

SPRING 2024

THE CORD REPORT

The Official Quarterly Newsletter of CORD



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LEGISLATION IMPORTANT TO CORD

The latest on the 135th General Assembly

Michael Guastella
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Here is a brief update on some legislation that is important to you, as members of CORD. Please feel free to contact Michael directly at michael@gpgrhr.com with any questions!

HB 93 – Tax Lien on Unpaid Water Bills

HB 93 is a bill that, if enacted, would prohibit a municipality from having the ability to place a lien on a property that is owned by someone who is not the occupant of that property due to unpaid water bills.

Today, if a renter does not pay their water bill and moves away, the property owner/ landlord is liable for the unpaid water bills. If the owner fails to pay, and that property is in the service territory of a municipality, the municipality can place a tax lien on the property until the bills are paid. This bill would remove the municipality's ability to place the lien for that reason, and the municipality would be left to find other means of finding payment for the account.

An important point to make for our purposes is that 6119 districts are not currently affected by this bill. This bill strictly applies to municipalities.

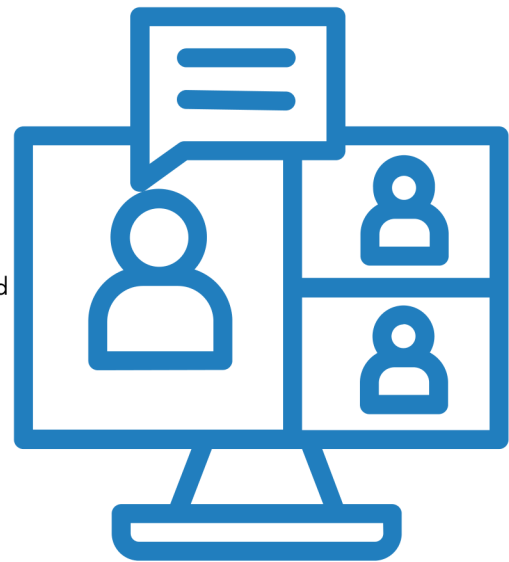
After nearly two months after being favorably reported out of the House State and Local Government committee, the bill ultimately was passed by the Ohio House with a vote of 62-26 on December 13, 2023. The bill was referred to the Senate Local Government committee on January 24, 2024 and has yet to have its first hearing.

HB 257 – Virtual Meetings

HB 257 allows for certain public bodies to conduct certain business virtually – including 6119 districts! This bill has received many questions from CORD members, and I am pleased to report the bill is well on its way.

After four committee hearings in the House Government Oversight Committee, the bill received a few “tweaks” that clarify the intent behind the language. The bill was referred out of committee, and received a 73-3 vote in the House on November 29, 2023. On December 6, 2023, the bill was referred to the Senate Government Oversight Committee, chaired by Sen. Kristina Roegner (R – Hudson). The bill had its first hearing in the Senate committee on February 28, 2024.

CORD is preparing to submit proponent testimony in support of HB 257 at its next hearing.



MORENO WINS SENATE PRIMARY, FOUR INCUMBENTS OUSTED BY CHALLENGERS, EYES SET ON REST OF 2024

COLUMBUS – Businessman Bernie Moreno proved victorious over Secretary of State Frank LaRose and State Senator Matt Dolan in the three-way primary to unseat incumbent U.S. Senator Sherrod Brown. Four incumbent members of the Ohio House lost their re-election bids to primary challengers: Reps. Pavliga, Carruthers, Cross, and Hillyer. With the primary election over, the rest of the General Assembly is now immediately in front of us as we approach the Spring and Summer of 2024.



Bernie Moreno Wins in All 88 Counties; Set to Challenge Brown in November

After a long, long road to the primary election on March 19, businessman Bernie Moreno handily defeated both Ohio Secretary of State Frank LaRose and State Senator Matt Dolan in a three-way republican primary that attracted national attention. Moreno benefitted from an endorsement from former President Donald J. Trump (who also was on the ballot in Ohio on March 19th and won an uncontested primary) along with grassroots support in all 88 counties as Moreno clean-swept the entire state after it was all said and done.

Moreno now will turn his focus to the General Election set for November 5, where he'll look to defeat incumbent Senator Sherrod Brown, who has been a United States Senator since 2007. More than \$100 million is expected to be spent on the race in our battleground state, as keeping the seat is critical for Democrats, while flipping the seat is just as lucrative for Republicans, as the balance of power in Congress hangs on by a thread for both sides.

Four Ohio House Incumbents Lose to Primary Challengers; Redistricting Likely to Favor Democrats

Four incumbent members of the House Republican caucus have lost their re-election bids to primary challengers within their own party.

- In the 47th District (Butler County), Sara Carruthers lost to challenger Diane Mullens.
- In the 51st District (Stark, Tuscarawas Counties), Brett Hillyer lost to challenger Jodi Salvo.
- In the 72nd District (Portage County), Gail Pavliga lost to challenger Heidi Workman.
- In the 83rd District (Hancock, Hardin, Logan Counties), Jon Cross lost to challenger Ty Matthews.

