

THE CORD REPORT

The Official Quarterly Newsletter of CORD



MORE STORIES INSIDE:

- **Legislative Update - 2**
- **Changes to Contract Retainage Law - 4**
- **Jerry Greiner to Retire- 5**
- **Top Drawer Regional Districts ABC Regional Stormwater District- 7**
- **Cash Segmentation - 8**
- **Fee, Rate Setting, and Affordability - 10**
- **Regional District Reminders - 16**
- **Recognition Members- 18**
- **Holiday Greeting- 22**

CORD

1086 N. 4th St., Suite 105
Columbus, Ohio 43201

CORDOHIO.ORG

Contact Our Staff

Larry Long, Director of Membership Development: larrylong@cordohio.org
Catina Taylor, Executive Assistant: catina.taylor@alberslaw.com

GENERAL ASSEMBLY WRAPS UP FOR 2025 WITH MUCH MORE TO COME IN THE NEW YEAR

Michael Guastella
Director of Public Affairs, Governmental Policy
Group, Inc.
michael@gpgrhr.com

End of 2025 Recap

The Ohio General Assembly was back in action from the middle of September to just before the Thanksgiving holiday. Legislative action concluded for 2025 in a "mini lame duck" marathon session on November 19, that ultimately extended into roughly 2 AM of the following day! It is expected that the General Assembly will now be out of session for the remainder of 2025.



Here is a brief recap of action on priority legislation that has occurred since our last update!

Priority Legislative Updates

HB 92/Senate Bill 118 – Water Liens

HB 92 and SB 118 are bills that would change the way water utilities collect unpaid water bills. This legislation, 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.

HB 92 and SB 118 started out as companion bills – meaning they were identical bills introduced in each chamber of the Legislature. However, after five hearings on HB 92 in the Ohio House Local Government Committee and four hearings on SB 118 in the Ohio Senate Local Government committee, the bills have each received substitute documents and are slated for further action in the New Year.

An important point to continue to make for our purposes is that 6119 districts are not currently affected by either of these bills. However, CORD remains engaged in the legislation, ready to oppose should 6119s become included.

HB 139 - Fire Hydrant Maintenance Plans

HB 139, introduced by Representative Thomas Hall, is a bill that (in its original form) would have required public water systems to conduct annual inspections, annual flow testing, and annual maintenance of every fire hydrant in the water system.

CORD immediately engaged with Rep. Hall to express our grave concerns with the costs associated with this bill and worked to find an alternative solution that worked for both sides. CORD was successful in producing substitute language that, instead of being very prescriptive in what was required, simply stated that it was incumbent on the public water system to come up with a "fire hydrant maintenance plan" and make it part of their existing asset management plan. This is already a requirement, so this should affect CORD members very little, assuming your District's asset management plan is already in place.

At the most recent hearing of the Ohio House Local Government committee, our substitute language was accepted as the HB 139 working document. At the next hearing, it is expected that further minor tweaks to the bill will be included.

HB 180 – Prohibit Purchase of Foreign-Made Drones

SB 180, introduced by Senator Terry Johnson, would prohibit a public entity (including a 6119 district) from the use and purchase of foreign-made drones. Several CORD members have indicated that the use of drone technology is common for District operations; usually involving leak detections. Members further communicated that the quality of foreign made drones is far superior, while also being less costly, than domestically made drones.

For these reasons, CORD leadership decided to oppose SB 180. CORD met with the bill's sponsor to discuss our concerns with the bill to go "on record" to make sure he knew our position. CORD chose not to submit written opponent testimony but rather take a meeting with the bill sponsor in person, as we felt that was more effective.

SB 180 is currently pending in the Ohio Senate Transportation committee and has had three hearings, most recently on October 29, 2025.

Preview of 2026 and the Rest of the 136th General Assembly

The Ohio General Assembly is expected to be back in action sometime in mid-January to early February. From there, we can expect regular committee and session schedules until likely sometime in April, where members will return to their districts to campaign for the primary election to be held on May 5, 2026. After the primary, they will likely return by the middle to end of May, where they will begin work on the capital budget, the biennial budget that appropriates funding to build and maintain the literal, physical "capital" assets of the state such as schools, critical infrastructure, etc. That work will conclude sometime in mid-to-late June, and that will end legislative activity for the remainder of the summer. It is likely that, after the capital bill is passed, the GA will not return to the Statehouse until after the November election and the infamous "lame duck" period of the General Assembly. "Lame duck" refers to the period directly after the general election, but before the beginning of a new General Assembly.

