

November 14, 2019 - Update from Mayor Tepe: excerpt from council meeting

Mayor Tepe indicated there is no new update. The 3rd party consultant's report was due in September and assuming it was on time, they then transmitted it to the county/MSD for their review and they'll look at it and get to us when they are ready. So there is no report other than Mayor Tepe knows things are moving, but everything is behind closed doors at MSD's end. We don't know if the report was submitted on time – they inform us of the process, but not where they are in the process. Mayor Tepe guesses we'll hear something beginning of next year, when they'll reach out to us with conclusions and start a dialogue. When we first started, we thought we'd know something by this time, but it took them longer than anticipated to appropriate the \$300k-\$400k for the consultant. It is a huge project, biggest that MSD has ever had at one time. Stay tuned, as soon as Mayor Tepe knows something, everybody will know something through a mass communication. We'll reinstitute the sewer committee and start the hard work of analyzing to see if it's wanted or not, do some fact finding, present the pros and cons and see what the residents want to do.

Feb 2020- Update from Mayor Tepe: excerpt from council meeting

Mayor Tepe has no update from the Metropolitan Sewer District (MSD) or the county despite his numerous requests for information. However, he is mindful of the size of that report and the impact and cost figures associated, so he knows it will take some time for them to review it. He's just hoping for a little nugget of information that he can bring to the next council meeting.

July 14, 2020- Update from Mayor Tepe: excerpt from council meeting

Update on Sewers, Mayor Tepe met with Karen Ball, she is the liaison between MSD and the county commissioners, and asked what the status of the study and the next steps. Karen responded with the open issues that were not addressed in the study. She is seeking to get answers, from a technical and legal standpoint.

Mayor Tepe explained that he and Village Administrator Jerry Hayhow met with Amy Brewer, Mayor of Milford to discuss a possible partnership with Milford, Terrace Park and MSD.

Mayor Tepe explained that he spoke with environmental lawyer and village resident, Bill Hayes, who is looking into this whole process. Further explaining that if the goal is to preserve the environment and water quality, what if Terrace Park can prove, that we don't negatively impact the water quality at all? Is there a possibility to get a sympathetic ear from the EPA, to amend the rule? If we aren't harming the environment, is there a list of criteria in which a town needs to transfer to sewers.

Dec 2020- Update from Mayor Tepe: excerpt from council meeting

Council Member Sharp asked about a sewer update, Mayor Tepe responded that it has been "absolute radio silence". He does not see sewers anytime soon, as there is still a tremendous amount of work to be done.

Jan 2021- Update from Mayor Tepe: excerpt from council meeting

Mayor Tepe spoke to Karen Ball, the MSD liaison to the county commissioner. She indicated that the report has been modified, updated, and questions were asked. She confirmed that it is on the commissioner's agenda, last week, to be brought up. However, newly elected officials came on, so there was a delay. Karen promised to call with any updates. There have been none.

April 2021- Update from Mayor Tepe: excerpt from council meeting

The Mayor then went on to say he had a sewer update, non-update. Hamilton County administrator contacted Chief Hayhow a week ago, Hayhow explained he talked about alternative funding and federal grants, and said he would look into it and let him know.

Tepe relayed that to Karen Ball, the liaison with MSD. She confirmed that she would have an update soon because the county Commissioners met in executive session. We don't know what came out of it, however, Tepe is hopeful to get info this week. Update we don't know if, when, sewers will even happen.

Two main topics concerning sewers:

1. The 2025 deadline for non-compliant septic's is quickly approaching.

2. The second issue is, is the county interpreting state rules and state laws, when they have a requirement adding space to home, then requiring a functional septic deemed non-compliant.

Mayor Tepe stated that is our duty to our residents to explore all options. Let's assume sewers are not going to happen, are we doing everything to the best of our ability to protect our residents? Mayor Tepe has identified an attorney that lives here, and does this every day. He is a law partner of resident Bill Hayes, and feels this is a duty and believes that the county is not interpreting state law accurately. We do have proposal from Frost, Brown and Todd LLC., to explore the second issue. Mayor Tepe would like to have Jeff LeMay and the Finance Committee look at the contract, talk about the scope of the contract and make modifications as needed. The attorneys with FBT have agreed to work at reduced rates, and offered to come to the committee meeting to answer any questions.

To summarize: there is a very specific statute that a system that was lawful prior to it becoming non-conforming, a system that is not a nuisance may remain. So, if you are adding on to your house and it does not increase the fluid output, then why is a new septic required?

Mayor Tepe stated that it is such a big issue, such a big impact for 2/3 of the residents of Terrace Park. We owe it to our residents to explore this option.

- Council Member Ingebritson, questioned, Is the argument they propose to make, those that we as the village want to make? Tepe explained the scope can/will change as we direct them to.
- Council Member Gaskey questioned- lot of other municipalities with the same issue, would we explore combining the argument with them? Mayor Tepe responded that if we can't get the relief we are looking for, we can go with the bigger scope. Right now, we want them to look out for Terrace Park.

Mayor Tepe stated that the Finance Committee needs to figure out the budget so we can be prepared if we move forward.

May 2021 Update: Sewer update

- Tepe went on to explain that he long discussion with Karen Balz from Hamilton County, and she said it is highly unlikely. The cost and return, the politics, the unfunded mandates are all coming into play. The county commissioners are still having conversations with the state regarding flexibility and funding, and exploring different system/options that could work.
- Tepe assured that while we have been patient. The county spent \$300,000 on report for the analysis. From the mayors perspective, it is time to move on. We have been waiting years for a response, it still isn't no.
- Ingebritson asked about Milford, since Hamilton County seems to not be an option. Tepe explained we went to Milford first. Milford has the ability to take on the extra volume, but they did say they were not interested. Tepe went back to Milford, explained Hamilton County has done a study and asked if the two could work together on this. The response, Milford solution would need MSD to work together. Tepe was given the feeling, from Karen Balz, that it was not fully vetted. Tepe asked them to reexamine this, and he said he would follow up on this option. Hayhow explained that they would have to change their charter or Annex Terrace Park. Tepe, said no matter what, we would not annex into the City of Milford.

June 2021: Sewer update

- We have finalized a date to meet with Frost, Brown and Todd to investigate laws with sewer and septic. The meeting is scheduled for June 14, 2021 at 4pm.

June 29,2021 update

Council Member LeMay explained that we finalized the scope and client responsibilities with Frost, Brown and Todd at the Finance Committee Meeting earlier this month. We agreed on the scope of the responsibilities

- A. They are to confirm which ordinance in Ohio takes precedence, the one that allows drywells that states that residents are allowed to repair them or the

ordinance that was written in 2015 that bans dry wells and gives Hamilton County BOH purview and control.

- B. Second scope is to ask them to determine a set of principles and rules so residents know what constitutes change to existing septic system.

The budget is 12,000 which will be committed to this, and will be paid out of our legal fund.

August 10, 2021

Council member LeMay confirmed that Frost Brown and Todd have sent the letter to Hamilton County.

September 15, 2021

Mr. LeMay stated that Frost Todd & Brown sent a letter to the Assistant County Prosecutor, which met our intent. Assistant County Prosecutor Nee Fong Chin, acknowledged receipt and contacted the Ohio Dept. of Health.

- She agreed to schedule a discussion in early October with the Village of Terrace Park, FTB and several water experts.
- Lemay went on to state that, to date, we spent \$8,000 of the \$12,000 that we allocated.
- Lehman- asked if we need to supply our own water expert, to which Mr. LeMay said we will rely on the environmental experts of FBT.