While it's very, very likely that the Republicans will maintain control of the Ohio House, the new maps that take effect favor Democrats to the tune of anywhere from 3-5 seats currently held by Republicans.

Spring and Summer Sessions Upon Us; Capital Budget and Other Priority Bills Expected

As the General Assembly returns to Columbus to restart committee work, followed by the first Session dates for both the House and the Senate since the primary on April 10, the focus now shifts to the next several months and the legislative priorities – including, a capital appropriations bill.

Prior to the break, the House passed HB 2, which included support for bond-backed projects typically contained in the capital budget alongside \$350 million in one-time spending. As well, the Senate separately passed amended (and immediately passed) HB 27, to include dollars slated for school and public works projects, among other initiatives. All in, the floor amendment appropriated over \$1.4 billion in mostly bond-backed line items, of which was a blanket \$575 million for the Public Works Commission.

Neither bill appears to be the front-runner at the moment, with each Chamber seemingly unwilling to take up the other's legislative ideas. This poses a Constitutional issue, as a capital budget is required to pass by June 30. As the capital budget season progresses, CORD members will be informed on all relevant provisions.

SB 91 – FRAUD, WASTE AND ABUSE

NEW REPORTING REQUIREMENTS & EXPENDITURE RESTRICTIONS FOR POLITICAL SUBDIVISIONS

Senate Bill 91, sponsored by Senator Tim Schaffer and signed into law by Governor DeWine, became effective on March 28, 2024. The bill, among other things, prohibits political subdivisions (including 6119 districts) from making non-appropriated expenditures. The new law was introduced by members of the legislature at the request of State Auditor Keith Faber. Auditor Faber found that there were many instances across the state in which local taxpayer dollars were not being used for their stated or intended purpose and suggested several changes to the law to tighten the regulations and requirements in place.

What does this mean for you? Likely, you're already following all of these new laws with your existing practices. But, we'll break down all of the new requirements and restrictions so that you, as a member of CORD, ensure that you are up-to-date on the new laws surrounding these issues.

Individuals Required to Report Fraud and/or Abuse of Public Funds

With respect to local public government, the new law requires a person who becomes aware of fraud, theft in office, or misuse of public money, to timely notify the State Auditor (through the fraud reporting system or other means) if any of the following apply:

- The person is elected to a local public office.
- The person is appointed to or within a local public office.
- The person has a fiduciary duty to a local public office.
- The person holds a supervisory position within a local public office.
- The person is employed in the department or office responsible for processing any expenses of the local public office.



Senator Tim Schaffer

Political Subdivision Expenditure Restrictions

In addition to the above reporting requirements, the new law also prohibits political subdivisions from making any expenditures unless a fiscal officer certifies the following:

- The expenditure has been appropriated in accordance with the tax levy law.
- The expenditure has been appropriated by the subdivision's or taxing unit's legislative authority.
- The expenditure is not "compelled by a process authorizing management, control, distribution, or disbursement of an appropriation or expenditure by a vote of the subdivision's or taxing unit's residents."

The new law clarifies that these restrictions do not prevent a political subdivision or taxing unit from authorizing a bond issue otherwise permitted by law, or from soliciting input related to the management, control, distribution, or disbursement of funds.

These recent changes to the law are found in ORC Section 5705.41(B)(1) and (2). It should be noted that the current law provisions of ORC Section 5705.41(D)(1) are unchanged and still required. This section, commonly referred to as the "certification of availability of funds" requirement, prohibits any political subdivision from making any contract or giving any order "involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the obligation or, in the case of a continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances."

Additional questions? Feel free to contact Michael Guastella with Governmental Policy Group directly at michael@gpggr.com.

You can also see the language of the Act at the following link: [sb91_06_EN \(state.oh.us\)](https://legislation.ohio.gov/legislation/act/2024/06/sb/91)



TOP DRAWER REGIONAL DISTRICTS: LORAIN COUNTY WATER AUTHORITY

WRITTEN BY: JOE WALDECKER, GENERAL MANAGER



History & Geography of the RLCWA

Prior to the formation of Rural Lorain County Water Authority (RLCWA) and construction of the water system, residents of southern Lorain County and surrounding areas were unable to depend upon ground water or other sources of potable water and thus relied upon cisterns, individual wells and tank deliveries to supply their water needs. The leaders of the communities that constituted the original Authority members met in the fall of 1973 to discuss their collective water needs.

The Authority was formed in 1973 pursuant to Chapter 6119 of the Ohio Revised Code upon petition of sixteen townships and two villages by Preliminary Judgment Entry of the Lorain County Court of Common Pleas. After compliance with all requirements of the Preliminary Entry, a final Judgment was filed on April 1974. Upon formation, the Authority adopted a set of rules and regulations that established the respective responsibilities and duties of the Authority and its customers along with by-laws that provide for the internal governance.