For many reasons, this is expected to be a very busy lame duck. For more, we peak into the political side of the equation...

2026 Political Review

As mentioned above, the lame duck sessions are expected to be wildly busy this time around. In 2027, we will have a new Senate president, a new Governor, a new session of the General Assembly, and many new members of the General Assembly due to election outcomes or term limits. Leading up to that, however, is a slightly different story.

While it is expected to be a dramatic general election to be Ohio's next governor, the primary elections will have much less fanfare. Vivek Ramaswamy has a clear path to secure the Republican nomination, with no significant challengers, and Amy Acton has the same for the Democrat primary. After months of speculation on if former Congressman Tim Ryan would enter the race, Ryan recently made a statement to share that he has decided against a run. This comes on the heels of former US Senate Sherrod Brown deciding to challenge US Senator Jon Husted for his old seat, which is expected to be a historically expensive race that could shift the balance of power in the United States Senate.

Questions and Contact Information

If you or members of your staff have any questions on new or pending legislation, please contact Michael Guastella at Governmental Policy Group, michael@gppgrhr.com.

NEW CHANGES TO CONTRACT RETAINAGE RULES FOR PUBLIC IMPROVEMENT PROJECTS

Michael Guastella
Director of Public Affairs, Governmental Policy
Group, Inc.
michael@gpgrhr.com



Summary

On September 30, 2025, the policy and permanent law changes of House Bill 96 (the state's most recent operating budget) took effect. CORD is proud to serve as your eyes and ears at the Statehouse and focus on combing through every word of the operating budget to ensure that the interests of 6119 districts are protected.

CORD was the first local government group to notice a significant change that affects all public improvement projects of the state - big changes to the contract retainage laws. This document outlines the final version of those changes.

Retainage Overview and the "As-Introduced" Version

If you are unfamiliar with what retainage is, it is a small portion of a project's overall budget that gets held back when a project is functional but has not quite reached the legally defined final completion stage - this is referred to as "substantial completion."

As part of the as-introduced version of HB 96, these changes would have required public entities, like Regional Districts, to make a final payment to contractors when the project was only at the substantial completion stage of the project, not at final completion.

As well, Governor DeWine's proposal sought to adjust the 8% retainage on the first half and instead extend it to 4% (or less) across the entire project duration, remove the escrow requirement, and require payment of retained funds plus interest within 30 days of substantial completion (again, rather than at final completion) of the project. It also clarified that those funds, and any interest accrued, would be the property of the contractor.

Negotiation, Compromise, and Final Language

CORD identified a significant problem with having "substantial completion" being the final payment metric. Namely, this undercuts a District's ability to conduct the final "punch list" of items. CORD did not have an issue with any of the other proposed changes related to this measure.

We immediately engaged with the other interested parties on this issue and came up with a compromise: accept the new "timely pay" payment to contractors but retain the public entity's ability to withhold the retained funds until final completion of the project.

This is ultimately the language that was included in the bill as enacted. These changes officially took effect on September 30, 2025. Public entities engaging in improvement contracts will need to update their administrative processes to comply with the new requirements. The updated statutory language can be found at [this link](#) on Pages 354 - 356. Also, refer to ORC Sections 153.12 and 153.13.

JERRY GREINER TO RETIRE FORM THE NORTHWESTERN WATER AND SEWER DISTRICT

**Written by Theresa Pollick
Public Information Officer
The Northwestern Water and Sewer District**

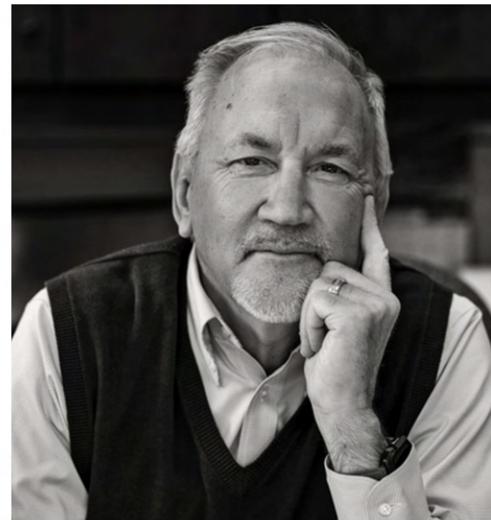
A Career of Service: Reflecting on the Retirement of Jerry Greiner

After nearly four decades shaping public utilities in Northwest Ohio, Jerry Greiner, President of the Northwestern Water and Sewer District in Bowling Green, is set to retire, closing a remarkable chapter in local government leadership. Jerry's timing, he says, feels right—for him and for the organization he's led with vision and pragmatism since 1988.

