

**MINUTES--NEFCO GENERAL POLICY BOARD MEETING held Wednesday, September 15, 2021, at the City of Green Council Chambers.**

**1a. Call to Order**

The meeting was called to order by Chairman Moeglin at 8:32 a.m. in the presence of a quorum.

**1b. Approval of the Agenda**

A motion was made by Mr. Tatum, seconded by Mr. Bennett, to approve the agenda. The motion carried.

**1c. Pledge of Allegiance**

Mr. Moeglin led the Board in the Pledge of Allegiance.

**1d. Audience Participation (members of the public)**

Mr. Moeglin asked if there was anyone from the audience who had any comments.

**2. Consideration of the draft minutes of the regular meeting of the NEFCO General Policy Board on August 18, 2021**

A motion was made by Mr. Bennett, seconded by Mr. Tatum, to accept the August meeting minutes. The motion carried.

**3. Financial Status Report - month of August**

Mr. Hadley said that \$79,851.31 was received as income during the month of August, receipts to date were \$144,022.17, disbursements to date were \$151,164.96, and cash on hand at the end of August was \$333,129.65.

A motion was made by Mr. Tatum, seconded by Mr. Judge, to approve the financial status report subject to audit. The motion carried.

**3a. August Bank Reconciliations**

Mr. Hadley asked for acceptance of the August bank reconciliations.

A motion was made by Ms. Sumego, seconded by Mr. Tatum, to accept the August bank reconciliations. The motion carried.

**4. City of Akron and the Bounce Innovation Hub request letter of support for EDA grant application**

Mr. Lautzenheiser stated that this is a request for a letter of support from the City of Akron and the Bounce Innovation Hub who are co-applicants in a project for an EDA grant application. The applicants are applying for American Rescue Plan Act (ARPA) funds through the Economic Adjustment Assistance Program. He said that the final project cost is about \$3.1 million but through ARPA the co-applicants will be requesting 80-percent of the total project cost (approximately \$2,480,000) in EDA grant funding. He stated that the City of Akron owns the building that houses the Bounce Innovation Hub. He said that the project is consistent with four goals of the NEFCO Comprehensive Economic Development Strategy. First, the project would diversify and strengthen the local and regional economy, build resilience, and support recovery from the economic impact of the COVID-19 pandemic. The Bounce Innovation Hub supports entrepreneurial, innovative, and technological development and fosters job creation and growth. Second, the project encourages the development of industries that support the region's

economic clusters of the region. The Bounce Innovation Hub focuses on information technology and healthcare related businesses. Third, the project furthers intergovernmental and public-private partnerships. The Bounce Innovation Hub enjoys a strong partnership with the City of Akron and Bounce's mission is consistent with the City's joint economic development plan, Elevate Greater Akron. Fourth, the project supports existing programs that build human capital. He said that this project will expand Bounce's entrepreneurial support structure and build on its successful history. He asked for approval of the attached letter of support.

A motion was made by Mr. Malik, seconded by Ms. Sumego, for the approval of the letter of support. The motion carried.

**5. Greater Akron Chamber requests letter of support for EDA Build Back Better Regional Challenge grant application**

Mr. Lautzenheiser said that the Greater Akron Chamber (GAC) is requesting a letter of support for an EDA Build Back Better Regional Challenge (BBBRC) grant. He stated that the Greater Akron Chamber is still working on this proposal. Some of the details in the attached summary may change. The application deadline is October 19<sup>th</sup>. He said that the GAC will lead a coalition of cooperative partners, including the City of Akron, County of Summit, the University of Akron, and other public entities and nonprofit organizations. The project will identify strategies and investment projects that will catalyze sustainable and equitable regional growth, which will promote and strengthen the region's economic recovery and resilience, while positioning Northeast Ohio as a global leader in the polymer industry. He said that there are two phases to the project. Phase 1 is the Concept Proposal, for which the GAC will be requesting \$500,000, 100-percent of the total project cost in EDA grant funding through the BBBRC. He stated that if the Phase I is successful, the GAC could be invited to submit a Phase II application. The estimated grant is between \$50-\$75 million.

Mr. Lautzenheiser said that the project is consistent with four goals of NEFCO's Comprehensive Economic Development Strategy. First, the Polymer Industry Cluster project would promote transformational regional economic development, supporting entrepreneurial, innovative, and technological development and fostering sustainable and equitable job creation and growth. Second, the project focuses on the support and development of the region's polymer-related jobs, particularly in the manufacturing and health care sectors. Third, the project furthers intergovernmental and public-private partnerships that place a high value on collaboration by working cooperatively to address the region's needs. Finally, this project aims to strengthen workforce development training to build a stronger pipeline of skilled workers, with an emphasis on reaching historically underrepresented communities. He asked the Board for approval of the attached letter of support.

