

**Tuesday, January 6, 2009**

The Board of County Commissioners met in regular session on **Tuesday, January 6, 2009 at 9:40 AM** with the following members present:

Christopher Smeiles

Maureen T. Frederick

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Absent: Charles W. Keiper II on vacation

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It was moved by Maureen T. Frederick, seconded by Christopher Smeiles to approve the meeting minutes of the December 30, 2008 meeting. Commissioner Keiper absent, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier

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**PROSECUTOR**

Present: Denise Smith

Review of Prosecutor Pending List

1. The Board of Commissioners noted that Squire, Sanders Attorney Mike Sharb emailed his confidential opinion that "So long as the applicable provisions of Chapters 6103 (water) and 6117 (sewer) are followed in designing, constructing and financing the projects, the projects may be undertaken by the County and financed through the issuance of bond anticipation notes and/or bonds and debt service on those securities may be paid from revenues within the PCRSD water (Fund 5400) and sewer (Fund 5200), as applicable". No Board action required at this time – for the file only.

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**PROSECUTOR'S CORRESPONDENCE**

January 6, 2009

1. December 24, 2008 correspondence from Attorney Marsilio to County Auditor Esposito regarding the purchase of county cars/Forwarded to JoAnn Townend for her files and information.
2. December 24, 2008 correspondence from Attorney Denise Smith regarding the Board of Commissioners' inquiry in establishing a system of preferences for local bidders/Board of Commissioners agreed to discuss the model policy before moving forward.

The Board of Commissioners discussed the proposed Time Warner agreement contract with Portage County for the Water Resources lab to allow Time Warner to provide an IP address that would allow the lab access to MUNIS. Denise Smith advised that the Prosecutor's Office cannot sign the agreement as to form until the indemnification clause is removed, which Time Warner refuses to do. The Board of Commissioners contacted Bryan Kelley who agreed to locate the original Adelphia contract and get back to the Board of Commissioners.

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**DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT**

Present: Audrey Tillis

- 1. Journal entry approval(s):
  - a. FY 2007 County-Wide Cost Allocation Plan for use in FY 2009/Journal Entry.
- 2. Discussion Memos:
  - a. 2009 Board of Commissioners' (BOC) Budget Amendment Schedule/Approved
- 3. The Director presented the estimated FY 2009 Beginning Unencumbered Cash Balance of \$6,053,170. In 2009, the Department of Budget & Finance will closely watch the revenues and sales tax.

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**WATER RESOURCES**

Present: Harold Huff

- 1. RESOLUTION - Authorizing the preparation of plans, specifications and estimate of Cost for Project No. RV-0 (09-020), AC Pipe Replacement Phase 1, in the Portage County Regional Sewer District, Ravenna Township./09-05
- 2. RESOLUTION - Requiring permits for connections to the sanitary sewerage system in the Portage County Regional Sewer District; establishing Connection charges; providing for the payment of such charges in installments and providing for the certification of unpaid connection charges to the County Auditor and repealing Resolution No. 08-0052 adopted January 15, 2008./09-06
- 3. RESOLUTION - Requiring permits for connections to the sanitary sewerage system in the Streetsboro Sewer District No. 4; Establishing connection charges; providing for the payment of such charges in installments and providing for the certification of unpaid connection charges to the County Auditor and repealing resolution No. 08-0053, adopted January 15, 2008./09-07
- 4. SIGNATURE - For B&J Electric on Timber Run Pump Station Upgrade/Journal Entry.
- 5. SIGNATURE - For B&J Electric on Cracker Barrel Pump Station/Journal Entry.

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Present: Executive Assistant, Scott Snyder and Bryan Hahn. Dog Warden Dave McIntyre attending via conference call

Ravenna residents Scott Snyder and Bryan Hahn attending to discuss instructions they received from the Ravenna Police Departments regarding the requirement of a \$100,000 bond for a vicious dog located at 420 Walnut Street in Ravenna. Mr. Hahn noted that a jogger called the Ravenna Police Department to complain about his dog, which was on a lead, which approached her as she jogged on December 26, 2008. The Dog Warden advised that the ORC deems some breeds as vicious dogs and the city is allowed to issue these instructions, which is what happened.

Commissioner Smeiles noted that this appears to be a city issue and not a county issue, however, the Dog Warden can enforce the order in accordance with the Ohio Revised Code. Commissioner Frederick suggested

that the residents meet with city officials to find out how it was determined that the animal is a “vicious dog”. Mr. Hahn responded that he plans to meet with officials. The Dog Warden noted that this is not a citation into court but a warning. The Board of Commissioners faxed the paperwork to the Dog Warden so that he can see what the residents are talking about. The Board of Commissioners asked if a veterinarian could be used to determine the breed.

The Dog Warden offered to stop by the house to look at the dog or meet the resident at the Administration Building, which was arranged.

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10:50 AM Recessed to Solid Waste Management District  
11:03 AM Board of Commissioners Reconvened

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11:05 AM Lunch recess  
1:00 PM Board of Commissioners met with their Leadership Team  
2:00 PM Board of Commissioners reconvened

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**JOINT COMMITTEE FOR NEIGHBORHOOD STABILIZATION PROJECT**

Present: Ravenna Mayor Poland; Portage County Treasurer Steve Shanafelt; Gary Lock and Bridget Susel, City of Kent; Bob Harris and Eileen Stiffler, Regional Planning Commission; Dave Vaughan and Mike Bogo, Neighborhood Development Services; and Grants Administrator Dan Banks

HUD has granted Portage County, Kent and Ravenna \$1,253,137 through the Neighborhood Stabilization Program. With this award, the three communities are charged with the goal of putting the money into projects that will raise property values in Portage County neighborhoods and help to reverse the damage to property values caused by the recent surge in foreclosures. The projects that are allowed in this program are residential developments well as land banks/demolition projects. The state will not allow these funds to be used on commercial projects.

The three entities must put together a committee, establish the areas to be emphasized, and how the funds will be distributed. The first decision is to determine the lead agency, then decide the committee make-up and convene the committee. The notice from the ODOD went to the Board of Commissioners. Mayor Poland stated that he does not have a preference but would be OK with the county being the lead agency. Commissioner Smeiles responded that the county would serve as the lead with input from both cities. Gary Locke stated that the city is OK with the county taking the lead in this project and offered to lend whatever support is necessary. The group agreed that the county would be the lead agency.

Dan Banks stated that the committee make-up is prescribed by the state. For example the F&CS and the PMHA could serve as the housing specialist.

Treasurer Shanafelt stated that he would like to be part of the committee but his time will be limited as this is the office’s busiest time. He noted that Assistant Portage County Prosecutor Theresa Scahill would be an invaluable tool for the committee to use. Mayor Poland added that the \$1 million will not go very far.

Dan Banks stated that there is a January 16<sup>th</sup> meeting in Columbus. Bridget Susel noted that the committee does not have to be in place by January 16<sup>th</sup>. Dan Banks responded that he was hoping to establish the

committee today while the players are all together. Mr. Locke added that he would hope to learn the intimate details of the foreclosure process, which will be invaluable.

Commissioner Smeiles stated that each entity should prepare the letter of intent to move forward. Dan Banks to coordinate the preparation of the letters to be submitted in one package to the state. Mayor Poland suggested that the committee be limited to 8 – 10 to make it less cumbersome. The group agreed. The Mayor stated that, for example, attorney Scahill could serve as a city of Ravenna resident, a Prosecutor's staff member and a foreclosure attorney.