"It's a good time," Jerry reflects. "Part of it is when I'm ready and the organization's ready, and it seems both those are coming in line." Still, he's determined to wrap up key initiatives before stepping away: updates to the county's land use plan, annual budget work that shapes future rates, updated system development fees, and economic development projects. "There's the usual personnel tasks as well, making sure we're ready as a few others retire after I do," Jerry adds.

Over his long career, Jerry has seen—and driven—tremendous change in how public utilities serve the region. Technology now enables faster, better communication and higher standards for customer service. The field itself is more professional and responsive, thanks in part to tighter EPA regulations and an elevated commitment from operators. "We're much more efficient and more timely. Things are in place to ensure customers are served, and if they aren't, there are always opportunities for them to let us know," Jerry notes.

As for what he's most proud of, Jerry points to the professionalism of his team. When he arrived, "there was one guy with one license—and he got fired fairly quickly." Now, licenses line the hallway, a testament to the staff's commitment to training and growth. As The District went from serving small areas in Wood County to reaching four other counties, Hancock, Henry, Lucas, and Sandusky. The District now manages \$230 million in assets, distributes 6.5 million gallons of water daily, and treats 900,000 gallons of wastewater daily. It was a team effort that made these successes possible. "Being part of so many employees coming together and getting it right most days—that's what matters."



Among countless milestones, two projects stand out: the Lake Township expansion in 1995, which brought thousands more households into the system, and the transfer of Toledo customers, an ambitious undertaking that reshaped daily operations and billing across regions. Both, Jerry says, were complex and ultimately transformative for The District.

Jerry found day-to-day satisfaction in overcoming crises and simply getting the job done right. He recalls the Toledo water quality scare in 2014: "We spent long hours here, even though we weren't at direct risk. Just making sure everything was right for our customers."

The lesson? "Things run smoothly most days—but when they don't, someone's here to make sure issues get resolved quickly and the public isn't affected."

Trust has been a watchword for Jerry's leadership. Over 37 years, he navigated partnerships with four counties, countless elected officials, and over 75 employees. "We made the effort to communicate honestly and keep people involved. That built the trust needed, whether with board members, staff, or customers," he says.

The legacy Jerry hopes to leave is one of a positive, purpose-driven culture. "I'd like to think people are here for more than just a paycheck. They come back day after day because they believe in what we do, and I'm proud of that." Looking back, Jerry wishes for even more cooperation across government entities and for the public to better appreciate the essential work of utilities. "The public has gotten more difficult to deal with these past decades, and sometimes the biggest issues go unnoticed," he observes.

Jerry's involvement with CORD (Coalition of Ohio Regional Districts) was another point of pride—ensuring regional voices were heard statewide, even as different entities faced varying challenges and growth.

Many of Jerry's values—hard work, independence, dedication—come from his farm upbringing. "On the farm, you didn't take days off. If you didn't do the work, it simply didn't get done. That stuck with me."

As he looks forward, Jerry admits he's unsure how he'll fill the new free time, but a few dreams—like finally attending spring training—beckon. "Maybe a more leisurely pace will take hold. We'll see. Check back with me in a year or two," he laughs.

To the staff, board, officials, and over 20,000 customers he's served: "Congratulations—because probably nobody else wanted to do it! If things work out, it's only proven year after year, decade after decade. Follow rational procedures—don't take unwise risks, and serving the customer will always pay off."

With Jerry Greiner's retirement, the District recognizes a leader whose grit, adaptability, and steady hand helped lay a foundation for service that will endure for decades to come.





TOP DRAWER REGIONAL DISTRICTS: THE ABC STORMWATER DISTRICT: SANITARY BACKFLOW VALVE REIMBURSEMENT PROGRAM HELPS DISTRICT RESIDENTS

Written by Marilyn Sferra Kenner, P.E.
Boardman Projects Coordinator
ABC Water and Storm Water District



The ABC Water and Stormwater District is a strategic watershed partnership between Austintown, Boardman, and Canfield Townships, in Mahoning County. The District was created in 2009 to address issues relating to stormwater quality and quantity by petition of the three Townships to the Court of Common Pleas.

Among the issues for which the District was established are also flooding and the improvement of water quality. The infrastructure that has been put in place to maintain and repair the District's infrastructure needs to be maintained and repaired. New infrastructure will also need to be constructed as the area grows and the needs of the area change. A primary source of funding for the stormwater management projects is from a stormwater fee based on impervious surface areas, along with grants and other sources of revenue.