Geography:

RLCWA is currently comprised of all or a portion of 30 contiguous townships and two villages which are primarily located in Lorain, Medina, and Ashland Counties, residing just southwest of Cleveland. The total land area of the Authority is more than 650 square miles encompassing a total of seven counties.

RLCWA Board:

RLCWA's 26-member Board of Trustees is made of Townships and Villages throughout its service territory. Each member serves a four-year term when appointed by their entity. RLCWA has three officers: President, Vice-President and Secretary-Treasurer. Officers have a one-year term and are elected by open ballot each January. Meetings are held once per month on the second Wednesday of each. On his sixth term, the current President for RLCWA is Mr. Michael Pope from Litchfield Township of Medina County. With Pope's leadership, RLCWA's Board prides themselves in being leaders in the water industry and continuing to provide clean affordable drinking water to their customers.

General Manager:

Joe was hired in 2007 as a GIS Technician after serving two summers as seasonal landscaping. After ten years of implementing RLCWA's GIS system, Joe was promoted to Assistant General Manager in 2017, then General Manager in 2018. While attending college at Campbell University and playing baseball, Joe graduated with a bachelor's degree in Business Administration and a minor in Computer Information Systems. Some additional credentials include Water Supply II, Backflow Certification and the ORWA Manager of the year in 2023.



Joe Waldecker
General Manager

RLCWA Staff:

RLCWA’s administration include:
Andy Provoznik – Water Supply Superintendent
jen Rosemark – Administrative Manager
Vicki Helms – Accounting Manager



RLCWA has a staff of 38 employees. Departments include the following: Administration, Accounting, Billing, Distribution, Backflow, Construction and Engineering. Whether it is budget setting, preparing monthly billings, fixing a leak, installing a new tap or planning for the next roundabout, RLCWA does this all in-house. Recent economic development changes within our territory have kept RLCWA staff on their toes and what was once a quiet rural system, is now a split between rural and development.

RLCWA Employees



Water System:

RLCWA is a purchased water system with three suppliers: Avon Lake Regional Water, the Village of New London and the City of Ashland. These entry points provide water to our 15 water towers, 17 pumps stations and 25,000 customers. Included in those customers are seven villages, one of the largest greenhouses in the world, three correctional institutions, foundries, mobile home parks and dairy farms; ranging from 2.3 to 116 million gallons per year. Over the last five years, RLCWA is averaging 500 new taps per year.

Rates:

In 2022 RLCWA went through a vigorous rate study which concluded with a rate structure adjustment to our de-escalating scale and keeping our minimum bill at \$28.58 for the first 2,000 gallons. Additionally, RLCWA’s residential ¾” tap fee increased from \$4,000 to \$4,700.

Current & Future Projects:

Current design projects include a new 3-mg composite tank, a 12mgd pump station, 3.5 miles of 24” watermain and watermain loop enclosures. On top of the “normal” infrastructure improvements, the Ohio Department of Development has named a site in Lorain County as one of the leading sites in the country for future growth...meaning RLCWA has had many discussions trying to determine how we could provide up to 40mgd to a specific site.

Annual Operating Budget

RLCWA’s operating budget is \$14 million.

Summary:

The Rural Lorain County Water Authority was created from humble roots, just trying to provide water to the “farmers” of Lorain County. With combined skills, excellent leadership and the strong desire to provide a vital commodity, the RLCWA has exceeded expectations and will continue to do so in the future.

OHIO CLAIMS NEW NATIONAL CHAMPIONSHIP: ULTIMATE METER CHALLENGE

Joe Demczyk, Rural Lorain County Water Authority, Declared 2023 Champ

Many Ohioans know that The Ohio State University Buckeye Football team boasts eight national championships. Fewer known is that among Division III schools, the Kenyon Owls have claimed sixty-one D-III team titles and 577 individual titles, mostly in men's and women's swimming and diving. In Division II, the Eagles of Ashland University have claimed six team championships along with 121 individual national champions while competing in various collegiate sports.



But now, Ohio can boast a new national champion. Joe Demczyk, an Engineering Supervisor with the Rural Lorain County Water Authority, a Chapter 6119 District, was declared the winner of the National Rural Water Association's Ultimate Meter Challenge last fall at the 2023 NRWA Annual WaterPro Expo held with a view of the Rocky Mountains in Aurora, Colorado.

The Ultimate Meter Challenge, sponsored by Zenner, is a competition among states to see who can completely and most quickly assemble a water meter commonly used for residential customers with no leaks. A large crowd gathers each year to cheer on and heckle the representatives of rural water associations from across the U. S.

Since there are many competitors, Zenner conducts "time trials" early during the WaterPro Expo. Only the top sixteen competitors

with the best times advance to "head-to-head" single-elimination or the sudden death portion of the tournament near the end of the Expo. Each competitor has two chances to assemble a meter during the "time trials" and can use the best of the two times in an effort to advance.