Mr. Locke stated that he is concerned about the state needing to know how much money each entity will receive. The Mayor agreed and noted that his council met last night and that question was discussed. There must be some attempt to establish a reasonable distribution method. Eileen Stiffler added that the requirements specifically state that the funds must be used in areas of the "greatest need". Mike Bogo stated that he hopes that the state will clarify that issue on January 16<sup>th</sup>. Commissioner Frederick added that each community has an area that would be considered in "deep need". Based on that data, the three would designate cooperatively. Mr. Locke added that, unless you can geographically draw a map of foreclosures, you would have to look at income and poverty levels.

The group agreed to work on the three letters of intent to move this forward, with Dan Banks coordinating that process. The next step would be to identify committee members, which the Board can discuss next week.

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**RESIDENT DAWN PECHMAN**

Present: Residents Dawn Pechman and Julie Aldrich; Michael Mauer of the Buckeye Institute

Ms. Pechman attending today to discuss communications between Portage County's public entities using BING (Businesses, Individuals, Non-Profits and Governments) and working together. People are the largest and most underused commodity in each of the entities. Ms. Pechman told the Board about a program called Ohio Proud, which Commissioner Frederick thought the Farmland Preservation committee may be interested. Ms. Pechman advised that she would be interested in serving as the coordinator of the county effort to communicate. The Commissioners thanked Ms. Pechman for the information presented.

Mr. Mauer stated that it is great to see the public getting involved as Dawn Pechman is involved. He recommended that the Board of Commissioners continue to move forward in getting public records to the public via the internet.

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**ANIMAL PROTECTIVE LEAGUE**

Present: Board President Karen Carmany; Board Secretary Cheryl Casper; Dog Warden Dave McIntyre; Department of Budget & Finance Director Audrey Tillis

President Carmany noted that the APL has reconsidered its decision to do away with the Humane Officer and asked the Board of Commissioners to consider assisting the APL with the Humane Officer's salary and perhaps a budget for safety equipment. The Humane Officer now goes into the field with no protective equipment.

Commissioner Smeiles stated that he does not know if the county can provide funding for equipment although the ORC allows the Board of Commissioners to contribute to the salary. The Board agreed to ask that question

of the Prosecutor's Office. Director Tillis suggested that the Commissioners could give a lump sum that would allow the Humane Officer to purchase her own equipment.

Commissioner Smeiles asked what the annual compensation is for the Humane Officer. Karen Carmany responded that the APL attorney ruled that the Humane Officer position is not exempted. The Humane Officer receives \$14/hour for up to 40 hours and overtime must be paid – comp time is not allowable – for anything over 40 hours, which works out to \$29,120/year; with overtime to about \$40,000/year. The Humane Officer does not get benefits through the APL. The Humane Officer uses the APL van and the APL reimburses the Humane Officer for her gas. The Officer would like to attend training, which the APL would pay for. The APL would like the county to pay the entire salary amount and the APL would pay the other costs.

The Dog Warden advised the Board of Commissioners that the deputy Dog Wardens receive \$13.90/hour, effective January 1, 2009, without benefits.

The APL did have to let the Executive Director go but the budget had to be cut. The APL also has caps on amounts to be spent on cases, noting that the case last year with the Brimfield township horses let the APL know that they need to come up with a disaster plan with a variety of agencies coming together to take ownership of the situation and move forward.

Commissioner Smeiles stated that he is comfortable with paying the Humane Officer's base salary of \$29,120 with the APL taking on the additional costs for gas, equipment and overtime. Commissioner Frederick added that she would be comfortable with giving the Humane Officer the full \$40,000. Director Audrey Tillis recommended that the APL check with legal counsel on how to pay the Humane Officer overtime if the Board of Commissioners is paying the base salary. The APL agreed to discuss the Board of Commissioners' offer of the \$29,120 with their Board and let the Board of Commissioners know if they accept the offer.

The Board of Commissioners offered the services of the Grants Administrator to locate grants that may be available for the APL. The Dog Warden added that his office has applied for grant funding, which may be used by the APL if the Dog Warden cannot utilize all the funding. He will get information to the APL regarding a "horse grant" that may be available. President Carmany noted that anything that the APL can do to protect Portage County animals must be done.

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**RESOLUTION No. 09-0001 - RE: ACCEPT CONTRACT CHANGE ORDER NO. 1 AND FINAL FOR F. J. SCHIRACK, INC. COVERING THE TALLMADGE ROAD BRIDGE REPLACEMENT PROJECT OVER BREAKNECK CREEK IN ROOTSTOWN TOWNSHIP, PORTAGE COUNTY.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following resolution be adopted:

**WHEREAS,** Resolution 07-0823 accepted and awarded the bid of F. J. Schirack, Inc. for furnishing all labor, materials and equipment necessary to complete the project known as the **Tallmadge Road Bridge Replacement Project;** and

**WHEREAS,** a contract was entered into with F. J. Schirack, Inc. in the total amount of \$967,089.20, and

**WHEREAS,** modifications to the **Tallmadge Road Replacement Project** contract and plans were required in order to complete the project which resulted in additional costs, now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby accept Contract Change Order No. 1 and Final to the construction contract between F. J. Schirack, Inc. and Portage County covering the Tallmadge Road Bridge Replacement Project, and be it further

**RESOLVED,** that this Contract Change Order, in the amount of \$26,531.52, increases the contract between F. J. Schirack, Inc. and Portage County to **\$993,620.72** and be it further

**RESOLVED,** that the Board of Portage County Commissioners authorizes the execution of said Contract Change Order between F. J. Schirack, Inc. and Portage County; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea;

\* \* \* \* \*  
**RESOLUTION No. 09-0002** - **RE: ACCEPT MEADOW CREEK DRIVE AND MILL CREEK CIRCLE IN THE MEADOW CREEK SUBDIVISION, IN MANTUA TOWNSHIP, PORTAGE COUNTY.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following Resolution be adopted:

**WHEREAS,** the following roads in **MANTUA TOWNSHIP** have been built in accordance with the specifications for allotment roads of Portage County, and have gone through a one year maintenance period:

T.H. 722 Meadow Creek Drive  
T.H. 723 Mill Creek Circle

and

**WHEREAS,** the Portage County Engineer has agreed to accept these roads as identified above, and

**WHEREAS,** the Mantua Township Trustees were notified, via a December 1, 2008 correspondence from the Portage County Engineer, that the Portage County Engineer was preparing to

recommend the Board of Portage County Commissioners accept these newly constructed roads in Mantua Township; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners accept these newly constructed roads in Mantua Township as identified above; and be it further

**RESOLVED,** that the acceptance of these roads makes **MANTUA TOWNSHIP** responsible for their maintenance effective **JANUARY 6, 2009**, and be it further

**RESOLVED,** that the Clerk of this Board be and is hereby directed to file a certified copy of the above Resolution with the Portage County Engineer and, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea;

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**RESOLUTION No. 09-0003 - RE: A RESOLUTION AUTHORIZING THE USE OF FORCE ACCOUNT FOR THE PORTAGE COUNTY ENGINEER HIGHWAY DEPARTMENT FOR THE YEAR 2009.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following Resolution be adopted.

**WHEREAS,** it being determined by the Portage County Board of County Commissioners that the health, welfare and safety of the people of Portage County can best and most efficiently be served by the use of force account in matters pertaining to maintenance, repair, construction and reconstruction of Portage County roads; now therefore be it

**RESOLVED,** that Mr. Michael A. Marozzi, Portage County Engineer, is hereby authorized to employ labor and proceed by force account in the maintenance, repair, construction and reconstruction of roads, bridges and culverts in Portage County during the year 2009, and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea;

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**RESOLUTION No. 09-0004 - RE: REDUCE LOAD LIMITS 35% ON ALL COUNTY AND TOWNSHIPROADS IN PORTAGE COUNTY, EFFECTIVE MONDAY, JANUARY 12, 2009, OR AS SOON THEREAFTER AS SIGNS ARE POSTED.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following Resolution be adopted.