Water quality may be impacted by pollution, sedimentation, and illicit discharges into area waterways. The District funds various projects and facilities designed to deal with all of these issues.

For years, heavy rainstorms in Mahoning County caused frequent basement flooding due to footer drains and downspouts connected to the sanitary sewer system. Stormwater entering through basement drains damaged furnaces, washers, and other household items--- losses often not covered by insurance. To address this issue, Mahoning County launched a Backflow/Gate Valve Reimbursement Program in 1994. The program helps homeowners prevent flooding by installing a gate valve on the main sanitary drain and, in some cases, a sump pump. Homeowners can receive up to \$3600 in reimbursement when using an approved plumbing contractor and providing proof of installation and payment.



About the author: Marilyn Sferra Kenner, P.E. is a coordinator with the ABC Water & Stormwater District. She retired as the Boardman Township Road Superintendent earlier this year and took the part-time position to help the township implement federal flood mitigation grants. Kenner worked for the county engineer's office for 32 years, spending the last 23 as chief deputy engineer before retiring in 2012. In 2013, she began working for Boardman as assistant zoning inspector before taking the road superintendent job in 2016.

In 2023, the ABC District began supplementing the County program by offering up to \$1,500 for Boardman Township residents who meet the County requirements. Initially funded with \$40,000 in stormwater fees collected from Boardman residents, the program was expanded by an additional \$20,000 in 2025 after high demand. To date, thirty-six households have received assistance.

As weather patterns continue to change, the ABC Water and Stormwater District remains committed to supporting this initiative. For further details, visit www.abcwatedistrict.com.

CASH SEGMENTATION: TURNING CASH FLOW INTO A DISCIPLINED INVESTMENT STRUCTURE

Written by Kirk Ludwig

Director

Institutional Investment Management

SJS Investment Services

In the last issue of The CORD Report, I emphasized that understanding your District's cash flow is the foundation of any sound reserve strategy. Knowing when dollars will be needed helps determine what must remain liquid and what can be invested for longer periods. This article builds on that idea by introducing a practical framework that turns cash-flow awareness into a disciplined, repeatable investment structure rather than a reaction to current market yields.



We refer to this approach as cash segmentation, and it begins with the recognition that not all dollars serve the same purpose. A clear framework typically includes three segments:

- **Operating Cash (0-3 months):** Funds for payroll, utilities, chemicals, routine payables, and other immediate obligations. These belong in highly liquid, easily accessible vehicles.
- **Project & Contingency Cash (3-18 months):** Dollars set aside for seasonal fluctuations, smaller capital invoices, or anticipated short-term needs. These can often be aligned with CDs, agency bonds, or Treasuries maturing when those needs arise.
- **Reserve / Strategic Cash (18-36+ months):** Funds tied to long-term planning, such as storage tanks, lift stations, engineering phases, and other large capital projects. These can be invested using a ladder of intermediate-term maturities to achieve predictable income that aligns with future obligations.

Kirk Ludwig
Director of Institutional Investment Management, Senior Advisor
SJS Investment Services

This framework also helps Districts avoid a common temptation. When money-market yields exceed those of two- or three-year government bonds, it can appear prudent to keep everything short. But that decision is driven by today's yield rather than tomorrow's obligation. Cash should be held because it is needed soon, and not necessarily because a short-term option temporarily pays more. A District that keeps project dollars fully in overnight cash simply because rates look attractive today risks being exposed to reinvestment risk when yields fall. Segmentation counters this by assigning dollars to buckets before comparing yields, ensuring that investment decisions remain tied to purpose rather than market noise.



Ultimately, **segmentation** creates discipline. Each bucket has its own rules for liquidity and maturity, reducing the impulse to chase short-term rates and helping ensure that investments remain aligned with operational cycles and capital plans. It also provides clarity for Oversight Committees by establishing a shared framework for why funds are allocated the way they are. Over time, this structure transforms cash flow from a static schedule into a long-term investment map that can strengthen financial resiliency and improve predictability, without relying on interest rate forecasts or reacting emotionally to shifting headlines.

As with all public-fund strategies under Ohio Revised Code Section 135.14, the guiding principles remain safety, liquidity, and reasonable return. Cash segmentation simply offers a more organized way to apply them. By viewing your reserves through the lens of purpose and timing rather than yield alone, your District can build a steadier, more disciplined investment approach that supports both day-to-day operations and long-term infrastructure needs.