A motion was made by Mr. Bennett, seconded by Mr. Millea, for the approval of the letter of support. The motion carried.

**6. NEFCO FY2022 Work Program – status**

**a. Environmental Planning**

Mr. LaPlante stated that following the recommendation of the ERTAC Policy subcommittee, staff presented the edited draft 208 Plan's Chapter 3 Policy 3-6a and 3-6b to the full ERTAC on August 4<sup>th</sup> for public notification consideration. This action was tabled by the committee to allow for more time by staff and ERTAC members to study the draft Policy more closely and to address some of the ERTAC Chair's concerns prior to releasing the draft Policy for public notification. He said that the ERTAC Chair suggested that staff compare NEFCO's draft Policy with similar policies of the other Areawides, the Ohio EPA and US EPA, if these exist. He stated that the US EPA doesn't have a policy. The Ohio EPA has guidelines that indicate when

a dispute occurs between adjacent sewer planning authorities or a change in the boundary is desired by one of the authorities, written support should be requested by a sewer planning authority. The Ohio EPA guidelines are very similar to NEFCO's policy. He noted that the ERTAC Chair also suggested that staff consult with NEFCO's attorney regarding any legal ramifications that the NEFCO Board might encounter if it would approve a contested FPA boundary modification based on the draft Policy. He said that the draft Policy is currently still undergoing an internal review, which is not expected to be completed prior to the October 6<sup>th</sup> ERTAC meeting.

Mr. LaPlante said that the multi-year collaborative sewer and unsewered area data collection and mapping project will be implemented in several phases in close partnership with Ohio EPA. He said that in the first phase of this project, staff has begun contacting the wastewater management agencies, county health districts, and other local stakeholders for data that is needed for the project. He said that the OARC Water Quality Subcommittee met with Ohio EPA on September 9<sup>th</sup> specifically for the mapping project. He mentioned that the Ohio EPA has decided that the Areawides do not need to collect and submit to Ohio EPA new sewer line data. The agency seemed satisfied with NEFCO's parcel-level mapping that was provided last year. He stated that the Ohio EPA's goal is to gather information for known problem areas that don't have access to sanitary sewers, and to distribute funds for sewer extensions/connections to people below poverty level and to mobile home parks (MHPs) with package plants. The Ohio EPA also wants to post on its online 201/208 GIS map where the MHPs are located in relation to existing sanitary sewer, and if disadvantaged populations are in identified problem areas.

Ms. Rutledge stated that the Ohio EPA has mobile home parks (MHP) sanitary sewer information already, so why is the agency asking for the data again Mr. LaPlante said that this was discussed on September 9<sup>th</sup>, at a meeting with Ohio EPA. He said that some mobile home parks may not be under an NPDES permit even though the park needs to be. He said that the health departments have the data for those systems that are under 25,000 gallons per day flow. The Ohio EPA has the data by latitude and longitude for mobile home parks with systems that are over 25,000 gallons per day. Ms. Rutledge said that the Water Resources Department provided some data to the Ohio EPA within a year ago. Mr. LaPlante said that the Ohio EPA wants the Areawides to plot the data. He said that the Ohio EPA is looking for high poverty, high populated MHP areas.

Mr. LaPlante said that the Ohio EPA will also discuss at the September 20<sup>th</sup> OARC Water Quality Subcommittee meeting the status of the Areawides' 208 Plan state certification as it relates to the Director's signature. He stated that NEFCO's 208 Plan Chapter 3 was submitted on December 31, 2020. Mr. LaPlante mentioned that the Ohio EPA staff will provide a timeline for the Areawides' annual submission of 208 Plan amendments and updates for certification into the state's water quality management plan. Mr. LaPlante provided information on the HB 168 funding which created the Ohio Water and Wastewater Infrastructure Grant Program and is being funded with American Rescue Plan Act dollars.

Ms. Sumego asked how do the smaller communities get ranked for the sewer projects? She said that she was told that the smaller communities were left out of the ranking. She said sometimes the smaller communities don't have the same access to these grants as the larger cities and counties. Mr. LaPlante said that the county priority project lists were due on August 28<sup>th</sup>. He said that the communities have a rolling schedule and can apply for the grants at any time, until the money is gone. Ms. Sumego asked about the ranking system. Mr. Bennett said that the county engineers do the ranking of the smaller communities, but those communities can apply anytime. Ms. Sumego stated that she works with the smaller communities and was told that these communities were left out of the process. She said that NEFCO should be the voice

and reach out to the smaller communities and alert them of these grants. Mr. LaPlante said that there is \$250 million of ARPA funds available. He stated that Jim Troike mentioned that the Stark County Sanitary Engineer's office directly applied for ARPA funds (instead of pursuing HB 168 funds) for sewer infrastructure improvements for some of the high priority areas in Stark County. Mr. Bennett said that the ranking for this program, the county priority project list, is to help the smaller communities apply for the funding. He said that the Ohio Department of Development will be looking at the smaller communities that are having funding issues.