During the final "knockout rounds", the loser of each head-to-head match-up is immediately eliminated. Each winner moves on to play in the next round, with the winner of the final head-to-head match-up crowned as National Champion. Each competitor is given a meter kit prior to the event. This kit contains a completely disassembled meter. To make the competition even trickier, random parts are added to the meter kit and these parts might not be needed to correctly assemble the meter.

Demczyk was introduced to the competition at the 2022 Ohio Rural Water Association's Annual Training Conference, where he was new to the competition and did not rank well. So, Joe decided to train harder for the 2023 competition. He trained for twenty minutes at the end of each shift and believes that he assembled and disassembled the meter 750 times—a rugged training regime!

Demczyk defeated incumbent champion Hayden Lindsey from the City of Frostburg in Maryland. As the winner, he was awarded a trip to Hawaii sponsored by Zenner. He is expected to be on hand to compete again in September at the 2024 NRWA Annual WaterPro Expo to be held in Savannah, Georgia. Congratulations to Ohio's new national champion!



TERM LIMITS: ARE THEY BACK ON OHIO'S LEGISLATIVE AGENDA?



Is it time to revisit legislative term limits in Ohio? Apparently, House Speaker Jason Stephens (R-Kitts Hill) thinks so. He told reporters that he thinks it's time to revisit term limits but said he does not know what that change would look like. Stephens blames some of the chaos and recent leadership fights in the Ohio General Assembly on the high turnover rate resulting from term limits. Stephens pointed out that in most sessions of the General Assembly around a quarter of the House members are new to the chamber. He said that there's "a lot of people thinking about a constitutional amendment, and I think it's something that should be looked into."

Term limits were overwhelmingly approved by Ohio voters on Nov. 3, 1992. Voters approved all three constitutional term-limit issues on the ballot:

- State Issue 2, approved by 66% of the voters, limited U.S. Senators from Ohio to two successive six-year terms, and limited U.S. representatives to four successive two-year terms.
- State Issue 3, approved by 68% of the voters, limited State Senators to two successive four-year terms, and State Representatives to four successive two-year terms.
- State Issue 4, approved by 69% of the voters, limited the Lieutenant Governor, Secretary of State, Treasurer of State, Attorney General and State Auditor to two successive four-year terms.

However, the voter-approved limits on U.S. Senators and U.S. Representatives never took effect. Term-limit opponents filed lawsuits challenging the constitutionality of states setting limits on the tenure of federal officeholders. In May of 1995, the U.S. Supreme Court ruled that states cannot impose qualifications for prospective members of Congress that are stricter than the qualifications specified in the U.S. Constitution. Because the state constitutional amendments were approved in November 1992, to take effect in January 1993, and because laws cannot be made retroactive, that meant any Ohio statewide official or legislator in office as of January 1993 could not serve beyond Dec. 31, 2000.

This term limit issue seems to never go away. Former Republican House Speaker Larry Householder had raised the issue before the nuclear power plant bailout scandal broke and he landed in prison. He was planning to put a Constitutional Amendment on the 2020 ballot that would have placed a 16-year lifetime term limit for state lawmakers, regardless of which chamber of the Legislature they had served. Now, it is possible to play hopscotch between the House and the Senate; a number of members have routinely "gone back and forth" between the chambers.

Legislative term limits are currently in effect in 16 states, including Ohio. The first legislative term limits were enacted in 1990 in the California, Colorado, and Oklahoma, but the impact was not felt in their Legislatures until 1996, 1998, and 2004, respectively. Maine's issue was enacted in 1993 and along with California changed the look of their Legislatures starting in 1996. Other states that have enacted term limits include Arkansas, Michigan, Florida, South Dakota, Montana, Arizona, Missouri, Nebraska, Louisiana, Nevada, and North Dakota.



But the number of years a Legislator can serve, whether it is a limit to one chamber and then whether the person can “jump” to the other chamber and back again, or if it is a true lifetime limit varies considerably by state. For example, some states are like Ohio limiting the amount of time to 8 years in the House and 8 years in the Senate, and then (maybe) back again to the other chamber. Others, like Michigan, impose a true 12-year lifetime limit for either House of its Legislature. Under a lifetime limit once a Legislator has served up to the limit he or she may never again run for election for those offices. In another state the law places a limit on the total number of consecutive years a member may serve but allows the individual to return after a four-year break.

On the other hand, Legislative term limits have been repealed in six states. In Utah and Idaho, the Legislature repealed term limits. In four other states, Massachusetts, Oregon, Washington, and Wyoming the State Supreme Court found that such a change required a Constitutional Amendment, not a statutory change. In another state the Court found that the initiative petition was faulty.

