue Request for Qualifications (RFQ)

Resolution No. 295-20 Authorization to issue an RFQ, in accordance with Ohio Revised Code Chapter 6119, for Bond Underwriting Services.

MOTION – Mr. Sulik moved, and Mayor Alai seconded to adopt Resolution No. 295-20. Without objection, the motion carried unanimously.

Authorization to Issue Request for Proposals (RFP)

Resolution No. 296-20 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for administration, application development and support of the District's Stormwater Fee Toolset, supporting key business functions, such as stormwater fee maintenance, stormwater credit program maintenance, customer call support, and stormwater fee reporting under the Stormwater Billing Support Services II project.

Resolution No. 281-20 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 6119, for the Portable Gas Meter Replacement and Implementation project.

Resolution No. 297-20 Authorization to issue an RFP, in accordance with Ohio Revised Code Chapter 153, for design and construction administration/resident project representation services under the Southerly Enhanced Series Treatment Improvements project.

MOTION – Ms. Dumas moved, and Mr. Sulik seconded to adopt Resolution Nos. 296-20 through 297-20 and 281-20. Without objection, after the following discussion, the motion carried unanimously.

President Brown asked, regarding Resolution No. 296-20, how that program differs from the program initiated in 2018 with Raftelis, and whether portions of the process will be brought in-house.

Frank Greenland, Director of Watershed Programs, explained that this is a continuation of support services for the stormwater billing system. The District utilized professional services for the development of the stormwater billing system and on the restart of the billing system and has steadily decreased those services over time. Raftelis was the previous professional services provider in 2018. The management of some of the services previously provided by the consultant have been moved in-house with the support of IT, GIS, and the Finance Department.

The District intends to continue to require some level of support services going forward. This is a three-year contract at an estimated \$200,000 per year to support the District and the District will continue to strive to bring more support services in-house at the District. This is a task order-based services contract, meaning that the District will prescribe the tasks for which it requires assistance, ensuring the District's ability to control spending related to the contract.

Authorization to Enter Into Agreement

Resolution No. 298-20 Authorization to enter into a professional services agreement with Black Box Corporation for the Support Services for Business and Control Networks project in an amount not-to-exceed \$75,000.00.

Resolution No. 299-20 Authorization to enter into agreements for years 2021 through 2025 with the Cuyahoga Soil and Water Conservation District and interested member communities for certain services in support of member community compliance with Minimum Control Measures #1 and #2 of the Ohio EPA National Pollutant Discharge Elimination System General Permit for Municipal Separate Storm Sewer Systems in an amount not-to-exceed \$288,000.00 per year for a total amount not-to-exceed \$1,440,000.00.

- Resolution No. 300-20 Authorization to enter into an agreement for years 2021 through 2025 with the Lorain County Stormwater Management District for certain services in support of member community compliance with Minimum Control Measures #1, #2, #3, and #6 of the Ohio EPA National Pollutant Discharge Elimination System General Permit for Municipal Separate Storm Sewer Systems in the various yearly amounts presented for a total amount not-to-exceed \$160,704.78.
- Resolution No. 301-20 Authorization to enter into agreements for years 2021 through 2025 with the Summit Soil and Water Conservation District and interested member communities for certain services in support of member community compliance with Minimum Control Measures #1, #2 and #6 of the Ohio EPA National Pollutant Discharge Elimination System General Permit for Municipal Separate Storm Sewer Systems in the amount of \$22,803.00 per year for a total amount not-to-exceed \$114,015.00.
- Resolution No. 302-20 Authorization to enter into an agreement for years 2021 through 2025 with the Summit County Combined General Health District for certain services in support of member community compliance with Minimum Control Measure #3 of the Ohio EPA National Pollutant Discharge Elimination System General Permit for Municipal Separate Storm Sewer Systems in the various yearly amounts presented for a total amount not-to-exceed \$249,209.70.
- Resolution No. 303-20 Authorization to enter into agreements with Lake View Cemetery Foundation, McGregor Independent Living, L.P., and Urban Community School to implement projects under the 2021 Green Infrastructure Grants for the Combined Sewer Area Program, as presented, in the total combined amount not-to-exceed \$462,997.00.

MOTION – Mayor Bacci moved, and Mayor Alai seconded to adopt Resolution Nos. 298-20 through 303-20. After the following discussion, without objection, the motion carried unanimously.

President Brown asked for additional information regarding the five-year process for public education and outreach to the community. Mr. Greenland explained that Title V contains language requiring the District to provide support to its member communities for certain minimum control measures. Most of the member communities under the District’s Phase II program have permits with the Ohio EPA which require that they develop a stormwater management program that includes six minimum control measures. The District has provided support services for four of the measures since the inception of the stormwater program. The District has been working with different providers, boards of health, and soil and water conservation districts to provide these services across the region. The services have been excellent, and the District wishes to continue those services going forward for the next five years.

