

MINUTES--NEFCO GENERAL POLICY BOARD MEETING held Wednesday, June 16, 2021, via Microsoft Teams.

1a. Call to Order

The meeting was called to order by Chairman Moeglin at 8:30 a.m. in the presence of a quorum.

1b. Approval of the Agenda

A motion was made by Mr. Marion, seconded by Mr. Vinay, 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 May 19, 2021

A motion was made by Mr. Marion, seconded by Ms. Foster, to accept the May meeting minutes. The motion carried.

3. Financial Status Report - month of May

Mr. Hadley said that \$12,501.95 was received as income during the month of May, receipts to date were \$898,964.71, disbursements to date were \$919,329.54, and cash on hand at the end of May was \$259,001.17.

A motion was made by Mr. Vinay, seconded by Ms. Connor, to approve the financial status report subject to audit. The motion carried.

3a. May Bank Reconciliations

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

A motion was made by Ms. Connor, seconded by Mr. Marion, to accept the May bank reconciliations. The motion carried.

4. Consideration of the continuation of the part-time employment position for: Watershed Planner/Geographic Information System Specialist

Mr. Hadley said that NEFCO uses employment contracts for the part time and one full time positions, which provides really good flexibility as the employment contracts are written to favor NEFCO's preferences. He said that the employees covered by these contracts have the benefits specified by their contract. In the case of part time Watershed Planner and Geographic Information System Specialist Maia Peck, Mr. Hadley stated that Ms. Peck has worked under these contracts for many years. Ms. Peck has worked for NEFCO since July 2003 and wants to continue the part time arrangement with NEFCO. Mr. Hadley asked for approval of renewing Ms. Peck's contract; which would run from July 1 through June 30, 2022.

Mayor Judge asked if Ms. Peck would consider a full-time position? Mr. Hadley said that he did approach Ms. Peck about a full-time position, but with the family responsibilities that she has, a part-time position is beneficial to her.

A motion was made by Mr. Judge, seconded by Ms. Helander, to continue the part-time employment position for: Watershed Planner/Geographic Information System Specialist. The motion carried.

5. Adoption of the FY2022 Appropriations and Expenditures Budget and Work Program; Recommendations of the Budget and Work Program Committee

Mr. Hadley said that he spoke to Committee Chairman Dordea and he isn't able to join the meeting today. Mr. Hadley stated that there are a few changes to the FY2022 budget tables from what the Board reviewed in May. He said that the revenues in Table 1 increased only because of the timing of payments from vendors. He stated that Table 3 had two items that had minor changes. He said that a Strategic Plan has been added to Table 3. He said that NEFCO has never had a Strategic Plan, only a Marketing Plan which was completed in 1998. An amount of \$15,000 has been added as a placeholder to Table 3 for the Strategic Plan. He also mentioned that funding for new computer equipment was added/increased as shown on Table 3. The dues level, Table 2 will remain the same as the recommendation from the Budget Committee. The Budget Committee did ask about a change in the dues based on a more recent census. In the NEFCO Bylaws the dues are set according to the most recent decennial census. Hopefully, later this year the 2020 Census figures for the counties and the large cities in our region will be available. The Board could then discuss what the impact these figures would have on the dues and how to handle the collection of dues based on the 2020 population levels. He stated that attached is the draft FY2022 work program.

Mr. Moeglin stated that he thinks it's a great idea to look into creating a Strategic Plan for NEFCO.

A motion was made by Mr. Marion, seconded by Mr. Bennett, to approve the FY2022 Appropriations and Expenditures Budget and Work Program. The motion carried.