And what about term limits for members of Congress? Senator Ted Cruz (R-Texas) has introduced a proposed amendment to the U. S. Constitution that would limit House Members to three 2-year terms and Senators to two 6-year terms. Ratification would follow a two-thirds approval by both houses of Congress and approval by three-fourths of State Legislators. Don't count on this happening soon. Cruz has introduced the idea before--in 2017, 2019, 2021 and no action has been taken. Sort of like voting yourself out of a job! A recent national poll taken by the University of Maryland has found that 5 in 6 Americans are in support of Congressional term limits.

So, what will happen to term limits for Ohio Legislators? Watch and let's see what happens to the idea that was floated by Speaker Stephens. Some have proposed term limits also apply to local elected officials. What do you think?



OHIO'S HARMFUL ALGAL BLOOM RESEARCH INITIATIVE: A STATEWIDE RESPONSE TO THE THREATS OF HAB'S

Since the Toledo water crisis made news headlines in 2014, the status of harmful algal blooms has been on the minds of many Ohioans. One of the early state responses to the challenge of HAB's was the establishment of Ohio's Harmful Algal Blooms Research Initiative (HABRI). Last fall, the Ohio Sea Grant Program released the 2023 project update on the Initiative. The HABRI Initiative is funded by the Ohio Department of Higher Education. It provides near-term solutions for the issues that surround harmful algal blooms (HAB's).

The Initiative helps state agencies respond to the HAB challenge by responding to the technical needs of the state agencies. Ohio universities are important in creating new knowledge, new technologies and new approaches for both short-term assistance and long-term solutions. Since 2015, the Ohio Department of Higher Education has allocated \$18.5 million in matching grants to address the harmful algal bloom problem. Including the matching monies provided by the universities, \$37 million has been invested to address HAB challenges.

Thirteen Ohio universities participate in the program. The research is broken into "bite size chunks" of research projects that can be completed by scientists in two years or less. HABRI comprises expert research teams from Bowling Green State University, Central State University, Defiance College, Heidelberg University, Kent State University, Oberlin College, Sinclair Community College, the University of Akron, the University of Cincinnati, Miami University, Wright State University, and consortium leaders the University of Toledo and the Ohio State University. In addition, the Ohio Sea Grant Program is actively engaged.

The Initiative currently consists of 43 science teams working on different critical knowledge gaps identified by front-line state agencies. The state agencies that identify priorities include OEPA, Department of Agriculture, Department of Health, the Ohio Lake Erie Commission, and the Ohio Department of Natural Resources. The science teams utilize a multidisciplinary approach involving experts from such diverse disciplines as engineering, medicine, and economics. Teams have also engaged over 280 Undergraduate students and nearly 340 Graduate students working alongside the primary researchers. The research is directed into four primary Focus Areas:

1. Track Blooms from the Source--Projects in this focus area aim to improve use of existing technologies, as well as develop new methods to detect, prevent and mitigate HAB's and their impacts. This will help ensure drinking water is safe and the environment is healthy for lakeshore residents by connecting the potential causes and effects of HAB's, from the runoff that fuels them, to the toxins that contaminate water supplies, to what makes them produce toxins in the first place.
2. Produce Safe Drinking Water--One of the most direct public impacts of algal blooms was seen in August 2014, when a harmful algal bloom in Toledo caused a "Do Not Drink" order to be issued for more than two days, an impact felt by residents and businesses alike. With direct guidance from state agencies at the front lines of algal drinking water crises like this one, HABRI researchers are developing new treatment methods that will give public health and water treatment professionals the tools they need to make informed decisions when water supplies are threatened by algal blooms.
3. Protect Public Health--While safe drinking water is a major focus for public health officials and researchers, scientists are also working to determine other ways that harmful algal blooms and the associated toxins -- particularly microcystin -- may impact human health. In this focus area, science teams develop techniques to better detect toxins in biological samples, study the effects of algal toxins on various types of cells and determine the significance of the diverse ways that people might be exposed to algal toxins -- physical contact, eating fish, etc. These studies aim to assist state agencies as they develop guidelines for handling harmful algal blooms in coming years.
4. Engage Stakeholders--Complex issues like HAB's have numerous causes and many impacts, which means different people have perspectives and roles to play in finding solutions. Researchers in this focus area are figuring out how information moves through existing networks of people and how to best use those networks -- such as OSU Extension and farmer partnerships -- to create effective collaborations to tackle harmful algal blooms.



The 2023 report reveals that the State of Ohio continues to benefit from the Initiative:

• Agencies continue to know more about the environmental factors that drive bloom toxin production, giving water treatment plant operators and recreational water managers better predictive capabilities.