President Brown asked for additional information regarding the minimum controls with pre- and postconstruction inspection and whether the municipalities provide oversight to or monitor the effectiveness of the projects to be sure that they are getting value added. Mr. Greenland explained that the District reviews the development and stormwater management plans and provides comments to make the plans as good as they can be to protect the regional system. The District also works with soil and water conservation districts to develop tools for better tracking of stormwater construction and implementation activities to inform decision making in stormwater designs and construction projects, as well as monitor changes in the regional system.

Authorization to Enter Into Contract

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| Resolution No. 304-20 | Authorization to enter into a six-month requirement contract with Pirc Company Landscaping & Snowplowing LLC for snow plowing services at the George J. McMonagle Administration Building, Environmental and Maintenance Service Center, Pump Stations, and outlying sites in an amount not-to-exceed \$82,491.68. |
| Resolution No. 305-20 | Authorization to enter into a three-year requirement contract with Quasar Energy Group LLC for Skimmings Removal Services at all Wastewater Treatment Plants in an amount not-to-exceed \$91,193.75. |
| Resolution No. 306-20 | Authorization to enter into a construction contract with Tucson, Inc. for the Pepper Luce Creek Stabilization Near Lander Road project in an amount not-to-exceed \$593,034.90. |
| Resolution No. 307-20 | Authorization to enter into a construction contract with DRS Enterprises, Inc. for the CSO Outfall Protection project in an amount not-to-exceed \$415,462.36. |

MOTION – Mayor Alai moved, and Mayor Bacci seconded to adopt Resolution Nos. 304-20 through 307-20. Without objection, the motion carried unanimously.

Authorization to Amend Agreement

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| Resolution No. 308-20 | Authorization to amend Agreement No. 3810 with Enel X North America, Inc. for additional Curtailment Service Provider and Demand Response Services necessary to participate in additional demand response and energy savings programs with no additional cost to the District. |
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Resolution No. 309-20 Authorization to amend Agreement No. 16005934 with Government Portfolio Advisors for investment advisory services to exercise the one-year option to renew for the period of January 1, 2021 to December 31, 2021 in an additional amount not-to-exceed \$95,000.00.

Resolution No. 310-20 Authorizing final adjusting change order for Design-Build Agreement No. 17006994 with Independence Excavating, Inc. for the Stickney Creek Stream Restoration and Utility Repair project by decreasing the agreement amount by \$703,686.48, thereby bringing the total agreement amount to \$2,684,166.42.

MOTION – Mayor Bacci moved, and Ms. Dumas seconded to adopt Resolution Nos. 308-20 through 310-20. After the following discussion, without objection, the motion carried unanimously.

President Brown asked, regarding Resolution No. 308-20, how that differs from the current agreement, and noted that he is aware that there is an agreement that if the District cycles its generators during peak periods, there is a monetary benefit.

Jim Bunsey, Chief Operating Officer, noted that the request is to amend the contract with the District's professional service provider, Enel X. It is a joint effort between the Operation and Maintenance, Engineering and Construction, Legal, and Finance departments under the umbrella of the Operational Readiness Implementation Program. The District entered into a contract with Enel X last October and they are providing advisor and notification services that allowed the District to enter into the Peak Demand Response Program. The program provides the District significant reductions in electricity costs. Under the current program, Enel X will notify the District thirty minutes in advance, requesting that the Southerly electric load be removed from the grid and powered by the onsite generators. Despite the District not receiving such a call in 2020, it still sees the reduction in energy costs. The program has saved the District \$220,000 in electricity costs this year. Now that the District's generators meet non-emergency air emission regulations, it is requesting to modify this contract to include additional services to enter into a program called the Energy Sectors Specific Plan Program (SSP), which will further reduce the District's electricity costs by utilizing the same method of removing Southerly from the grid and operating on generators, however, it is anticipated that this will happen more frequently under SSP, with further advanced notice.

Over the remainder of the contract, which expires in 2025, the District anticipates an additional \$1.74 million in net savings. Additionally, the SSP program is beneficial from a global sustainability standpoint and supports the development of sustainable power generation such as solar and wind.