Kirk Ludwig is a Senior Advisor at SJS Investment Services with over 30 years of industry experience, working with institutional and Ohio public entity clients to develop fixed income strategies that balance safety, liquidity, and return. As a member of the SJS Investment Committee, he leads and contributes to their fixed income strategies and oversight, helping clients align their portfolios with legal guidelines and long-term objectives.

Important Disclosure Information:

There is no guarantee investment strategies will be successful. Past performance is no guarantee of future results. Diversification neither assures a profit nor guarantees against a loss in a declining market.



Kirk Ludwig
Director of Institutional Investment
Management, Senior Advisor
SJS Investment Services
[WEBSITE](#) | [BIO](#) | [MAP](#) | [EMAIL](#)

Empowering You to Build a Better Life

P 419.885.2626 | 800.434.4406

F 419.885.2236

SYLVANIA | PERRYSBURG | SCOTTSDALE | CHICAGO

BUILDING A FRAMEWORK FOR FINANCIAL RESILIENCEY

Written by Joe Crea
Raftelis

The list of challenges that water and sewer systems have had to navigate over the past decade is long: sanitary and combined sewer overflows, water resource planning, nutrient removal, pandemic and supply chain struggles, historic cost inflation, lead replacement, and PFAS dominate the top spots on the list of things keeping utility managers awake at night. And all of these issues are in addition to the fact that infrastructure is often at the end of its useful life and in desperate need of costly renewals and replacements.



As utilities wrestle to fund the growing capital needs, they are also pressed to control overall costs and keep customer rates low, which has become increasingly more difficult in the face of stagnant or declining water sales. The inevitable result is a looming water sector infrastructure emergency - assets at or near the end of their useful lives with under-funded asset management programs, unfunded regulatory mandates, and unaware citizens that take safe and reliable drinking water for granted.

The list of challenges facing utilities is constantly growing and filled with complex and multi-faceted issues. Each of these issues can impact financial outcomes on their own, and when stacked upon one another, the result is even more significant financial implications.

The water sector has a choice:

1. We can continue doing the same things that have been done for decades and hope for the best.
2. We can guess what the future will hold and create a structure that is resilient to these changes.
3. We can develop a framework of financial management and decision-making that provides for adaptation to an uncertain future.

Clearly, hoping for the best is not a strong planning mechanism. Being resilient is the ability to become strong or successful again after something bad happens. This is an improvement over just hoping, but it is already conceding defeat to an inevitable bad event. Alternatively, a utility capable of adaptation can change to address a new purpose or situation, thus avoiding, or at least minimizing, the consequences of the "new normal" of the future.

This article will focus on the need for cash reserves, the effect of conservation on rate structures, and how understanding credit ratings and overall financial management can create a water utility that is able to adapt to the "new normal" to achieve sustained, long-term success.

The intent of an asset management program (AMP) is to provide public water systems (PWSs) with a tool to better manage, operate, and maintain their water systems so that they can cost-effectively and consistently meet safe drinking water requirements. Ohio EPA regulations governing asset management can be found in Ohio Revised Code Section 6109.24 and Ohio Administrative Code Chapter 3745-87.

Managing the Enterprise like a Business

By their nature, Ohio 6119 districts are independent organizations as opposed to being components of a larger municipal or county government as a dedicated enterprise fund. The common thread to each of these structures is that the utility is typically intended to function self-sufficiently without support from a general fund or other revenue source. The essential nature of the work and service provided by water utilities limits the risk of this independence. Furthermore, to ensure that the most valuable asset to any community continues to provide safe and reliable service into the future, water utilities need to manage their enterprise like a business. In doing so, a utility should keep in mind the following:

- A successful business has short-, mid-, and long-term plans that evaluate and strategize for many potential realities.
- A successful business regularly invests in its infrastructure and assets to keep everything in strong working condition.
- A successful business studies and measures its historical performance so that it is able to make timely decisions when current performance fails to meet expectations.
- A successful business understands and respects their customers and key stakeholders and makes decisions that are in their best interest.

Planning to Succeed

The water utility industry is founded on complex engineering and science. The men and women who designed and built the systems relied on plans that accounted for environmental and physical stresses. In the same manner, utility managers cannot expect to run a successful and sustainable utility without a comprehensive financial plan that accounts for the needs, wants, and potential risks of the enterprise.

The key outcome of any financial plan is a projection of revenues that are sufficient to fund expenditures over a given forecast period. For water utilities, the revenue portion is primarily driven by revenues generated from user rates and charges and the expenditures are primarily driven by operating and maintenance expenses and capital expenditures from borrowing or annual outlays. Both of these elements are interwoven with a level of risk that varies for each utility and even for the same utility over time.