**WHEREAS,** due to the traditional freeze-thaw cycle brought about by winter weather and the commencement of the break-up of roads, Mr. Michael A. Marozzi, Portage County Engineer, has requested this Board of Portage County Commissioners to reduce the load limits on all County and Township roads as indicated above; now therefore be it

**RESOLVED,** that in accordance with Section 5577.07 of the Revised Code of Ohio, the maximum weight of vehicles and axle loads for motor vehicles permitted by the law shall be reduced 35% on all County and Township roads in Portage County, effective Monday, January 12, 2009, or as soon thereafter as the Portage County Engineer and/or Township Trustees can post the maximum weights. The reduced load limits will continue during the period of excessive moisture and freezing and thawing or until further action by this Board of Portage County Commissioners, and be it further

**RESOLVED,** that the Clerk of this Board be and is hereby directed to file certified copies of the above resolution with the County Engineer and the Chairmen of all Boards of Township Trustees in Portage County.

Voice vote as follows:

Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea;

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**RESOLUTION No. 09-0005 - RE: AUTHORIZING THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR PROJECT NO. RV-0 (09-020), AC PIPE REPLACEMENT PHASE 1, IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, RAVENNA TOWNSHIP.**

It was moved by Maureen T. Frederick, and seconded by Christopher Smeiles that the following resolution be adopted:

**WHEREAS,** this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District, hereinafter called the "SEWER DISTRICT"; and

**WHEREAS,** it has become necessary for the Portage County Water Resources Department to request authorization to prepare plans, specifications and estimate of cost for the Project No. RV-0 (09-020), AC Pipe Replacement Phase 1, hereinafter referred to as the "PROJECT"; and

**WHEREAS,** the PROJECT is necessary to replace sections of hydrogen sulfide damaged asbestos cement sanitary sewers and manholes located along Summit Road in Ravenna Township; and;

**WHEREAS,** the PROJECT has been submitted and received approval for Round 23 Ohio Public Works Commission funding; now therefore be it

**RESOLVED,** by the Board of Commissioners of Portage County, Ohio:

Section 1. That said authorization to prepare plans, specifications and estimate of cost for said PROJECT is hereby given.

Section 2. That it is hereby found and determined that all formal actions of this Board concerning and relation to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea;

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**RESOLUTION No. 09-0006 - RE: REQUIRING PERMITS FOR CONNECTIONS TO THE SANITARY SEWERAGE SYSTEM IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT; ESTABLISHING CONNECTION CHARGES; PROVIDING FOR THE PAYMENT OF SUCH CHARGES IN INSTALLMENTS AND PROVIDING FOR THE CERTIFICATION OF UNPAID CONNECTION CHARGES TO THE COUNTY AUDITOR AND REPEALING RESOLUTION NO. 08-0052 ADOPTED JANUARY 15, 2008.**

It was moved by Maureen T. Frederick, and seconded by Christopher Smeiles that the following resolution be adopted:

**WHEREAS,** this Board has by resolution heretofore adopted Resolution No. 74-78, adopted on April 11, 1974, established the Portage County Regional Sewer District (hereinafter called "the District"), wherein and for the benefit of whose users, sanitary sewerage facilities have previously been constructed and in respect of which and as a condition of use, reasonable connection charges and regulations have been prescribed by this Board in accordance with Section 6117.02 of the Ohio Revised Code, it being anticipated that such facilities will be extended and improved from time to time to assure to such users such additional service as is feasible (such facilities as so extended and improved being hereinafter referred to as the "System"); and

**WHEREAS,** this Board is authorized by the pertinent provisions of Section 6117.02, Revised Code, to fix reasonable connection charges for, and to prohibit tapping into sewers of the District until the applicable charge has been paid in full; and

**WHEREAS,** by reason of changed circumstances and conditions and as an essential part of the overall sanitary sewerage program for the District, this Board after consultation with its advisors and after due deliberations has determined it to be necessary to revise the connection charges in the District so as to provide additional funds required for the purposes of the System and to distribute equitably the cost of providing sewerage collection facilities among the present and future users of the System and further to equalize to the best extent possible the distribution of costs between new and old users as may be reflected between user charges as expressed by sewer rental charges and charges reflected by connection charges for new users, such connection charges to be those established herein, which, in the judgment of this Board, are reasonable and proper having due regard to all relevant circumstances and conditions;

**WHEREAS,** this Board now deems it advisable to provide for the payment of such connection charges in installments under authority contained in Section 6117.02, Revised Code, as amended effective October 31, 1973; now therefore be it

**RESOLVED,** by the Board of County Commissioners of Portage County, Ohio:

**Section 1.** No person, corporation, partnership or association whatsoever shall connect any building, or other structure either directly or indirectly with a sewer in the District for the purpose of discharging sanitary sewage or industrial waste there from without first securing a permit for such purpose in a form prescribed by the County Sanitary Engineer. The provisions of this resolution shall not be applicable in the event of a connection to a sewer in the District by another political subdivision of the State of Ohio which connections shall be subject to the terms of an agreement with such political subdivision pursuant to Section 6117.02, Revised Code, or other applicable provisions of Ohio law.

**Section 2.** The applicant for the permit required by Section 1 hereof shall deposit cash, check or money order payable to the County in the amount of the connection charge determined in accordance with the provisions of Sections 4 through 9 hereof; provided that the applicant for such permit may submit a written request to the Board requesting that such connection charge be paid in installments.

**Section 2-A (Time payments).** The applicant may make installment payments provided that the applicant for such permit submits a written request to the Board requesting that such connection charge be paid in installments.

**Section 3.** A request for installment payment of the connection charges shall include a description of the property to be served by such connection, the name of the owner of record of such property, and the recording references under which such owner acquired title to the property. If the board on the basis of all relevant facts and circumstances determines that the granting of such request would be equitable, such request shall be approved and the board shall in a resolution approving such request establish the period

of time over which such installments shall be paid which shall not be more than five (5) years, and the rate of interest to be paid, except that such period may be for whatever number of years as may be approved by this Board in the case of property owned by Portage County or another political subdivision, the manner and place of payment of such installments, the security of assured payment of all such installments, and the identification of property. The Board shall also direct the Sanitary Engineer to certify to the County Auditor such information as will identify the parcel of property to be served by the connection, the total amount of the connection charges to be paid in installments, the amount of each installment and the total number of installments to be paid. The County Auditor shall be directed to record such information in the Sewer Improvement Record for the District provided for by Section 6117.33, Revised Code, and to maintain such record until the connection charges are paid in full. In the event the applicant is permitted to pay the connection charges in installments, the permit fees, if any, must be deposited prior to the issuance of any such permit.

**Section 4.** As used in this resolution, the term local sewer service benefit and lateral sewer connection unit shall represent the local service benefit to be utilized by the property owner. Local service benefit shall be as determined by the County Sanitary Engineer's calculation of the "adjusted front footage" benefiting from the local service sewers (not to exceed 150.00 linear feet per residential connection). "Local sewer service benefit" connection charges shall be applicable in all cases except for any local service benefit for which an assessment has been levied by this Board pursuant to Section 6117.32, Revised Code and except for benefit from any local service sewers which were constructed at the Owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 4A.** Should a property owner be required to install a lateral under a roadway to the edge of the right of way or easement limit than the cost of such lateral construction shall be deducted from the owner's front foot charge if applicable.