- Researchers are working directly with state agencies and water treatment plant operators to optimize low-cost assessment and removal of cyanotoxins.
- Researchers working with the Ohio Department of Agriculture and producers have improved on-field management practices to help slow nutrient loss. New information about drainage systems/agricultural tiles and manure applications will help farmers make decisions about water management and soil health.
- New information related to how water and nutrients move across the landscape has strengthened models that will help the Ohio Lake Erie Commission take further steps to evaluate H2Ohio and overall progress on nutrient reduction in the Maumee River watershed.
- Ohio EPA has modified its permit procedure to better safeguard Ohioans when HABRI projects showed that drinking water treatment residuals from treatment plants that took in contaminated source water may leach microcystins into produce and groundwater.
- Research will assist the ODNR's H2Ohio Wetland Restoration Program to make informed decisions about optimizing and maintaining restored wetlands with enhanced capacity for nutrient reduction and resilience to extreme events (e.g., floods, droughts, etc.).
- Researchers are collaborating with the Great Lakes Restoration Initiative to test a new soil and water assessment tool (SWAT model) to quantify what effect rivers and streams have on phosphorus as it moves through the Maumee River watershed.
- Local and state health and environmental protection experts are benefiting from discoveries about the skin and inhalation algal toxin exposure risks for individuals with various pre-existing health conditions. Now the researchers are exploring preventive and treatment options.
- Researchers have developed new satellite-based tools that monitor algal blooms in inland waters.
- Researchers obtained a patent for a needle sensor device that can quickly detect algal toxins in fish in the Great Lakes.
- HABRI continues to drive information sharing and priority setting between universities and agencies, positioning Ohio to better prevent and manage future crises.

Information about HABRI projects, as well as partner organizations and background on the Initiative, is also available on the Ohio Sea Grant website at go.osu.edu/habri. The 2023 report can be downloaded directly at <http://ohioseagrant.osu.edu/p/nyhe8>.

BITS AND PIECES FROM CORD

WRITTEN BY: LARRY LONG, DIRECTOR OF MEMBERSHIP DEVELOPMENT

Webinar Available of FY24 H2Ohio Program

For those interested in an excellent overview of the H2Ohio program for State Fiscal Year 2024, a short webinar for members of the County Commissioners Association of Ohio (CCAO) is available for replay by CORD members. The 35-minute online seminar includes presentations by Directors Vogel and Baldrige of the Ohio EPA and the Ohio Department of Agriculture, and other presentations by the Ohio DNR, and the Ohio Lake Erie Commission. The webinar can be found at [Registration \(gotowebinar.com\)](https://gotowebinar.com).



Worker's Comp Rates Down for 2024

Ohio's public employers, including Regional Water & Sewer Districts, will pay nearly \$8 million less in workers' compensation premiums to the Ohio Bureau of Workers' Compensation (BWC) in 2024. The 3.9% rate cut went into effect at the beginning of the year. The rate reduction is the result of declining injury claims and relatively low medical inflation costs.



STAR Ohio Shows \$1 Billion Investment Income for 2023

State Treasurer Robert Sprague announced that in 2023 the State Treasury Asset Reserve of Ohio (STAR Ohio) generated and returned over \$1 billion in investment income for participating entities. STAR Ohio allows the state's governmental entities, including Regional Water and Sewer Districts, to invest in high-grade, short-term securities. The investments provide safety, penalty-free liquidity, and comparatively higher yields. The treasurer's office acts as the investment advisor and administrator. When Sprague took office in January 2019, STAR Ohio had assets of \$9.55 Billion. Assets are now over \$23 Billion. Late last year, Star Ohio boasted 2,997 STAR individual Ohio accounts



Farmland Preservation Still Popular in Ohio

The Ohio Department of Agriculture (ODA) has awarded funding to more than 40 organizations around the state to help preserve farmland. The organizations receiving funding include nine land trusts, seven counties and 25 soil and water conservation districts. The funding is from the Clean Ohio Fund under the Local Agricultural Easement Purchase Program (LAEPP). LAEPP allows landowners to voluntarily sell easements on their farms. Owners can apply through local sponsoring organizations that have been certified in 51 counties. A list of local sponsors statewide can be found at [Local Sponsor Search | Ohio Department of Agriculture](#). Since the Office of Farmland Preservation was established in 1998, 709 farms totaling over 105,000 acres have entered the program.

Status of Lake Erie: “the Worst” of the Great Lakes

Lake Erie is in the worst shape of all the Great Lakes, according to assessments released by the International Joint Commission (IJC). "Lake Erie supports a productive walleye fishery, but elevated nutrient concentrations and algal blooms are persistent problems. **Lake Erie** is assessed as **“poor and unchanging,”** the IJC State of the Great Lakes 2022 Report. Lake Superior and Lake Huron are **“good and unchanging,”** while Lake Michigan is **“fair and unchanging.”** **Lake Ontario** is **“fair and unchanging”** to improving."

In their 2023 report, the Commission's Science Advisory Board and Water Quality Board jointly evaluated the implementation of domestic action plans, with a focus on Lake Erie. The report found significant regulation of point source nutrient loads, from wastewater treatment plants. By contrast, nonpoint agricultural sources of nutrient loads are not well regulated in that both countries rely on voluntary nutrient reduction programs," the IJC said.