The number of customer accounts and volume of water consumed are the most common bases of generating revenue from the users of a water system. Account-based charges typically generate a consistent stream of revenue as the number of accounts is less susceptible to dramatic changes year after year. Charges based on the quantity of water consumed generate less reliable revenue as customer usage patterns can change dramatically depending on weather patterns, economic conditions, and behavioral changes. In addition to these external revenue risks, a utility may also be impacted by internal risks such as the willingness of its governing body to increase rates.

Utilities must manage and operate complex, geographically expansive, and largely buried systems around the clock. The costs associated with operating water systems are significant and despite advances in technology that have improved efficiency these savings are often offset by cost increases. Substantial cost increases have impacted many key components to providing water services, including: energy, chemicals, materials and supplies, and personnel benefits (healthcare).

The importance of a comprehensive, long-term financial plan is evident with so many variables and uncertainties related to both revenues and expenditures. A successful plan allows a utility to manage and account for annual changes in its operating budget, capital plan, customer usage patterns and any other variables while seeing the potential impact of key financial metrics and targets.

A plan of this nature lends itself to computer-based modeling, either through custom software or more accessible solutions such as a spreadsheet-based model (e.g., Microsoft Excel). Monitoring projected operating costs, capital needs and their method of financing, customer data and trend analysis, and the rates and charges necessary to meet future expenditures should all be key components of any comprehensive financial plan. An example of a financial planning model is shown below depicting how complex financial forecast information can be presented using easy to understand graphics and includes insightful scenario management controls.



FIGURE 1. EXAMPLE OF A FINANCIAL PLANNING MODEL

While not all water districts use publicly issued debt (revenue bonds), the methodologies used by rating agencies for assigning credit ratings to municipal debt offer a good rubric for evaluating fiscal health. Some of the key financial metrics include debt coverage ratios, liquidity and cash reserves, outstanding debt and other liabilities, and financial management policies. A comprehensive financial plan must incorporate calculation of, and risk assessment related to, these various criteria. Each utility should develop specific guidelines based on their unique situation and in collaboration with their financial advisory team.

Purposeful adaptation requires knowledge and an expectation of potential outcomes, otherwise it is simply guessing. When presented with a challenging situation, having a comprehensive financial plan allows utility managers a controlled environment to test the effects of changing variables. If a new regulation would require a \$25 million capital investment, a quick analysis using the computer model could tell the utility manager the impact to financial metrics, customer bills, and future operating needs. It would also allow a utility manager to consider alternative financing mechanisms to find the most optimal structure.

Investing for the Future

With system assets that are 50, 75, or even 100 years old, every dollar a utility invests today will provide benefit into the future. Financing large capital improvements can be a challenge for any utility, especially for utilities with budget constraints. As difficult and expensive as projects may be, taking a proactive approach to asset management and system renewal and replacement will always be less expensive than waiting for asset failure to react. There may also be compliance repercussions from waiting for failure of an asset before making the investment.

Many utilities throughout the Country have implemented rates and charges that are specifically designed to fund necessary capital improvements in the system. These can be regulatory driven, asset management based or tied to some other initiative; what is important is that a separate and dedicated funding source is established and the importance of that investment is clearly communicated to system customers and stakeholders.

If current revenues are insufficient for capital projects, the most common method of funding large projects is through borrowing. Borrowing comes in many forms, including direct loans, state revolving funds (SRF), general obligation bonds, and revenue bonds. Ohio has one of the most robust and well-managed SRF programs in the country that is administered by the Ohio Water Development Authority (OWDA).

Learning from History

Advances in technology over the past 20 years have made the ability to collect, analyze, and learn from historical performance easier than at any time. Automated meter infrastructure, SCADA, GIS, imaging, artificial intelligence (AI) and other technologies allow utilities to track source water all the way through end use. At times it is easy to be overwhelmed with the quantities of information available, but a smart utility knows what is critical for measuring key performance indicators that drive key results.

Internally, utilities can track and manage operating costs to determine if costs are on budget and if unusual trends appear for specific costs. Questions that a utility should be able to answer include, but are certainly not limited to:

- At what rate are operating costs increasing?
- What are the key drivers of any increases?
- Are we utilizing the talents of utility staff to limit our spending on contract services?
- Are there external factors that, if we limit our exposure to, could reduce our spending?

Utilities are required to report performance to regulatory agencies, and analysis of this data can help operations managers understand and optimize the system. Examples include:

- How many millions of gallons of water are treated each day? How much unaccounted for water do we have?
- What level of contaminant removal is achieved at treatment plants? Do we require additional chemicals at varying times throughout the year? Can we time our purchases to minimize cost?
- What are our peak hourly, daily, and monthly production rates? Can we use this to optimize storage and production levels?