Mr. LaPlante provided information for HB 175: deregulation of ephemeral streams. He stated that the total maximum daily load studies (TMDLs) update information will be used for NEFCO's ongoing update of Chapter 2 of the Clean Water Plan, which covers current water quality conditions of the region's watersheds and subwatersheds and projected development.

Mr. LaPlante mentioned that the SFY2021 NEFCO Water Quality Management Planning Completion Report is available upon request.

Mr. LaPlante thanked the City of Canton for hosting the September 1<sup>st</sup> ERTAC meeting and for giving the ERTAC an informative tour of its water reclamation facility.

Mr. LaPlante said that the Canal Diversion Dam project presentation has been rescheduled for the October 6<sup>th</sup> ERTAC meeting.

Mr. LaPlante said that the Nimishillen Creek Watershed Partners will hold its annual creek clean-up day on September 18<sup>th</sup>, from 8:30 a.m. to noon in the Stadium Park section of the creek near the McKinley Museum.

Mr. LaPlante said that the Canal Diversion Dam Removal Project no cost time extension has been approved. He said that on August 10<sup>th</sup>, staff formally requested this second grant period extension from U.S. EPA to move the project period end date from October 31, 2021, to March 31, 2022.

Ms. Smith said that she would like the NEFCO staff to ask the Ohio EPA, during the water quality subcommittee meeting, about the gap in information available for land application sites that the EPA approves for discipline application for sludge from treatment plants and from industrial and commercial businesses that are land applied. She said that the EPA doesn't notify the health district, or stormwater districts, to her knowledge, where these sites are located. Ms. Rutledge said that all the sewers in MHPs need to be replaced, but it is too expensive to fix them. She said that the whole system is undersized and are not managed very well. Mr. LaPlante said that this could be a discussion item when Ohio EPA asks during the water quality subcommittee meeting for Areawides' concerns. He said that he will bring this up at the next meeting.

Ms. Sumego asked if there would be any consideration of doing an approval with the exception of the facilities planning areas (FPAs) that are in a disagreement in the 208 Plan's Chapter 3 Policy 3-6a and 3-6b? Or potentially creating a policy like an arbitration that NEFCO would recommend for those FPAs. Mr. LaPlante said that since this policy is under the same policy that is used for 208 amendments, the first step is to go through the same process for a 208 amendment. He said that when there is a disagreement from the management agency that has authority, that is when the 208 Plan's Chapter 3 Policy 3-6a and 3-6b is used. He stated that there are certain criteria in this policy that have to be met by the existing management agency and the challenging management agency. Mr. Moeglin asked her if she had a chance to read over the revised 208 Plan's Chapter 3 Policy 3-6a and 3-6b? Ms. Sumego said no. Mr. Moeglin asked Mr. LaPlante to send Ms. Sumego a copy of the revised policy to review, which will help answer some of her questions.

**b. Economic Development**

Mr. Lautzenheiser said that staff continues to work on the Economic Recovery and Resiliency (ER&R) plan. This Plan will include short-term recovery projects and long-term resilience strategies. The Plan is due to the EDA by June 30, 2022.

Mr. Lautzenheiser said that there are several open funding opportunities available through the EDA. He stated that the applicants for the STEM Talent Challenge grant may request up to \$250,000 for implementation of a 24-month workforce program that complements their region's innovation economy. The application deadline is October 12, 2021. Mr. Lautzenheiser said that the \$1 billion Build Back Better Regional Challenge (BBBRC) is a two-phase program designed to assist communities nationwide in their efforts to build back better by accelerating the economic recovery from the pandemic and building resilient regional economies. The Concept Proposal application deadline is October 19, 2021. He stated that awardees who successfully advance to the second phase must submit full applications by March 15, 2022. He said that the \$500 million Good Jobs Challenge (GJC) grant will fund GJC proposals within the following three phases, as applicable to regional needs: system development, program design: and program implementation. The GJC application deadline is January 26, 2022.