In determining the **“poor and unchanging”** status of **Lake Erie**, the Commission looked at the following nine parameters, with its corresponding rating:

Be A Source of Safe, High Quality Drinking Water	Good
Allow for Unrestricted Swimming and Other Recreational Use	Fair
Allow for Unrestricted Human Consumption of the Fish and Wildlife	Fair
Be Free from Pollutants That Could Harm People, Wildlife or Organisms	Fair
Support Healthy and Productive Habitats to Sustain Our Native Species	Poor
Be Free from Nutrients That Promote Unsightly or Toxic Blooms	Poor
Be Free from Aquatic and Terrestrial Invasive Species	Poor
Be Free from The Harmful Impacts of Contaminated Groundwater	Good
Be Free from Other Substances, Materials, or Conditions That May Negatively Affect the Great Lakes	Poor



Putnam County Villages Get National Recognition from US EPA

The Villages of DuPont and Cloverdale are small villages located in Perry Township in western Putnam County near the Paulding County line. The population of DuPont, according to the 2020 census, is 212 followed by Cloverdale, three miles up the road with 170 residents. Like many other small places in Ohio, both villages were under orders from Ohio EPA as failing septic tanks were contributing to water quality problems in the Auglaize River which filtered to the Maumee River and algal blooms in Lake Erie. The problem was also creating a drinking water hazard for local water wells.

As is the case for many smaller communities, finding a solution was generally not affordable for the many residents on limited fixed incomes. With the help of Albers and Albers law firm in Columbus and Christopher Hunt, President of Hunt Engineering, LLC, from Tarlton, the neighboring northwest Ohio communities of Dupont and Cloverdale began coordinating together in 2018 to propose a regionalization project. A financing package was developed that qualified them for the Ohio SRF's Water Pollution Control Loan Fund (WPCLF) principal forgiveness and grant funding. Dupont received \$4 million in CWSRF principal forgiveness as well as grants from the U.S. Army Corps of Engineers, the U.S. Department of Housing and Urban Development, Community Development Block Grant (CDBG), and the Ohio Water Development Authority (OWDA). Cloverdale received a \$902,000 CWSRF loan at a 0% "small community" rate, \$500,000 from the OWDA, and grants from the CDBG program.

Last year the US EPA awarded the STEP Collection System national recognition under the George F. Ames Performance and Innovation in the SRF Creating Environmental Success (PISCES) program for **Excellence in System Partnerships**.

After analyzing the options they could afford, the village leaders chose a pressurized, liquid-only sewer followed by a two-stage, packed-bed filter treatment system. For the sewer, a processor tank is installed underground at each lot that connects to the sewer system. The processor has a unique, patented "meander" design for superior solids settling, solids removal, and primary wastewater treatment. Inside the processor, solids are screened by a passively self-cleaning pump vault and filter, so only liquids are transported to the treatment facility. Small-diameter service lines that follow the contour of the land carry the primary-treated effluent from the processor to the treatment facility.

The treatment system uses a fixed-film attached-growth treatment process and is an effective and affordable solution for small communities and small-flow applications. In these systems, wastewater is uniformly distributed onto unsaturated textile media. The system uses fractional-horsepower fans to draw air through the media and provide sufficient oxygen for aerobic digestion. Low-horsepower, high-head turbine pumps operate intermittently with sophisticated controls that automatically adjust pump run times based on daily flows to meet preset recirculation ratios. The energy needed for aerating and distributing the wastewater onto the media is considerably less than for activated-sludge treatment systems typically used by larger municipalities.



State Bond Rating Reaches Zenith

Late last year it was announced that S&P Global Ratings upgraded the state’s issuer default and general obligation bond ratings to “AAA,” citing Ohio’s demonstrated commitment to active budget management, building and maintaining reserves, significant state-supported economic diversification efforts, and a belief that the state can maintain better credit characteristics than the U.S. in a stress scenario.

The S&P Global Ratings “AAA” credit upgrade came one week after Moody’s Investors Service elevated Ohio’s rating to “Aaa” and one year after Fitch Ratings upgraded the State to “AAA.” This is the first time that Ohio has been rated “AAA/Aaa” by all three rating agencies.

“Achieving this rating from not just one, but all three major credit agencies is historic,” said Governor DeWine. “This remarkable financial milestone underscores that Ohio is at the forefront of financial excellence and economic innovation. Our strategies are yielding tangible benefits, making Ohio a prime destination for businesses and families.”



Ohio’s Public Retirement Systems Report Investment Returns & Amortization Periods—Are Employer Rate Increases on the Horizon?

Ohio pension funds saw returns ranging from 5.1% to 8.3% for the first half of 2023, with more noticeable divergence among the funds’ performance and strategies than has been typical, an investment expert told the Ohio Retirement Study Council (ORSC) at a recent meeting. ORSC also reviewed formal actuarial valuations for three of Ohio’s systems: Ohio Public Employees Retirement System (OPERS), Ohio Police & Fire Pension Fund (OP&F) and the Highway Patrol Retirement System (HPRS). Those valuations can trigger a statutory requirement for long-term funding plans, but none of the three met those parameters. The law requires to submit a plan if the valuation shows it will take more than 30 years for them to pay down their unfunded liabilities. The amortization period for HPRS was reported at 21 years; for OPERS, at 16 years; and for OP&F, at 26.7 years.