Collecting data and doing nothing with it is no better than having no data to begin with. A successful utility will analyze its data to identify trends and conclusions that will help influence future decision making. They will also continually monitor their key performance indicators to be able to respond to changing conditions in real time.

Building Trust with your Largest Stakeholders

Water utilities provide a community's most valuable resource to its customers. It is imperative that financial management decisions be made with an awareness that a utility's customers are typically the system's owners as well. Managing the utility and making decisions that are in the best short- and long-term interest of its owners will help create an environment where a community trusts and is willing to collaborate with the utility.

Nothing will capture the attention of customers, governing boards, and elected officials like an unexpected, large rate increase (and the attention is often not the desired variety). Proactive planning generally provides for small, manageable rate adjustments that customers and the utility can predict and plan around. Whether approved in multi-year plans or annually, this is a simple step every utility can take to help promote customer trust.

Consider a current opportunity many utilities are exploring that also come with substantial risks: adding data centers to their service area. On one hand, a potential customer that may use one million gallons per day of water is an exciting proposition for a utility looking to increase revenue to fund improvements. However, these customers often use water inconsistently and can have extreme peak water demand needs. This can place equally extreme pressure on treatment and distribution systems, particularly in smaller, rural systems.

A utility that was prepared to evaluate and act on this opportunity would have a number of resources available to assist its managers. First, the utility would have a robust financial planning model that could estimate the potential revenue generation from a new data center customer against the potential costs needed to meet their service requirements. A well-prepared utility would also have a rate model that can determine if this new large user would recover an equitable share of costs given the impact they place on the system. Both of these responses require foresight and proactive financial management. Depending on the information this analysis yields, a utility can come to an agreement with the new customer that protects the utility's long-term interests without sacrificing existing customers.

A utility that does not foster a respectful relationship with its customers may have difficulty in communicating the potential value of a new large water use customer (or perhaps to explain why actually not serving that customer is in the community's best interest). Customers that trust their water utility because of sustained transparency and reliable management will extend this trust to a new issue like providing service to a new large water use customer.

Becoming Newsworthy Organizations

Water, sewer, and stormwater providers are the most valuable asset to their communities. We provide our communities with immeasurable benefits related to public health, economic development, and environmental stewardship. Being organizations that can adapt to ever-changing environments while continuing to provide high-quality and reliable service will allow us to continue providing these critical benefits. For decades utilities have adapted and responded to changes that have created the incredible systems most of our customers rely on without even noticing they exist. It is an indicator of the incredible talent and resourcefulness of all that work in our industry, and an opportunity for the next generation to be able to duplicate their success in the face of evolving challenges.



About the author: Joe Cera leads Raftelis' Cincinnati Office. Joe has worked with water and wastewater agencies across the country on rate and financial planning studies, cost-of-service studies, interjurisdictional agreements, capital financing plans, and customer affordability analyses. You can contact Joe at jcrea@raftelis.com.



REGIONAL DISTRICT REMINDERS: IN CASE YOU MISSED THEM

Recent Auditor of State Advisory Bulletins of Interest to Districts

On October 16, Auditor of State Keith Faber released two bulletins of note to Districts.

Bulletin 2025-012 concerns an Ohio Ethics Commission (OEC) opinion regarding rewards (such as frequent flyer miles, points programs, etc.) earned during official business by public officials and employees.

Provided that the points are earned in the same manner as a private individual and they do not impose additional costs to the public agency, use of rewards is not considered additional compensation and is permitted. Public officials, however, are prohibited from selecting vendors or services solely to earn points for personal use. The Auditor of State recommends that public offices adopt a policy for personal use of reward points accrued during public business.

The second bulletin, Bulletin 2025-013, provides guidance on how public offices can reimburse officials or employees who have made lawful expenditures on behalf of the office using a personal credit card or checking account, particularly if the public office is tax-exempt. The bulletin recommends that public offices adopt a written policy on the use of an entity's tax-exempt certificate and the use of personal credit cards and checking accounts for public purposes.

CORD encourages Districts to review these Bulletins if they have not already done so and take appropriate actions.

Change in Public Employment Risk Reduction Program Notices

ORC 4167.11 requires The Bureau of Workers Compensation (BWC) to adopt rules requiring every public employer, including Districts, through posting of notices or other appropriate means, to keep their public employees informed of public employees' rights and obligations under ORC Chapter 4167.