**Section 5.** As used in this Resolution, the term "lateral sewer connection unit" shall represent the benefit received from a lateral sewer connection provided or to be provided for direct access for connection to a building or other structure. Lateral sewer connection unit charges shall be applicable to each building or other structure except where:

- A. The property has been assessed for the benefit obtained from the lateral sewer connection pursuant to Section 6117.32, Revised Code; or
- B. The building or other structure is served by lateral sewers which were installed by a developer for such property; or
- C. Where the lateral sewer service was constructed at the Owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 6.** As used in this Resolution, the term "trunk unit" represents the volume discharge benefit attributable to a single family residential unit which is hereby determined to represent a design flow of 400 gallons per day to the sewerage trunk system. Trunk unit connection charges for any building or structure other than a single

family residential unit shall be according to the Sanitary Engineer's calculation of the equivalent number of trunk units by the use of accepted Sanitary Engineering practices and the equivalency table outlined in Section 8 herein. Trunk unit connection charges shall be applicable in all cases except:

- A. For trunk sewer capacity to which the property owner is entitled by virtue of an assessment levied by this Board upon the subject property; or
- B. For trunk sewer capacity which was constructed at the property owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 7.** As used in this Resolution, the term "plant unit" represents the volume and/or loading benefit attributable to a single family residential unit which is hereby determined to represent a design flow of 400 gallons per day to the treatment plant. Plant unit connection charges for any building or structure other than a single family residential unit shall be according to the Sanitary Engineer's calculation of the equivalent number of plant units by the use of accepted Sanitary Engineering practices and the equivalency table outlined in Section 8 herein. Plant unit connection charges shall be applicable in all cases except:

- A. For plant capacity to which the property owner is entitled by virtue of an assessment levied by this Board upon the subject property; or
- B. For plant capacity which was constructed at the property owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 8.** The following equivalency table for calculation of trunk sewer and treatment plant capacity requirements for buildings is hereby adopted. Capacity unit calculations shall be rounded to the next highest hundredth (0.01); a minimum capacity unit of one (1.00) shall be charged. Any interpretations or additions for users not shown below will be calculated by the Water Resources Department Director using generally accepted engineering principals and criteria.

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE PER	NOTES	TRUNK UNITS*	PLANT UNITS	
Apartments:				
1 Bedroom		0.6250	0.6250	Apartment
2 Bedroom		0.7500	0.7500	Apartment
3 Bedroom		0.8500	0.8500	Apartment
4 Bedroom		1.0000	1.0000	Apartment
Assembly Halls/Banquet Halls		0.0375	0.0375	Employee
(Without kitchen facilities)		0.0075	0.0075	Seat
(With kitchen facilities)	A	0.0175	0.0175	Seat
Barber Shop		0.2000	0.2000	Barber Chair
Beauty Parlor		0.5000	0.5000	Basin
Bowling Alleys		0.1875	0.1875	Lane

Car Wash	B	0.7250	0.7250	Hand Bay
		2.1500	2.1500	Auto Bay
Campground or recreational park				
Primitive w/o showers		0.075	0.075	Site
Primitive w/showers		0.150	0.150	Site
Site with w/o water hookup		0.150	0.150	Site
Site with water hookup		0.225	0.225	Site
Churches (Small) Less than 200 sanctuary seats				
(Without kitchen)		0.0075	0.0075	Sanctuary Seat
(With kitchen)	A	0.0125	0.0125	Sanctuary Seat
Churches (Large) More than 200 sanctuary seats				
(Without kitchen)		0.0125	0.0125	Sanctuary Seat
(With Kitchen)	A	0.0175	0.0175	Sanctuary Seat
Coffee Shop		0.0375	0.0375	Employee
		0.0125	0.0125	Seat
Condominiums		1.0000	1.0000	Each
Convenience Store (with gas sales)		0.0375	0.0375	Employee
		0.0125	0.0125	Parking Space
		1.2500	1.2500	Pump Island
Country Clubs		0.1250	0.1250	Member
Dance Halls				
(without kitchen facilities)		0.0075	0.0075	Patron
(with kitchen facilities)	A	0.0175	0.0175	Patron
Daycare Facility		0.0875	0.0875	Employee
		0.0250	0.0250	Student
Dentist Office		0.0875	0.0875	Employee
		0.0250	0.0250	Patient
		0.1875	0.1875	Dentist
Doctor Office		0.0875	0.0875	Employee
		0.0250	0.0250	Patient
		0.1875	0.1875	Doctor
Drive Inn Theater		0.0250	0.0250	Car
Factories:				
No Showers		0.0625	0.0625	Employee
W/Showers		0.0875	0.0875	Employee
Food Service Operations:				
Ordinary Restaurant (not 24 hr)	A	0.0875	0.0875	Seat
Ordinary Restaurant (24 hour)	A	0.1500	0.1500	Seat
Fast Food (not 24 hour)	A	0.0625	0.0625	Seat
Fast Food (24 Hour)	A	0.0875	0.0875	Seat
Curb Service	A	0.0620	0.0625	Parking space
Hospitals-No Resident Personnel	A	0.8750	0.8750	Employee
	A	0.7500	0.7500	Bed
		0.0875	0.0875	Employee
House (residential)		1.0000	1.0000	House
Institutions-Resident	A	0.2500	0.2500	Bed

Laundries-Coin Operated		1.00	1.00	Machine
Laundry Wastes Require Special Consideration--Consult District Sanitary Engineer				
Motels or Hotel	A	0.25	0.25	Room
Nursing & Rest Homes	A	0.25	0.25	Resident Employee
		0.125	0.125	Non-Resd. Employee
		0.50	0.50	Bed
Office Building		0.0500	0.050	Employee
Retail Store		0.0375	0.0375	Employee
		0.030	0.030	Parking space
Schools:		0.0375	0.0375	Employee
Elementary	(A if cafeteria)	0.0375	0.0375	Pupil
Junior & Senior High	(A if cafeteria)	0.0500	0.0500	Pupil
Service Stations:				
	B	1.25	1.25	Bay
		1.25	1.25	Island
Shopping Center		0.0375	0.0375	Employee
Without food service		0.005	0.005	Parking Space
With food service	A	0.0125	0.0125	Parking Space
Swimming Pools				
Without hot showers		0.0125	0.0125	Swimmer
With hot showers		0.0250	0.0270	Swimmer
Theater		0.0125	0.0125	Seat
Trailer Parks:				
Single Wide Trailer		0.7500	0.7500	Single Wide Trailer
Double Wide Trailer		0.7500	0.7500	Double Wide Trailer
Travel Trailer Parks & Camp		0.3125	0.3125	Trailer or Space
Travel Trailer Dump Station (Holding Tank To Be Pumped Out & Hauled Away)				
Vacation Cottages				
Without Kitchen		0.1250	0.1250	Person
With Kitchen		0.1875	0.1875	Person
Veterinarian Office & Animal Hospital	(Outside trash trap may be required if over 10 kennels)			
		0.050	0.050	Kennel/Cage/Run
		0.0375	0.0375	Employee
Youth & Recreation Camps		0.0375	0.0375	Employee
		0.125	0.125	Employee overnight
		0.125	0.125	Camper overnight
		0.0375	0.0375	Camper (food serv.)
		0.0250	0.0250	Camper (no f service)

NOTES:      A.   Approved outside grease trap required.

              B.   Approved outside oil interceptor required.

\*   One unit equals the trunk and plant capacity requirements of a single family residence which is estimated at 400 gallons per day of wastewater.