6. NEFCO FY2021 Work Program – status

a. Environmental Planning

Mr. LaPlante said that the 208 Plan's Chapter 3 Policy 3-6a and 3-6b is the wastewater planning dispute policy for resolving conflicts that arise between adjacent management agencies (MAs). During the second quarter of this fiscal year, staff was instructed to revise the Policy to remove the ambiguity and clutter in of some of Policy's criteria to make clearer how and when facilities planning area (FPA) boundaries can be modified when the affected MAs disagree with the proposed change. He said that he is trying to address the concerns by using an approach that includes introducing brief guidance sections to clarify any ambiguous phrases in the Policy's criteria. Staff distributed a draft to the ERTAC Policy subcommittee on May 26th for review. He stated that staff also distributed the draft revised Policy to some of the larger MAs. These MAs commented that they either agreed with or had no objection to NEFCO's Policy revision approach. He said that staff asked the ERTAC subcommittee and the MAs that received the draft revised Policy to submit their suggested revisions to NEFCO staff no later than June 17th. He said that the once all of the suggested revisions are received staff will make any needed edits to the draft revised Policy. He stated that staff will give the committee a progress report on the edited draft Policy at the July 7th ERTAC meeting. He mentioned that as the Policy now stands it does not provide an immediate solution to the proposed Wooster-Smithville FPA boundary dispute. Mr. LaPlante said that the ERTAC Policy subcommittee will meet directly after the ERTAC's July 7th meeting. The subcommittee considers its endorsement of the edited draft Policy. The subcommittee's endorsement of the draft Policy is needed before the ERTAC considers having the staff issue a public notice for the edited draft Policy in August.

Mr. LaPlante said that staff continues to incorporate comments into the draft Management Plan which were received from the Portage Lake Management Study (PLMS) partners during their

May 27th meeting. The fourth and final PLMS partners meeting for FY2021 will be held via Microsoft Teams on June 24th. This meeting serves as a venue for the partners to provide additional comments on the draft Management Plan and to work on priorities for FY2022, including the partners roles in aquatic plant management and next steps, which will include the partners deciding when to endorse the edited draft Management Plan. Mr. LaPlante said that at the start of FY2022, NEFCO will help roll out the Management Plan among the watershed communities and assist the partners in beginning to implement the Plan's recommendations. It is anticipated that this will be a starting point for the partners to manage the lakes over the long term.

Mr. LaPlante said that NEFCO is awaiting approval of the two FY22 water quality management contracts from the Ohio EPA.

Mr. LaPlante said that after staff submitted NEFCO's 208 Plan Chapter 3 update to Ohio EPA. Ohio EPA published the document for public notice on April 20th along with the 208 updates from the other Areawides. On May 20th, a public hearing on the proposed 208 Plan updates was held by Ohio EPA to receive public comments. The comment period ended on May 27th. After certification by the Governor, Ohio EPA typically submits all the Areawides' 208 Plan updates to US EPA for approval.

Mr. LaPlante said that Ohio HB 175 seeks to remove the agency's authority for the oversight of all ephemeral streams throughout Ohio by removing ephemeral streams from the definition of "waters of the state" as it relates to construction and fill activities. On May 19th, Ohio EPA provided written testimony in opposition of HB 175.

Mr. LaPlante stated that Richard Harrison, P.E., Executive Director of the Ohio River Valley Water Sanitation Commission (ORSANCO) will give a presentation on ORSANCO's water quality programs at the July 7th ERTAC meeting

Mr. LaPlante mentioned that Ohio EPA's Division of Environmental and Financial Assistance (DEFA) will hold a free "*In Your Community*" webinar on "*Managing Contaminated Sites in Your Community*" on June 17th, from 10:00 a.m. to 11:00 a.m. He said that on July 20th, from 2:00 p.m. to 3:00 p.m., Ohio EPA DEFA will hold a free webinar on "What's New for '22 in Ohio's Water Pollution Control Loan Fund Program".

b. Economic Development

Mr. Lautzenheiser stated that last month, the NEFCO General Policy Board approved the selection of Proud City as the consultant to redesign the NEFCO website. NEFCO's attorney is currently reviewing the contract from Proud City. Staff has reviewed an additional option, called Proud City Meetings, which will likely be included as part of the website redesign. The redesign process includes twelve weeks of onboarding (training), which is expected to begin July 12th. The new, redesigned NEFCO website is expected to go live approximately mid-September.

Mr. Lautzenheiser said that per the EDA Chicago Regional Office, there are currently no funds available for the FY2020 Public Works/Economic Adjustment Assistance (PW/EAA) or the FY2020 CARES Act programs. Additional PW/EAA funds will be available following the publication of the next notice of funding opportunity (NOFO) in October. There are funds available for the FY2021-2023 Planning and Local Technical Assistance Program. This funding provides planning and feasibility studies that range from \$50,000-\$100,000.

Mr. Lautzenheiser said that NEFCO expects to hear soon how the EDA will administer the deployment of the \$3 billion additional allocation through the American Rescue Plan Act. The additional funding will be made available until September 30, 2022. He stated that 25 percent

shall be used for assistance to states and communities that have suffered economic injury as a result of job and gross domestic product losses in the travel, tourism, and outdoor recreation sectors. NEFCO will host an informational webinar on the available EDA funding, once additional details and any notices of funding opportunity are released.