Keith Faber
Auditor, State of Ohio

S.B. 33 of the 136th General Assembly amended (ORC 4167.11, effective July 21, 2025) to provide that the rules shall allow any required notice to be posted on the internet in a manner that is accessible to the public employer's employees. The BWC has changed Ohio Administrative Code Rule 4167-4-01 to allow public employers to post Public Employer Risk Reduction (PERRP) notices on the internet in a manner that is accessible to their public employees. The new Rule became effective on November 1, 2026. Click the [link](#) to access the full body of the rule .

Recent New Ohio EPA Rules and Effective Dates

Following are some final rules adopted by the Ohio EPA that may be of interest to Districts and their effective dates:

- NPDES Rules Division of Surface Water Effective 10-31-25. Six new rules can be found in Ohio Administrative Code Chapter 33745-38.
- Permit-to-Install Rules for Wastewater Division of Surface Water Effective 11-13-25. All rules that comprise Chapter 3745-42 have been amended.
- Record of Maintenance Rules Division of Drinking and Ground Waters Effective 10-31-25. This rule is found in Ohio Administrative Code Section 3745-81-33.

The Ohio Administrative Code can be found [here](#).

District Cybersecurity Requirements Must be Adopted by July 1, 2026

You may recall that in the last CORD Report information was included about the enactment of ORC Section 9.64 as a part of the state budget bill. It requires political subdivisions to set and adopt standards safeguarding against cybersecurity threats and ransomware attacks. The deadline to implement these requirements for Districts is July 1, 2026. Refer to the Fall edition of the CORD Report or the [State Auditors Bulletin 2005-007](#) for further information.





SPOTLIGHT ON CORD'S 2025 ASSOCIATE MEMBERS

CORD's Associate Membership Program is an important membership category to help CORD provide needed legislative representation in the Ohio General Assembly and before state agencies; to provide legislative/information alerts and the CORD's newsletter, *The CORD Report*; and, to provide other member services, including monitoring litigation that may set precedents that can impact Districts. We are grateful to the following for their loyal support, assistance, and participation. There are four levels of Associate Member Support: (1) Platinum (2) Gold (3) Silver, and (4) Regular. CORD members are encouraged to express appreciation to our loyal Associate Members who help support the organization.

A BIG THANKS TO ALL OUR ASSOCIATE MEMBERS!

GOLD ASSOCIATE MEMBER



**Theodore A. Bennett, PE,
Vice President, Director of Infrastructure
tbennette@jheng.com**

GOLD ASSOCIATE MEMBER



James Kratochvil
Operations Manager
james@tele-vac.com

SILVER ASSOCIATE MEMBER



Joe Crea
Vice President
jcrea@raftelis.com

REGULAR ASSOCIATE MEMBER



Thomas Welsh
twelsh@acrisure.com



John Albers
john.albers@alberslaw.com



Amy Lyon-Galvin
lyongalvin@cvelimited.com



Mark Delisio
mdelisio@ctconsultants.com



Chris Cobel
ccobel@eagoninc.com



Carl Ireland
cireland@frasorireland.com

Christopher Frasor
cfrasor@frasorireland.com

REGULAR ASSOCIATE MEMBER



Alex White
awhite@grwinc.com



Kip Wahlers
kip.wahlers@icemiller.com



ms consultants, inc.
engineers, architects, planners

Matt Casey
mcasey@msconsultants.com



Joe Pheil
orwa@ohioruralwater.org



Scott Sands
scott.sands@sandsdecker.com



Kirk Ludwig
k ludwig@sjsinvest.com

Spitler Huffman, LLP

Serving the needs of Northwest Ohio and beyond since 1936

Rex Huffman
rhuffman@spitlerhuffmanlaw.com



*Happy
Holidays*



From

CORD



**Thanks to all CORD members and supporters
for making 2025 a year of progress and
challenge! A special thanks you to the CORD
Board Members and staff.**

Albert Losue

Director
Jefferson Water &
Sewer District

John Albers

Attorney
Albers & Albers

Henry Biggert

Retired Superintendent
Carrol Water & Sewer
District

J. Scott Sand, P.E.

Principal
Sands Decker CPS, LLC

Jason Loree

President, Boardman Township
ABC Water & Storm Water District

Eric Luckage

Chief Legal Officer
Northeast Ohio Regional
Sewer District

Tom Stalter

Engineering Manager
Northwestern Water and Sewer
District

Kimberly Stiles

District Manager
Allen Water District

Laura Kunze

President
Mount Air Water District

**Larry Long, Director of Membership Development
Catina Taylor, Executive Assistant**