Property Related Transaction

- Resolution No. 311-20 Authorizing the District to acquire one temporary easement on property known as part of PPN 105-02-006, located at 1001 East 55th Street, in the City of Cleveland, owned by 5500 Building, LLC, necessary for the construction of the Shoreline Storage Tunnel project with total consideration of \$1,200.00.
- Resolution No. 312-20 Authorizing the District to acquire one temporary easement on property known as part of PPN 132-20-063, located at 6924 Worley Avenue, in the City of Cleveland, owned by Andrzej and Teresa Getko, necessary for the construction of the Morgana Burke Systems Improvement project with total consideration of \$300.00.
- Resolution No. 313-20 Authorizing the District to acquire two stormwater easements on property known as PPNs 481-07-022 and 481-07-001, located on Abbey Road, in the City of North Royalton, owned by the West Creek Conservancy, necessary for the construction and maintenance of the Baldwin Creek Bank Stabilization Near Abbey Road project with total consideration of \$1.00.
- Resolution No. 314-20 Authorizing the District to acquire one parcel in fee simple known as PPN 581-07-006, located at 8272 Briarwood Drive, in the City of Broadview Heights, owned by David T. Stewart, necessary for the construction and maintenance of the Chippewa Creek Flood Reduction Near Echo Lane project, to enter into an Assignment and Assumption Agreement with the Western Reserve Land Conservancy, to enter into a lease agreement with David T. Stewart, and to allow for the entirety of the payment to be disbursed to Ohio Real Title Agency, LLC with total consideration of \$250,000.00 plus closing costs.
- Resolution No. 315-20 Authorizing the District to acquire one permanent stormwater easement and one temporary easement on property known as part of PPN 871-23-030, located at 29725 Gates Mills Blvd., in the City of Pepper Pike, owned by Patricia Daly-Zake and David R. Zake, necessary for the construction and maintenance of the Pepper Luce Creek Culvert Rehabilitation at Gates Mills project with total consideration of \$9,850.00.
- Resolution No. 316-20 Authorizing the District to acquire one permanent stormwater easement and one temporary easement on property known as part of PPN 871-28-020, located at 30076 Gates Mills Blvd., in the City of Pepper Pike, owned by Barbara M. Baker, Trustee under The Barbara M. Baker Family Living Trust Agreement, necessary for the

construction and maintenance of the Pepper Luce Creek Culvert Rehabilitation at Gates Mills project with total consideration of \$6,400.00.

Resolution No. 317-20 Authorizing the District to acquire one permanent sewer easement on property known as part of PPN 108-10-003, located at 10309 Elk Avenue, in the City of Cleveland, owned by Hannah Kittrell, necessary for the construction and maintenance of the Shoreline Storage Tunnel project with total consideration of \$300.00.

Resolution No. 318-20 Authorizing the District to acquire one parcel in fee simple known as PPN 456-14-077, located at 9105 Boundary Lane, in the City of Parma, owned by the West Creek Conservancy, necessary for the construction and maintenance of Big Creek Stabilization – Master Plan Project Area BC-PA-11, and to allow for the entirety of the payment to be disbursed to Innovative Title and Escrow Services, LLC with total consideration of \$160,000.00 plus closing costs.

Resolution No. 319-20 Authorizing the District to acquire one temporary easement on property known as part of PPN 511-15-009, located at 3859 East 50th Street, in the Village of Newburgh Heights, owned by Michael W. and Lisa M. Drexler, necessary for the construction of the Burke Open Channel Improvement project with total consideration of \$343.00.

Resolution No. 320-20 Authorizing the District to acquire one permanent easement on property known as part of PPN 581-07-007, located at 8260 Briarwood Drive, in the City of Broadview Heights, owned by David T. and Hayley M. Stewart, necessary for the construction of the Chippewa Creek Flood Reduction Near Echo Lane project with total consideration of \$42,950.00.

Resolution No. 321-20 Authorizing the District to acquire one temporary easement on property known as part of PPN 871-28-017, located at 29926 Gates Mills Blvd., in the City of Pepper Pike, owned by James B. Linhart, necessary for the construction of the Pepper Luce Creek Culvert Rehabilitation at Gates Mills project with total consideration of \$1,800.00.

Resolution No. 322-20 Authorizing the District to enter into a five-year lease agreement with Priemer Investments Co., LLC, for 50 reserved off-site parking spaces in the lot adjacent to the County parking area at East 40th and Euclid Avenue, known as 4209 Euclid Avenue and 4415 Euclid Avenue in the various yearly amounts presented, for a total five-year amount not-to-exceed \$230,400.00.

MOTION – Mr. Sulik moved, and Ms. Dumas seconded to adopt Resolution Nos. 311-20 through 322-20. Without objection, the motion carried unanimously.

Sewer Use Code Matters

Resolution No. 323-20 Adopting the findings of the Hearing Officer with regard to the sewer charges on the account of Mr. Yonason Levin, Sewer District Hearing No. 20-012, that the customer’s request be denied.

Resolution No. 324-20 Adopting the findings of the Hearing Officer with regard to the sewer charges on the account of Brigitte Harper, Sewer District Hearing No. 20-013, that the customer’s request be denied.