Mr. Lautzenheiser said that the Biden Administration released the President's FY2022 budget request. He said that among these provisions, the President's budget requests \$382.5 million for the Economic Development Administration (EDA), a nearly \$50 million increase over the FY2021 levels.

Mr. Lautzenheiser mentioned that the national employment increased by 559,000 in May, and the unemployment rate decreased from 6.1 percent to 5.8 percent, according to the Bureau of Labor Statistics. He stated that despite the improved numbers, there was a record-high 9.3 million open jobs in the U.S. for April

Mr. Lautzenheiser said that the National Center for Mobility Management (NCMM) is offering its 2021 Community Mobility Design Challenge grants. The Community Mobility Design Challenge supports communities seeking innovative ways to address the personal well-being of community members who face transportation barriers to recreation and physical activities, healthy food, personal safety, economic opportunity, or community and peer support opportunities. Eligible applicants include government entities and nonprofit organizations. The NCMM will provide grants of up to \$25,000 for four communities as part of this challenge. The application deadline is July 12. For more information,

Mr. Lautzenheiser stated that the U.S. Small Business Administration (SBA) is accepting applications for its new Community Navigator Pilot Program. This new initiative, established by the American Rescue Plan, will leverage a community navigator approach to reach the nation's smallest businesses, with a priority focus on those owned by socially and economically disadvantaged individuals, as well as women and veterans. He stated that the competitive grant awards would range from \$1 million to \$5 million for a two-year performance period. The application deadline is July 12, 2021.

Mr. Lautzenheiser said that the U.S. Department of Housing and Urban Development has published a notice of funding opportunity for its Choice Neighborhoods Planning Grant program. He said that the Choice Neighborhood Planning Grants support the development of comprehensive neighborhood revitalization plans which focus on directing resources to address three core goals: housing, people, and neighborhood. The application deadline is July 13, 2021.

Mr. Lautzenheiser said that the U.S. Department of Commerce National Telecommunications and Information Administration (NTIA) announced the availability of \$288 million in grant funding for the deployment of broadband infrastructure. Grants will be awarded to partnerships between a state, or political subdivisions of a state, and providers of fixed broadband service. In the priority order defined by the Act, NTIA will accept applications for projects that are designed to:

- 1) Provide broadband service to the greatest number of households in an eligible service area;
- 2) Provide broadband service to rural areas;
- 3) Be most cost-effective in providing broadband service; or
- 4) Provide broadband service with a download speed of at least 100 Mbps and an upload speed of at least 20 Mbps.

He stated that NTIA will group applications based on the priority above that each application addresses and will sequence its review of application groups in the statutory order listed above.

He said that NEFCO has participated in the OARC Broadband Working Group since the Fall 2020 to help address the digital divide. He said that with Board approval NEFCO submitted letters of support to the EDA for Summit County's Fairlawn expansion planning project in

collaboration with the City of Akron, City of Fairlawn, and the Greater Akron Chamber. He said that the project was awarded a \$125,000 EDA grant. He said that broadband expansion has become a priority for both the NEFCO CEDS and ER&R planning efforts to help plan the digital divide. On March 15th Governor DeWine released his proposed biennium budget, which included \$250M for broadband expansion. NEFCO sent a letter of support to the Ohio Representatives and Ohio Senators recommending the support of OARC's budget amendment proposal. This would mean creation of a Regional Broadband Councils to coordinate locally and prioritize broadband projects. This provision did not make it into the House version of the SFY2022/23 appropriations bill. He stated that HB 2 was signed by the Governor on May 17th which included \$20M for a residential broadband expansion grant program. He mentioned that the House passed HB 110 which created the FY2022-23 appropriations on April 21st, although it didn't include OARC's amendment for regional broadband councils. It did include \$190M for broadband expansion.

Mr. Lautzenheiser said that the Senate made edits to HB 110 and passed its own version of the budget bill on June 9th. He stated that the Senate version eliminates \$190M in funding for broadband projects that was included in the House version budget. The Senate also inserted an anonymous amendment which added significant restrictions on broadband networks owned by political subdivisions. He stated that this would impact the City of Fairlawn, the expansion of the FairlawnGIG through the City of Akron and other communities in Summit County. The budget bill is currently in conference committee. He said that OARC is opposed to these provisions and the OARC President is likely to send a letter of support for the restoration of the House's broadband funding levels in the budget.