**Section 9.** For premises tributary to the sewage treatment facilities of the District, and those provided for under Section 13 hereof, the connection charge shall be determined according to the sum of the local service benefit, lateral sewer benefit, trunk unit and plant unit benefits, as outlined in Sections 4 through 8 herein, in accordance with the following rates:

	Rate Per Local Service	Rate Per Lateral	Rate Per Trunk Unit	Rate Per Plant
2009	\$ 25.00	\$ 675.00	\$ 1,499.00	\$ 2,906.00
2010	\$ 25.00	\$ 675.00	\$ 1,544.00	\$ 2,993.00
2011	\$ 25.00	\$ 675.00	\$ 1,590.00	\$ 3,083.00
2012	\$ 25.00	\$ 675.00	\$ 1,638.00	\$ 3,175.00

**Note:** Applications for permits submitted to the Water Resources Department prior to December 31 will be honored at the rate of the year of submittal though January 31 of the following year.

**Section 10.** This Board and the Sanitary Engineering Department shall not be obligated to the extension of any local service sewers, or lateral sewers at the rates established herein; nor shall this Board or the Sanitary Engineering Department be obligated to provide trunk sewer and/or sewage treatment plant capacity that is not available for utilization at the rates established herein.

**Section 11.** The connection charges provided for in Sections 4 through 9 hereof shall be paid to the County Treasurer and shall be kept in a separate and distinct fund to be known as the **Portage County Regional Sewer District Revenue Fund (Fund 501)** and shall be used only in accordance with the provisions of Section 6117.02, of the Ohio Revised Code, including the payments, if any, required to be made to the Ohio Water Development Authority.

**Section 12-1** A special rate for the Blackhorse South Sewer Service Area (RV-0 98-100) as provided by grant conditions for this Project will be adopted as follows:

A. The Blackhorse service area shall be defined to be the same as described as the Blackhorse South Sewer Assessment boundaries established in Resolution 00-993, duly adopted on December 26, 2000.

B. All existing residences, businesses and institutions in the Blackhorse Service area shall pay a residential equivalent tap in charge equal to 1 trunk and 1 plant unit at the rate in effect plus the capital surcharge.

C. Delinquent payments shall be in accordance with section 7 (Charges and Certification) of Resolution 00-993 or the then current rate resolution.

D. All future customers in the Blackhorse Service Area without existing onsite systems as of January 1, 2001, are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.

E. Resolution 01-276 establishes a capital surcharge of \$30.60 per equivalent residential unit per quarter or until a total amount of \$612.00 per residential equivalent unit is paid, (in place of

normal front foot charges) for existing residential businesses and institutions in the Blackhorse Service Area.

**Section 12-2** A special rate for the Randolph Sewer Service Area (RA-3) as provided by grant conditions for the Randolph Sewer Project will be adopted with the Amended section 1 of resolution 06-0969 to include the following:

A. All existing residences, businesses, and institutions constructed prior to OCTOBER 21, 2004 in the Randolph Service Area and who tie into the Randolph State Route 44 Vacuum Sewer Line (RA-3 05-020) before NOVEMBER 2, 2009 will not be required to pay normal front foot, trunk, and plant charges. This is due to the availability of USDA funding.

B. All existing residents, businesses, and institutions constructed prior to OCTOBER 21, 2004 who do not tie into the sewer system before NOVEMBER 2, 2009, and all future customers in the Randolph Service Area are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.

**Section 13.** Except for connection charges authorized to be paid in installments, any connection charges not paid in full at the time of the connection shall be certified, together with any unpaid interest and any penalties, by this Board to the County Auditor who shall place the same upon the real property tax list and duplicate against the property served by such connection and such charges shall be a lien on such property from the date the same are placed on the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.

**Section 14.** Connection charges to be paid in installments pursuant to a resolution adopted under Section 3 hereof shall be due and payable within 15 days after the quarterly billing date. If an installment is not paid when due on any two consecutive occasions, this Board may, by notice in writing to the applicant, or his successor, declare the unpaid balance of the connection charges to be due and payable immediately as an additional installment then due and owing in that quarter. Upon such declaration such additional installment shall become due and payable, provided that the applicant, or his successor, may cure such default and the acceleration of the additional installment by paying within 15 days of such declaration the two quarterly installments then due and the carrying charges hereon, together with the penalty applicable thereto. In the event such default is not cured by such payment within the specified period, the installments that are delinquent, together with any unpaid carrying charges, and the balance of the connection charges, all of which shall be due and payable by reason of such declaration, shall be certified by this Board to the County Auditor who shall place the same upon the real property tax list and duplicate against the property served by such connection and such charges shall be a lien on such property from the date the same are placed on the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.

**Section 15.** That the Clerk of this Board is hereby directed to file a certified copy of this resolution with the Auditor of this County for recording pursuant to Section 319.61, Ohio Revised Code.

**Section 16.** Any resolution or resolutions heretofore adopted by this Board fixing or revising rates to be charged for the use of the Systems herein specified, including without limitation,

Resolution No. 04-1007, adopted December 14, 2004, by this Board, be and the same are hereby repealed as of the effective date of this Resolution; provided, however, that such repeal shall not apply to any resolutions or agreements constituting or providing for a contract for the operation by the County of certain sewage treatment or disposal facilities in the District or the determination of the amount to be paid to the County for the operation thereof; and such repeal shall not affect any rights, obligations or liabilities which may have accrued while in any such resolutions were in effect; nor will such repeal affect any administrative or judicial proceeding with respect to any such resolutions, nor shall such repeal effect rates established for premises connected to and served by treatment plants other than those herein specified, it being the intent of this Board that such repeal shall operate only in a prospective manner and with respect to rights, obligations or liabilities which thereafter may accrue. The effective date for the new fixed and revised rate resolution shall become effective as of January 1, 2009.

**Section 17.** It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follow:

Christopher Smeiles, Yea;

Charles W. Keiper II, Absent;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 09-0007**

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**RE:**

**REQUIRING PERMITS FOR CONNECTIONS TO THE SANITARY SEWERAGE SYSTEM IN THE STREETSBORO SEWER DISTRICT NO. 4; ESTABLISHING CONNECTION CHARGES; PROVIDING FOR THE PAYMENT OF SUCH CHARGES IN INSTALLMENTS AND PROVIDING FOR THE CERTIFICATION OF UNPAID CONNECTION CHARGES TO THE COUNTY AUDITOR AND REPEALING RESOLUTION NO. 08-0053, ADOPTED JANUARY 15, 2008.**

It was moved by Maureen T. Frederick, and seconded by Christopher Smeiles that the following resolution be adopted:

**WHEREAS,**

this Board has by resolution heretofore adopted Resolution No. 67-17, adopted on February 2, 1967, established Streetsboro Sanitary Sewer District No. 4 (hereinafter called "the District"), wherein and for the benefit of whose users, sanitary sewerage facilities have previously been constructed and in respect of which and as a condition of use, reasonable connection charges and regulations have been prescribed by this Board in accordance with Section 6117.02 of the Ohio Revised Code, it being anticipated that such facilities will be extended and improved from time to time to assure to such users such additional service as is feasible (such facilities as so extended and improved being hereinafter referred to as the "System"); and

**WHEREAS,**

this Board is authorized by the pertinent provisions of Section 6117.02, Revised Code, to fix reasonable connection charges for, and to prohibit tapping into sewers of the District until the applicable charge has been paid in full; and

**WHEREAS,**

by reason of changed circumstances and conditions and as an essential part of the overall sanitary sewerage program for the District, this Board after consultation with its advisors and after due deliberations has determined it to be necessary to revise the connection charges in the District so as to provide additional funds required for the purposes of the System and to distribute equitably the cost of providing sewerage collection facilities among the present and future users of the System and further to equalize to the best extent possible the distribution of costs between new and old users as may be reflected between user charges as expressed by sewer rental charges and charges reflected by connection charges for new users, such connection charges to be those established herein, which, in the judgment of this Board, are reasonable and proper having due regard to all relevant circumstances and conditions;

**WHEREAS,**

this Board now deems it advisable to provide for the payment of such connection charges in installments under authority contained in Section 6117.02, Revised Code, as amended effective October 31, 1973; Now therefore, be it

**RESOLVED**

by the Board of County Commissioners of Portage County, Ohio:

**Section 1.** No person, corporation, partnership or association whatsoever shall connect any building, or other structure either directly or indirectly with a sewer in the District for the purpose of discharging sanitary sewage or industrial waste there from without first securing a permit for such purpose in a form prescribed by the County Sanitary Engineer. The provisions of this resolution shall not be applicable in the event of a connection to a sewer in the District by another political subdivision of the State of Ohio which connections shall be subject to the terms of an agreement with such political subdivision pursuant to Section 6117.02, Revised Code, or other applicable provisions of Ohio law.