In the case of OPERS, the pension board approved an action last October that would ask the Legislature for the first statutory maximum employer contribution rate increase in nearly 50 years.

OPERS’ proposed legislation would:

- Increase the statutory maximum employer contribution limit from 14% to 18%.
- Set the law enforcement and public safety statutory employer contribution rate to the same rate as that of the Ohio Police & Fire Pension Fund.
- Establish a plan and schedule for contribution rate increases, to be determined annually by the OPERS Board of Trustees.
- Pursue legislation once every 10 years that would increase the statutory employer maximum by up to 1% if the Actuarially Determined Employer Contribution is higher than the statutory maximum.
- Determine the impact to the Member-Directed Fund at a later date.



According to OPERS: “The OPERS Defined Benefit Fund has a significant unfunded liability because of past benefit increases, a decreasing active member-to-retiree ratio, weakening investment return assumptions and actual market losses in 2008 and 2022. If OPERS experiences poor investment results, the fund’s amortization period could exceed the state-mandated level of 30 years, and further benefit changes could be required. Health care also is at risk because only the employer contribution can fund health care, and currently all of that contribution is necessary to fund pensions.”

Tax Levy Results from Last November’s Election

A total of 1,766 local issues were before voters on the November ballot. These included issues addressing police and fire funding, liquor sales, operating levies, funding for parks and recreation programs, human service levies for local boards of developmental disabilities, mental health and health, infrastructure issues, as well as school and library levies. Following are the results on selected school, library and countywide health and human services levy results:

Type of Levy	# Approved	# Defeated	% Approved
School District	115	52	69%
Library	25	1	96%
Children’s Services	14	2	88%
Alcohol, Drug & Mental Health	11	0	100%
Senior Services	11	0	100%
Countywide Health	8	1	89%
Developmental Disabilities	12	1	92%

It should be noted that these figures include new and increased levies, renewal levies, and replacement levies. In the case of schools, many renewal levies were successful, while increases and replacement levies did not fare as well. In general, the data shows that Ohio taxpayers are supportive of local services.

H2Ohio to Address Water Contamination Caused by Road Salt and PFAS



Funding is now being provided to help local governments to improve road salt storage and distribution practices in a manner that reduces salt pollution in Ohio's waterways. The H2Ohio Chloride Reduction Grant Program will award a total of approximately \$1 million and up to \$75,000 per applicant in grant funding for equipment upgrades that will prevent the over application of salt on Ohio roads and reduce the amount of salt running off into Ohio's streams, rivers, and lakes. According to the Ohio EPA, heavy salt runoff is toxic to aquatic life and can also pollute drinking water sources, leading to higher treatment costs and infrastructure corrosion.

Among the items that qualify for funding are live-edge blades, salt spreader control systems, brine mixers, and structural upgrades to salt storage facilities to prevent ground water contamination. In addition, to further reduce salt runoff, ODOT will support Ohio EPA in a public education campaign for local governments on the problem of the overapplication of salt. The campaign will encourage those using road deicer salts to follow best management practices, apply less salt, and use best available technologies for applying salt.

Also, the new H2Ohio River Initiative will address river contamination by per- and polyfluoroalkyl substances (PFAS), also known as "forever chemicals." The expanded program will see Ohio become the first state to conduct a statewide survey measuring large rivers for the existence of PFAS. Those baseline measurement findings will be used to guide Ohio's work to remediate any contamination and give insight on any sport fish consumption advisories.

Advances Made in Measuring PFAS

New research led by a researcher from the University of Toledo (UT) is helping to improve how per- and polyfluoroalkyl substances (PFAS) are measured in the environment. UT chemistry professor Emanuela Gionfriddo and her team developed techniques that can accurately measure the "forever chemicals" onsite in surface water and drinking water. Her team created a miniaturized probe that can quickly detect PFAS at exceptionally low concentrations and even applied the method to measure pesticides and pharmaceuticals.



"You can basically bring the lab on-site without having to bring samples back to the lab," Gionfriddo said. "We tested our approach with drinking water and other environmental waters, and it worked beautifully." Now, the team is taking the research a step further: learning how to detect forever chemicals in fish tissue "in vivo" — while the fish is still alive.

Ohio Sea Grant is supported by The Ohio State University College of Food, Agricultural, and Environmental Sciences (CFAES) School of Environment and Natural Resources, Ohio State University Extension, and NOAA Sea Grant, a network of 34 Sea Grant programs nationwide dedicated to the protection and sustainable use of marine and Great Lakes resources. Stone Laboratory is Ohio State's Island campus on Lake Erie and is the research, education, and outreach facility of Ohio Sea Grant and part of CFAES School of Environment and Natural Resources.