Mr. Lautzenheiser said that the NEFCO staff is recommending that the General Policy Board send a letter of support signed by Chairman Moeglin to the Region's representatives and senators asking that the broadband funding be restored to the levels passed by the Ohio House, and to eliminate the verbiage added by the Senate which restricts government owned fiber optic broadband networks. Mr. Hadley asked the Board members to consider having staff draft a letter to send to the legislators. Mr. Moeglin asked what is the timeline for the support letter? Mr. Hadley said that it is critical to get the letter of support out within the next couple days because the Board would be asking the General Assembly's Conference Committee to consider a budget line item before submitting a budget to the Governor by June 30th. Mr. Moeglin asked the Board members if there were any comments or questions regarding the broadband budget. Mr. Judge stated that he wrote a letter in opposition of the language that was inserted by the Senate. He stated that he feels this is a bipartisan issue that does have an economic development component to it. He said that he is in support of NEFCO staff issuing a letter to the representatives and senators in the region. Mr. Stanley said he is also in support of issuing a letter. Mr. Moeglin asked for a motion to issue a letter of support for broadband funding in the 2022/23 budget bill and removal of restrictive language relative to government-owned broadband networks.

A motion was made by Mr. Vinay, seconded by Mr. Stanley, to approve a letter of support to the State representatives and senators for support for broadband funding in the 2022/23 budget bill and removal of restrictive language relative to government-owned broadband networks. The motion carried.

Mr. Hadley said that once the letter has been sent, a copy of the letter will be sent to the Board members and alternates.

Mr. Lautzenheiser asked members to contact NEFCO if they would like any additional information on the attached economic development activities that occurred since last month's meeting.

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

Mr. Hadley said that the latest on the infrastructure plan that was proposed as a jobs plan by President Biden and is working with a bipartisan committee led by Senator Capito (WV). This didn't end with any compromise. A different bipartisan group of five Democrat and five Republican Senators had an agreement on \$174 billion infrastructure spending over five years which would total around \$1.2 trillion over eight years. He stated that about half of that constitutes new funding which is less than half of the \$2.2 trillion that President Biden has originally put forward under the American Jobs plan. The lawmakers were proposing no new tax increase, although they would allow the gas tax to be to rise along with inflation. No new taxes would not be consistent with the President's recommendation regarding raising the ceiling for a tax increase for high wage earners.

Mr. Hadley said that the House legislation called INVEST in America Act is very similar to the details that was approved August 2019, regarding the various highway and transit bridge details that are part of the next highway bill. This does provide a lot of funding in surface transportation improvements for small communities between 50,000 and 200,000 in population. He said that it is generally accepted that some version of this will occur before the end of the current federal fiscal year, September 30th. He stated that one of the high-ranking Democrats in the Senate estimates that there are only about six weeks of time available to handle all the various things that the Senate needs to act on.

Mr. Hadley said that there is additional information related to the Water Quality Protection and Job Creation Act and it is expected that there will be a drinking water component at some point before it is brought up for a vote. He stated that President Biden has released his full budget and all the details.

Mr. Hadley said that the transportation bill is moving forward. He said hopefully, by September 30th there will be a highway bill available.

Mr. Hadley mentioned that the US EPA Administrator mentioned last week that there is interest in bringing back the Waters of the United States rule under the Clean Water Act, that had received approval during the Trump administration. He said that this is now causing some problems in Ohio for ephemeral streams. He stated that it will be tough getting this change and refinement of the Waters of the United States bill through if or when it becomes a bill. The revised waters of the U.S. rule was passed during the Obama Administration, then rejected essentially by the Trump administration which put in several restrictions on its reach, that many of the western states gratefully embraced.

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

Mr. Moeglin welcomed Patricia Vanah, Ohio EPA alternate to the NEFCO Board meeting.

Mr. Moeglin said that in-person meetings are starting back up for some agencies. He asked the Board members about staying hybrid (via Teams) or return to in-person for upcoming Board meetings. He asked the members to vote for hybrid or in-person meetings in the comment section. Six members voted hybrid and two voted for in-person meetings.