**Section 2.** The applicant for the permit required by Section 1 hereof shall deposit cash, check or money order payable to the County in the amount of the connection charge determined in accordance with the provisions of Sections 4 through 9 hereof;

**Section 2-A (Time payments).** The applicant may make installment payments provided that the applicant for such permit submits a written request to the Board requesting that such connection charge be paid in installments.

**Section 3.** A request for installment payment of the connection charges shall include a description of the property to be served by such connection, the name of the owner of record of such property, and the recording references under which such owner acquired title to the property. If the board on the basis of all relevant facts and circumstances determines that the granting of such request would be equitable, such request shall be approved and the board shall in a resolution approving such request establish the period of time over which such installments shall be paid which shall not be more than five (5) years, and the rate of interest to be paid, except that such period

may be for whatever number of years as may be approved by this Board in the case of property owned by Portage County or another political subdivision, the manner and place of payment of such installments, the security of assured payment of all such installments, and the identification of property. The Board shall also direct the Sanitary Engineer to certify to the County Auditor such information as will identify the parcel of property to be served by the connection, the total amount of the connection charges to be paid in installments, the amount of each installment and the total number of installments to be paid. The County Auditor shall be directed to record such information in the Sewer Improvement Record for the District provided for by Section 6ll7.33, Revised Code, and to maintain such record until the connection charges are paid in full. In the event the applicant is permitted to pay the connection charges in installments, the permit fees, if any, must be deposited prior to the issuance of any such permit.

**Section 4.** As used in this resolution, the term local sewer service benefit and lateral sewer connection unit shall represent the local service benefit to be utilized by the property owner. Local service benefit shall be as determined by the County Sanitary Engineer's calculation of the "adjusted front footage" benefiting from the local service sewers (not to exceed 150.00 linear feet per residential connection). "Local sewer service benefit" connection charges shall be applicable in all cases except for any local service benefit for which an assessment has been levied by this Board pursuant to Section 6ll7.32, Revised Code and except for benefit from any local service sewers which were constructed at the Owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 4A.** Should a property owner be required to install a lateral under a roadway to the edge of the right of way or easement limit than the cost of such lateral construction shall be deducted from the owner's front foot charge if applicable.

**Section 5.** As used in this Resolution, the term "lateral sewer connection unit" shall represent the benefit received from a lateral sewer connection provided or to be provided for direct access for connection to a building or other structure. Lateral sewer connection unit charges shall be applicable to each building or other structure except where:

- A. The property has been assessed for the benefit obtained from the lateral sewer connection pursuant to Section 6ll7.32, Revised Code; or
- B. The building or other structure is served by lateral sewers which were installed by a developer for such property; or
- C. Where the lateral sewer service was constructed at the Owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 6.** As used in this Resolution, the term "trunk unit" represents the volume discharge benefit attributable to a single family residential unit that is hereby determined to represent a design flow of 400 gallons per day to the sewerage trunk system. Trunk unit connection charges for any building or structure other than a single family residential unit shall be according to the Sanitary Engineer's calculation of the equivalent number of trunk units by the use of accepted Sanitary Engineering practices and the

equivalency table outlined in Section 8 herein. Trunk unit connection charges shall be applicable in all cases except:

- A. For trunk sewer capacity to which the property owner is entitled by virtue of an assessment levied by this Board upon the subject property; or
- B. For trunk sewer capacity which was constructed at the property owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 7.** As used in this Resolution, the term "plant unit" represents the volume and/or loading benefit attributable to a single family residential unit which is hereby determined to represent a design flow of 400 gallons per day to the treatment plant. Plant unit connection charges for any building or structure other than a single family residential unit shall be according to the Sanitary Engineer's calculation of the equivalent number of plant units by the use of accepted Sanitary Engineering practices and the equivalency table outlined in Section 8 herein. Plant unit connection charges shall be applicable in all cases except:

- A. For plant capacity to which the property owner is entitled by virtue of an assessment levied by this Board upon the subject property; or
- B. For plant capacity that was constructed at the property owner's expense pursuant to an agreement recognizing such investment with this Board.

**Section 8.** The following equivalency table for calculation of trunk sewer and treatment plant capacity requirements is hereby adopted. Capacity unit calculations shall be rounded to the next highest hundredth (0.01); a minimum capacity unit of one (1.00) shall be charged. Any interpretations or additions for users not shown below will be calculated by the Water Resources Department Director using generally accepted engineering principals and criteria.

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE PER	NOTES	TRUNK UNITS*	PLANT UNITS	
Apartments:				
1 Bedroom		0.6250	0.6250	Apartment
2 Bedroom		0.7500	0.7500	Apartment
3 Bedroom		0.8500	0.8500	Apartment
4 Bedroom		1.0000	1.0000	Apartment
Assembly Halls/Banquet Halls		0.0375	0.0375	Employee
(Without kitchen facilities)		0.0075	0.0075	Seat
(With kitchen facilities)	A	0.0175	0.0175	Seat
Barber Shop		0.2000	0.2000	Barber Chair
Beauty Parlor		0.5000	0.5000	Basin
Bowling Alleys		0.1875	0.1875	Lane
Car Wash	B	0.7250	0.7250	Hand Bay
		2.1500	2.1500	Auto Bay
Campground or recreational park				
Primitive w/o showers		0.075	0.075	Site