MOTION – Ms. Dumas moved, and Mayor Bacci seconded to adopt Resolution Nos. 323-20 through 324-20. Without objection, the motion carried unanimously.

Authorization to Ratify

Resolution No. 325-20 Ratifying an emergency amendment to the agreement with Cleveland Masters of Disasters (District Purchase Order 20005284) for COVID-19 cleaning and disinfection services at all District facilities to add an additional amount of \$50,000.00 for a revised total amount not-to-exceed \$100,000.00.

MOTION – Mr. Sulik moved, and Mayor Bacci seconded to adopt Resolution No. 325-20. Without objection, the motion carried unanimously.

VI. Information Items

President Brown thanked Mr. Duplay for providing the Investment Advisors Performance Report contained in the Board packet and urged the Board to submit any questions that they may have to Mr. Duplay. President Brown then invited Frank Foley, Director of Operation and Maintenance, to provide the Operation and Maintenance Quarterly Update for the third quarter.

Mr. Foley began his presentation by recognizing Eric Tanko, Westerly Assistant Superintendent, for earning his Ohio EPA Class IV Wastewater Operator Certification in October. Mr. Tanko joins Travis Pitts, another Westerly Assistant Superintendent, who earned the certification in June. Class IV is the highest level of operator certification granted by the Ohio EPA. It is required to be the Operator of Record at large treatment plants throughout the state. The District currently has twelve Class IV certified operators and three treatment plants that require that certification.

Mr. Foley welcomed Carrie Anne McConnell to the District as the new Westerly Superintendent replacing Debbie Klosz, who retired in October. Ms. McConnell is a Class IV operator with approximately twenty years of experience in the industry and was most recently the superintendent

of the Rocky River Wastewater Treatment Plant. She is a member of Ohio EPA's Operator Certification Advisory Council. The Board congratulated Ms. McConnell and welcomed her to the District.

Mr. Foley advised the Board that as for safety through the third quarter, the District has had 250 lost workdays, an improvement from last year. The number is being driven by an employee who fell down steps while carrying tools and supplies with both hands, resulting in 180 lost workdays. Fortunately, he has since recovered and returned to work.

There have been three incidents this year that have resulted in lost time. Two were slips, trips, or falls and one was categorized as "struck by". None of the incidents resulted in restricted duty.

The DART rate, which is the number of incidents per 100 full-time employees that result in lost or restricted workdays, is at 1.53 for Operation and Maintenance and 0.63 for the remaining departments. The District's target DART rate is 2.0.

Regarding plant effluent quality and results, there have been no permit exceedances in the third quarter. The total suspended solids in effluents as well as carbonaceous biochemical oxygen demand at all three WWTPs are below permit limits for the quarter. Phosphorus and *E. coli* bacteria were also under the limits for all three months.

The District is done chlorinating and dechlorinating its effluents for the year and had no issues with bacteria concentrations or chlorine residual for the season.

As for dry weather overflows, there were five in the third quarter and eight for the year, compared to thirteen for all of 2019. The overflows were caused by various issues: debris, downstream blockages in the system, gravel in the system, and one unknown blockage.

Regarding performance of automated equipment in the collection system in the third quarter, performance in September was down slightly at 95% due to a number of issues encountered during the Labor Day storm event, as was presented to the Board in September.

Planned maintenance is tracking 2019, with all facilities within 3% of the 2019 planned maintenance percentage through the third quarter.

The Operation and Maintenance budget for all of the ten budget centers combined is \$64.6 million for 2020 with \$41.6 million spent through the third quarter. Mr. Foley provided a graphic demonstrating spending for 2019 and 2020. The spending is similar with the largest variances for 2020 being utilities, salaries and wages, and contractual services accounting for 70% to 80% of the variance.

Open Session

There were no items

VII. Public Session (any subject matter)

There were no items.

VIII. Executive Session

Mayor Bacci, pursuant to Ohio Revised Code section 121.22(G)1 and 121.22(G)4, moved to enter executive session to consider compensation and employment of public employees and to prepare for the review and negotiations and bargaining sessions with the District employees concerning their compensation and other terms and conditions of their employment. By roll call vote, the Board voted unanimously to enter into executive session at 1:31 p.m.

IX. Approval of Items from Executive Session

N/A

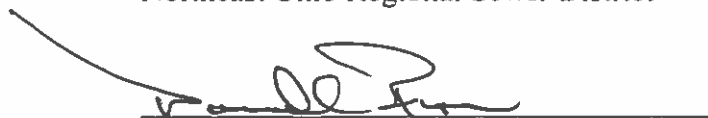
X. Adjournment

The Board returned to open session at 1:42 p.m.

MOTION – President Brown stated business having been concluded, he would entertain a motion to adjourn. Mayor Bacci moved, and Mr. Joyce seconded the motion to adjourn at 1:44 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