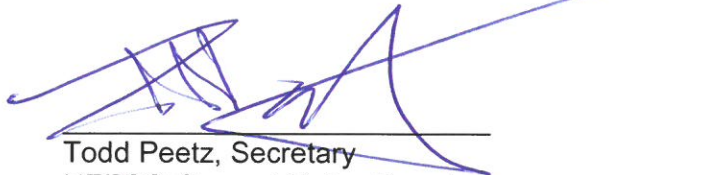
Ms. Foster asked if NEFCO pays for the meeting room? Mr. Hadley said no, NEFCO does not pay for the room. The room is provided as a community service from Summa. He said that he is on Summa's call list for having meetings for more than 15 people. Summa is waiting to see how the state is handling in-person meetings. Mr. Moeglin said that there is a good interest in hybrid meetings. A couple members stated in-person meetings, if vaccinated. He suggested

having both in-person with an option of hybrid. Mr. Hadley said that he will look into what constitutes a legal meeting. He said that he is waiting to hear from the State of Ohio regarding if remote meetings provisions will be extended.

9. Other Business

THERE BEING NO OTHER BUSINESS, the meeting was adjourned at 9:47 a.m.

Submitted by Rebecca L. Morgan, Administrative Assistant



Todd Peetz, Secretary
NEFCO General Policy Board
July 21, 2021

NEFCO GENERAL POLICY BOARD 2021 ATTENDANCE SHEET

Member (alternate)	1/20 ^a	2/17 ^a	3/17 ^a	4/21 ^a	5/19 ^a	6/16 ^a	7/21	8/18	9/15	10/20	11/17	12/15
PORTAGE COUNTY												
Tony Badalamenti (Sabrina Christian-Bennett)												
James Bierlair (Amos Sarfo)	A	A	A			A						
Joseph Diorio (Mary Helen Smith)	A	A	A		A	A						
Todd Peetz (Gail Gifford)		X	X	X		X						
John Vence (Tia Rutledge)	A	A	A	A	A	A						
John Zizka												
CITY OF KENT												
Kathleen Petsko (Bridget Susel)	X	X	X	X	X							
STARK COUNTY												
Keith Bennett	X	X	X	X	X	X						
David Maley	X	X	X	X	X	X						
Vince Marion	X			X	X	X						
Joe Mazzola	X	X		X	X	X						
Richard Regula (Bill Smith)	X	X	X	X	X	X						
Jim Troike (Scott Ellsworth and Tom Davis)					X							
Joe Underwood (Bob Nau)	X	X	X	X	X							
John Weedon												
Vacant												
Vacant												
Vacant												
Vacant												
CITY OF CANTON												
Dan Moeglin (John Highman Jr.)	X	X	X	X	X	X						
COUNTY OF SUMMIT												
Jim Balogh	X	X	X		X							
Alan Brubaker (Joe Paradise and Larry Fulton)	A		A	A	A	A						
William Judge (Trevor Hunt)	X	X	X	X	X	X						
David Kohlmeier (Bill Dorman)		X	X	X	X	X						
Olivia Helander (Bryan Herschel)	X	X	X	X	X	X						
Ilene Shapiro (Craig Stanley and Brian Clark)	A	A	A	A		A						
Dianne Sumego	X	X	X	X	X							
Michael Vinay (Matt Calcei)	X	X		X	X	X						
Elizabeth Walters (Jerry Feeman)		X	X			X						
CITY OF AKRON												
Sharon Connor			X			X						
Daniel Horrigan (Sam DeShazor)												
Chris Ludle (Michelle DiFiore)	A	A	A	A	A							
Shammas Malik		X	X	X	X							
Brad McKittrick												
Thomas A. Tatum (Jim Ashley)	X	X		X	X	X						
Helen Tomic (Abraham Wescott)	X		X	X	X	X						
WAYNE COUNTY												
Becky Foster (Sue Smail)	X	X	X	X	X	X						
Pete Wearstler (Rob Kastner)	X	X	X	X	X	X						
Steven Wheeler (Kristin Endsley)		X	X	X	X							
CITY OF WOOSTER												
Bob Breneman (Joel Montgomery and Jonathan Millea)	A	A	A	A	A	A						
OHIO EPA-NEDO^b												
Kurt Princic (Rich Blasick/Patricia Vanah)	A				A	A						
CITIZENS COUNCIL												
Vacant (2)												

X = member present A = alternate present

^aDocumentation exists for those listed

^bex officio

See reverse side for a list of guests who attended last month's Board meeting

Guests in Attendance at the June 16, 2021 meeting
Trevor Hunt, (Alternate), City of Barberton
Tim Ross, Congressman Gibb's office Rep.
Darryl Kleinhenz, AMATS