Primitive w/showers		0.150	0.150	Site
Site with w/o water hookup		0.150	0.150	Site
Site with water hookup		0.225	0.225	Site
Churches (Small) Less than 200 sanctuary seats				
(Without kitchen)		0.0075	0.0075	Sanctuary Seat
(With kitchen)	A	0.0125	0.0125	Sanctuary Seat
Churches (Large) More than 200 sanctuary seats				
(Without kitchen)		0.0125	0.0125	Sanctuary Seat
(With Kitchen)	A	0.0175	0.0175	Sanctuary Seat
Coffee Shop		0.0375	0.0375	Employee
		0.0125	0.0125	Seat
Condominiums		1.0000	1.0000	Each
Convenience Store (with gas sales)		0.0375	0.0375	Employee
		0.0125	0.0125	Parking Space
		1.2500	1.2500	Pump Island
Country Clubs		0.1250	0.1250	Member
Dance Halls				
(without kitchen facilities)		0.0075	0.0075	Patron
(with kitchen facilities)	A	0.0175	0.0175	Patron
Daycare Facility		0.0875	0.0875	Employee
		0.0250	0.0250	Student
Dentist Office		0.0875	0.0875	Employee
		0.0250	0.0250	Patient
		0.1875	0.1875	Dentist
Doctor Office		0.0875	0.0875	Employee
		0.0250	0.0250	Patient
		0.1875	0.1875	Doctor
Drive Inn Theater		0.0250	0.0250	Car Space
Factories:				
No Showers		0.0625	0.0625	Employee
W/Showers		0.0875	0.0875	Employee
Food Service Operations:				
Ordinary Restaurant (not 24 hr)	A	0.0875	0.0875	Seat
Ordinary Restaurant (24 hour)	A	0.1500	0.1500	Seat
Fast Food (not 24 hour)	A	0.0625	0.0625	Seat
Fast Food (24 Hour)	A	0.0875	0.0875	Seat
Curb Service	A	0.0620	0.0625	Parking space
Hospitals-No Resident Personnel	A	0.8750	0.8750	Employee
	A	0.7500	0.7500	Bed
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Laundry Wastes Require Special Consideration--	Consult District Sanitary Engineer			
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Shopping Center		0.0375	0.0375	Employee
Without food service		0.005	0.005	Parking Space
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Swimming Pools				
Without hot showers		0.0125	0.0125	Swimmer
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Theater		0.0125	0.0125	Seat
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Single Wide Trailer		0.7500	0.7500	Single Wide Trailer
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Travel Trailer Parks & Camp		0.3125	0.3125	Trailer or Space
Travel Trailer Dump Station (Holding Tank To Be Pumped Out & Hauled Away)				
Vacation Cottages				
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Veterinarian Office & Animal Hospital (Outside trash trap may be required if over 10 kennels)				
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		0.0375	0.0375	Employee
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		0.125	0.125	Employee overnight
		0.125	0.125	Camper overnight
		0.0375	0.0375	Camper (food serv.)
		0.0250	0.0250	Camper (no f service)

NOTES:       A. Approved outside grease trap required.

              B. Approved outside oil interceptor required.

\* One unit equals the trunk and plant capacity requirements of a single family residence which is estimated at 400 gallons per day of wastewater.

**Section 9.** For premises tributary to the sewage treatment facilities of the District, and those provided for under Section 13 hereof, the connection charge shall be determined according to the sum of the local service benefit, lateral sewer benefit, trunk unit and plant unit benefits, as outlined in Sections 4 through 8 herein, in accordance with the following rates:

	Rate Per Local Service	Rate Per Lateral	Rate Per Trunk Unit	Rate Per Plant
2009	\$ 25.00	\$ 675.00	\$ 1,499.00	\$ 2,906.00
2010	\$ 25.00	\$ 675.00	\$ 1,544.00	\$ 2,993.00
2011	\$ 25.00	\$ 675.00	\$ 1,590.00	\$ 3,083.00
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Note: Applications for permits submitted to the Water Resources Department prior to December 31 will be honored at the rate of the year of submittal though January 31 of the following year.

**Section 10.** This Board and the Sanitary Engineering Department shall not be obligated to the extension of any local service sewers, or lateral sewers at the rates established herein; nor shall this Board or the Sanitary Engineering Department be obligated to provide trunk sewer and/or sewage treatment plant capacity that is not available for utilization at the rates established herein.

**Section 11.** The connection charges provided for in Sections 4 through 9 hereof shall be paid to the County Treasurer and shall be kept in a separate and distinct fund to be known as **Streetsboro Sanitary Sewer District Revenue Fund (Fund 503)**, and shall be used only in accordance with the provisions of Section 6117.02, Revised Code, including the payments, if any, required to be made to the Ohio Water Development Authority.

**Section 12.** Except for connection charges authorized to be paid in installments, any connection charges not paid in full at the time of the connection shall be certified, together with any unpaid interest and any penalties, by this Board to the County Auditor who shall place the same upon the real property tax list and duplicate against the property served by such connection and such charges shall be a lien on such property from the date the same are placed on the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.

**Section 13.** Connection charges to be paid in installments pursuant to a resolution adopted under Section 3 hereof shall be due and payable within 15 days after the quarterly billing date. If an installment is not paid when due on any two consecutive occasions, this Board may, by notice in writing to the applicant, or his successor, declares the unpaid balance of the connection charges to be due and payable immediately as an additional installment then due and owing in that quarter. Upon such declaration such additional installment shall become due and payable, provided that the applicant, or his successor, may cure such default and the acceleration of the additional installment by paying within 15 days of such declaration the two quarterly installments then due and the carrying charges hereon, together with the penalty applicable thereto. In the event such default is not cured by such payment within the specified period, the installments which are delinquent, together with any unpaid carrying charges, and the balance of the connection charges, all of which shall be due and payable by reason of such declaration, shall be certified by this Board to the County Auditor who shall place the same upon the real property tax list and duplicate against the property served by such connection and such charges shall be a lien on such property from the date the same are placed on the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.



7. Resolution presented by the Portage County Engineer to accept Meadow Creek Drive and Mill Creek Circle in the Meadow Creek Subdivision, Mantua Township, Portage County./09-02
8. Resolution presented by the Portage County Engineer authorizing the use of Force Account for the Portage County Engineer Highway Department for the year 2009./09-03
9. Resolution presented by the Portage County Engineer to reduce the load limits 35% on all county and township roads in Portage County, effective Monday, January 12, 2009 or as soon thereafter as signs are posted./09-04

\* \* \* \*

**INVITATIONS/MEETING NOTICES**

January 6, 2009

1. Invitation from the American Diabetes Association to the “Sugartown Express” event on Friday, January 23, 2009 at the Hilton Akron/Fairlawn from 4:30 – 7:00 PM.

\* \* \* \*

**INCOMING CORRESPONDENCE**

**DISCUSSION**

January 6, 2009

1. City of Kent Public Service Director Bill Lillich presents the draft MOU to formally study the feasibility of constructing and sharing a Joint Justice Center between the City, Kent State and Portage County for Board of Commissioners review. Mr. Lillich suggests a meeting of the Justice Center Planning Committee on January 8, 13, or 15, 2009. Commissioner Frederick forwarded the proposed MOU to Attorney Denise Smith for review and comment/Information only.
2. January 2, 2009 email from Office of Homeland Security and Emergency Management Director Jon Barber requesting that the Board of Commissioners convene the 911 Executive Committee/Clerk to schedule the meeting.
3. Confidential December 31, 2008 email from Attorney Mike Sharb in response to the Board of Commissioners’ request for a legal opinion regarding water and sewer projects/No action required at this time. This email was also sent by Attorney Sharb to Attorney Denise Smith, County Auditor Janet Esposito and Water Resources Department Director Harold Huff.
4. December 29, 2008 request from BEN Energy LLC for a non-drilling oil and gas lease on county owned property located in Streetsboro/Forward to Water Resources Department Director Harold Huff for review and comment. Commissioner Smeiles to discuss with Streetsboro Mayor on January 7, 2009.
5. December 31, 2008 request from Regional Planning Commission Director Lynne Erickson to Attorney Denise Smith for a legal opinion on abolishing the Community Investment Areas Created prior to July 1, 1994/Attorney Denise Smith advised the Board of Commissioners today that she has assigned this request to Attorney Chris Meduri.

6. January 2, 2009 correspondence from Janet Esposito, County Auditor, indicating the Organizational Meeting for the Portage County Board of Revisions tax year 2008 is scheduled for Monday, January 12, 2008 at 10:30 AM in the office of the Portage County Auditor.