Mr. Lautzenheiser said that the Economic Adjustment Assistance (EAA) program supports projects that plan, build, innovate, and put people back to work through construction or non-construction projects designed to meet local needs. There is \$82.7 million available for the EAA program for the Chicago Region. The application deadline is March 15, 2022. He stated that the Travel, Tourism, and Outdoor Recreation program provides competitive and non-competitive grants (directly to states). There is \$26.2 million in competitive grants available for the Chicago Region. The application deadline is March 15, 2022. Mr. Lautzenheiser said that the Statewide Planning, Research, and Networks program includes both non-competitive grants directly to states and competitive grants. There are \$6 million in competitive grants available for the Chicago Region. The application deadline is October 31, 2021.

Mr. Lautzenheiser said that the national unemployment rate dropped by .2 percent for August, according to the Bureau of Labor Statistics.

Mr. Lautzenheiser said that the U.S. Census Bureau will release the 2020 Census Redistricting Data (Public Law 94-171) Summary File on September 16. He stated that the U.S. Census Bureau will host a webinar on September 21<sup>st</sup> at 2:00 p.m. to demonstrate how to utilize [data.census.gov](https://data.census.gov) relative to the new 2020 Census Redistricting Data.

Mr. Lautzenheiser mentioned that the Federal Transit Administration, through the National Center for Mobility Management (NCMM) is accepting applications for the 2021 Ready-to-Launch Grants. He said that applicants may request up to \$75,000 in grant funding to pilot a promising mobility solution. The application deadline is October 15, 2021.

Mr. Lautzenheiser said that the Governor's Office of Workforce Transformation is offering funding through the Ohio Industry Sector Partnership (OISP) Grant program. He stated that the program aims to invest in a strong workforce to fill in-demand jobs and continues to diversify and grow a high quality, dynamic workforce. The state offers funding and support to local communities interested in starting or accelerating an industry sector partnership.

Mr. Hadley said that NEFCO has been involved with U.S. EPA brownfields grant funding in the past and was fortunate enough to receive two \$600,000 grants. He said these grants were coalition assessment grants in Summit County. He stated that the U.S. EPA is on a cycle now of releasing its brownfields grant announcements for this fiscal year. He said that he learned

that the U.S. EPA is not going to be offering coalition grants this cycle. He said that what U.S. EPA has done with some of the other programs is offer the grants in alternating years. He didn't know if expanding the types of eligible entities was the reason why there aren't any regional coalition grants for this upcoming grant cycle. In last year's announcement the U.S. EPA opened up the eligible entities to include nonprofits. He said instead of individual coalition grants, each state will be offered a \$2 million assessment that can be spent over a five-year period. He mentioned that the Ohio EPA handles the grants in Ohio and have used U.S. EPA funds for the targeted brownfield assessment program. The Ohio Department of Development's Brownfields program (\$350 million) guidelines will be issued before the end of the calendar year.

#### **7. Federal and State legislation or information of importance to local governments**

Mr. Hadley stated that everyone is wondering how this \$3.5 trillion budget resolution is going to be resolved. Certainly, the House members are trying to figure that out and have separated into several committees. The first couple pages of this summary today discuss the various ways that portions of that \$3.5 trillion would be spent. He said that the problem, however, is that the House Democrats also know that there is a \$1.2 trillion bipartisan infrastructure bill that was passed by the Senate, the Infrastructure, Investment and Jobs Act. The Senate was hoping that and still hope that it could bring this to a vote in the House on September 27<sup>th</sup>.

Mr. Hadley said that there was a hope that today the Senate was going to resolve the \$3.5 trillion budget question. The Senate needs all 50 votes from Democrats to pass the \$3.5 trillion spending budget. He said that a key aspect of that is Senator Manchin from West Virginia who's been a swing vote on making progress on this. He had encouraged the members to hit the pause button because the amount of money included, and certainly the Senate Republicans are concerned about where the money was coming from.

Mr. Hadley said that there is concern that Congress is pushing up against the debt ceiling. He stated that the federal fiscal year ends September 30<sup>th</sup>. There are appropriations committees working on the normal budgeting items to keep the federal agencies' programs moving forward. He said that all of this is happening in quite a compressed time frame because next January starts an election year.

#### **8. For the Good of the Order: an opportunity for members to share news about their community/county/agency, or to list an important issue affecting them**

No one had anything to comment about for their community/county/agency.

#### **9. Other Business**

Mr. Moeglin thanked Chris Hardesty, City of Green for the use of the Council Chambers to hold NEFCO's Board meeting.

THERE BEING NO OTHER BUSINESS, the meeting was adjourned at 9:40 a.m.

Submitted by Rebecca L. Morgan, Administrative Assistant



Todd Peetz, Secretary  
NEFCO General Policy Board  
October 20, 2021