\* \* \* \* \*

**JOURNAL ENTRIES**

January 6, 2009

1. The Portage County Health Department presents Invoice #397 for \$40.00 for two flu shots given on various dates to Portage County employees at \$20.00 each, as presented by the Portage County Combined General Health District. Original invoice forwarded to the Portage County Human Resources Department for payment.
2. The Board of Commissioners received the County Commissioners' Association of Ohio Invoice #16504 for \$8,859.00 for the 2009 Membership dues.
3. The Regional Planning Commission presents invoice #09-21 for the 2009 Membership Dues for \$139,242.46.
4. The Board of Commissioners received the December 24, 2008 Certificate of the County Auditor that the total appropriations from each fund do not exceed the official estimate of resources, as presented by the County Auditor.
5. The Board of Commissioners received the December 30, 2008 Certificate of the County Auditor that the total appropriations from each fund do not exceed the official estimate of resources, as presented by the County Auditor.
6. The Board of Commissioners received the December 31, 2008 Certificate of the County Auditor that the total appropriations from each fund do not exceed the official estimate of resources, as presented by the County Auditor.
7. The Portage County Veteran Services Office presents the Request for Use of County Facility After Hours for Monday, January 26, 2009 from 4:30 – 7:00 PM for a Veteran Service Commission Meeting.
8. In accordance with the ORC Section 325.071, the Portage County Sheriff presents the Furtherance of Justice Financial Report for 2008. Forwarded to the Internal Auditor for review.
9. In accordance with the ORC Section 325.07, the Portage County Board of Commissioners acknowledged the receipt of the Transportation of Prisoners Report for 2008. Forwarded to the Internal Auditor for review.
10. In accordance with the ORC Section 325.07, the Board of Commissioners acknowledged the receipt the Portage County Sheriff's Transportation of Prisoners Report for November 2008. Forwarded to the Internal Auditor for review.
11. In accordance with the ORC Section 325.07, the Board of Commissioners acknowledged the receipt the Portage County Sheriff's Report for the Civil Division for December 2008. Forwarded to the Internal Auditor for review.

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**REFERRED**

January 6, 2009

1. December 23, 2008 correspondence from Jackson Lewis regarding the Employee Free Choice Act. Referred to the Human Resources Department.
2. December 30, 2009 email from Portage County Department of Economic Development Director Bill Ulik including two quotes from Ashton Sound: one for a security system and the second for an audio visual system for the new offices. Referred to the Internal Services Director and Director of Security for review and comment.
3. December 23, 2008 correspondence from the Ohio Department of Development advising that the Monitoring Report for B-F-06-062-1 was completed with no findings/corrective actions noted/Forwarded to the Internal Auditor and Grants Administrator for their files and information. The Board of Commissioners noted the receipt of the January 6, 2009 email from Regional Planning Commission' Eileen Stiffler including the notices of the required public hearings.

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**INFORMATION ONLY**

January 6, 2009

1. The Board of Commissioners received the undated Journal Entry from the Municipal Court Judges noting that Judge Watson is the Presiding and Administrative Judge for 2009.
2. December 21, 2008 letter of resignation from Bridget Susel as Commissioner Smeiles' alternate on the Regional Planning Commission.
3. The Board of Commissioners received the Brimfield Area Chamber of Commerce newsletter, Issue 12.
4. December 29, 2008 email from Regional Planning Commission Director Lynne Erickson advising of the February 2, 2009 start date for the new Director Todd Peetz.
5. The Board of Commissioners received the Portage County Regional Airport Authority meeting minutes for the October 8, 2008 meeting.
6. The Board of Commissioners received the Portage County Regional Airport Authority meeting minutes for the October 22, 2008 special meeting.
7. The Board of Commissioners received the Portage County Regional Airport Authority meeting minutes for the November 12, 2008 meeting.
8. December 31, 2008 correspondence from General Services Director Jim Manion to Chris Pavone, Teamsters Local Union No. 436, regarding the Dog Warden collective bargaining agreement.

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**Journal Entry**

January 6, 2009

Motion by Maureen T. Frederick, seconded by Christopher Smeiles to approve the following actions:

1. The Board of Commissioners authorized payment of the Portage County Health Department Invoice #397 for \$40.00 for two flu shots given on various dates to Portage County employees at \$20.00 each, as presented by the Portage County Combined General Health District. Original invoice forwarded to the Portage County Human Resources Department for payment.
2. The Board of Commissioners authorized payment of the County Commissioners' Association of Ohio Invoice #16504 for \$8,859.00 for the 2009 Portage County Membership dues.
3. The Board of Commissioners authorized a lump-sum payment of the Regional Planning Commission Invoice #09-21 for the 2009 Membership Dues for \$139,242.46.
4. The Board of Commissioners acknowledged the receipt of the December 24, 2008 Certificate of the County Auditor that the total appropriations from each fund do not exceed the official estimate of resources, as presented by the County Auditor.
5. The Board of Commissioners acknowledged the receipt of the December 30, 2008 Certificate of the County Auditor that the total appropriations from each fund do not exceed the official estimate of resources, as presented by the County Auditor.
6. The Board of Commissioners acknowledged the receipt of the December 31, 2008 Certificate of the County Auditor that the total appropriations from each fund do not exceed the official estimate of resources, as presented by the County Auditor.
7. The Board of Commissioners approved the Portage County Veteran Services Office Request for Use of County Facility After Hours for Monday, January 26, 2009 from 4:30 – 7:00 PM for a Veteran Service Commission Meeting, as requested by Bob Park.
8. In accordance with the ORC Section 325.071, the Board of Commissioners acknowledged the receipt of a copy of the Portage County Sheriff's Furtherance of Justice Financial Report for 2008, as presented to the Portage County Auditor. Forwarded to the Internal Auditor for review.
9. In accordance with the ORC Section 325.07, the Board of Commissioners acknowledged the receipt of a copy of the Portage County Sheriff's Transportation of Prisoners Report for 2008, as presented to the Portage County Auditor. Forwarded to the Internal Auditor for review.
10. In accordance with the ORC Section 325.07, the Board of Commissioners acknowledged the receipt the Portage County Sheriff's Transportation of Prisoners Report for November 2008. Forwarded to the Internal Auditor for review.
11. In accordance with the ORC Section 325.07, the Board of Commissioners acknowledged the receipt the Portage County Sheriff's Report for the Civil Division for December 2008. Forwarded to the Internal Auditor for review.
12. The Board of Commissioners signed the January 6, 2009 correspondence to the County Auditor advising that the County-Wide Cost Allocation Plan, prepared by Maximus Inc., has been completed for the calendar

year ending December 31, 2007, for use in Calendar Year 2009, as presented by Department of Budget and Financial Management.

- 13. The Board of Commissioners signed the Request for Application and Certificate for Payment (No. 7 Final) allowing payment of \$2,202.90 to B & J Electric of Poland, 10950 Woodworth Rd., PO Box 215, N. Lima, Ohio 44452 for the Timber Run Pump Station Upgrade, Project No. RV-0 (07-190), Ravenna Township, Portage County, Ohio, as presented by the Portage County Water Resources Department. (520040P6-684000-07190)
  
- 14. The Board of Commissioners signed the Request for Application and Certificate for Payment (No. 9 Final) allowing payment of \$4,230.35 to B & J Electric of Poland, 10950 Woodworth Rd., PO Box 215, N. Lima, Ohio 44452 for the Cracker Barrel Pump Station Upgrade – 2006, Project No. RV-0 (05-210) Rootstown Township, Portage County, Ohio, as presented by the Portage County Water Resources Department. (520040L6-684000-05210)

Commissioner Keiper absent, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **January 6, 2009**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Christopher Smeiles to adjourn the official meeting at 3:45 PM. Commissioner Keiper absent, motion carries.

Christopher Smeiles, President

ABSENT  
Charles W. Keiper II, Vice President

Maureen T. Frederick, Board Member

Deborah Mazanec, Clerk

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