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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis, JoAnn Townend

RESOLUTIONS

1. General Fund Amendments to the Annual Appropriation Resolution:/10-1160
 - a. Commissioners, Supplemental – GF Support for Motor Pool
 - b. Commissioners Other, Supplemental – GF Support for Motor Pool and Unused Guardian Funds
 - c. Building Regulation Inspection, Transfer – Year End Cleanup
 - d. Senior Center, Transfer – Year End Cleanup
 - e. Auditor, Transfer – Year End Cleanup
 - f. Treasurer, Transfer – Year End Cleanup
 - g. Prosecutor, Transfer – Year End Cleanup
 - h. Probate Court, Supplemental – Unused Guardian Funds
 - i. Adult Probation, Transfer – Year End Cleanup
 - j. Coroner, Transfer – Year End Cleanup
 - k. Data Processing Board, Transfer – Projected Need

2. Other Funds Amendments to the Annual Appropriation Resolution:/10-1161
 - a. Fund 1016, Mediation and Dispute Domestic – Transfer, Year End Cleanup
 - b. Fund 1121, Probation Services – Transfer, Year End Cleanup
 - c. Fund 1123, Community Integration Soc CISP – Supplemental, Adjust to Actual
 - d. Fund 1272, RLF Section 17 – Supplemental, Projected Need
 - e. Fund 1273, RLF CDBG Foreclosure/Rescue
 - f. Fund 1410, Job and Family Services – Transfer, Projected Need
 - g. Fund 1415, Child Welfare – Special Levy – Transfer, Projected Need
 - h. Fund 3000, County Notes – Supplemental, Adjust to Actual
 - i. Fund 4214, Crain Ave Bridge Replacement – Supplemental, Projected Need
 - j. Fund 5507, PCW Cleveland to Aurora – Supplemental, To Pay Invoice
 - k. Fund 6100, SCRAM Alcohol Monitoring – Transfer, Year End Cleanup
 - l. Fund 7002, Central Vehicle Maintenance – Transfer, To Pay for Gas

3. Cash Advance Repayment from Fund 1002, Enterprise Zone Program to Fund 0001, General Fund/10-1162

4. Transfer from Fund 0001, General Fund to Fund 1401, Indigent Guardianship/10-1163

OTHER

5. Journal entry approval(s):
 - a. 2007 WIA Audit Costs
 - b. Expenditure Correction Fund 1460
 - c. Expenditure Correction Fund 0001

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After meeting today with Internal Services Director JoAnn Townend and Department of Budget & Financial Management Director Audrey Tillis, the Board of Commissioners accepted their recommendation and agreed to transfer \$1,310.07 from Portage County to the Family & Community Services, Inc. for the seniors. The Board of Commissioners also agreed that the \$7,599.49 in the Portage County Senior Activities Fund will remain with the county until the Senior Council submits requests for the release of funds for an authorized use. The Board agreed to send a letter along with the check advising of these decisions/Journal Entry

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Director Tillis advised the Board of Commissioners that the County Engineer may need a cash advance of about \$100,000 for a local match for a grant. She will bring this issue back to the Board of Commissioners.

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JoAnn Townend attending
The Board of Commissioners discussed suggested changes to the Portage Development Board /Journal Entry the use of the new agreement including those changes.

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The Board of Commissioners discussed the hire of the Construction Manager firm for the Kent Courthouse Project. Commissioner Frederick suggested that the Board wait to make this decision. Commissioner Keiper replied that the Construction Manager team should be on board to assist the architect. Commissioner Smeiles noted that all of the firms interviewed are qualified but he would prefer to hire The Ruhlin Company. The company has done a good job for Portage County in the past and does have 13 employees that live in Portage County. Commissioner Frederick agreed to listen to the tape of the interviews and be ready to make a decision. JoAnn Townend to bring back to the Board of Commissioners at her next meeting.

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RESOLUTION No. 10-1156 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on December 21, 2010 in the total payment amount of **\$1,238,759.32 for Funds 0001-8101** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; 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 meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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RESOLUTION No. 10-1157 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

WHEREAS, the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

WHEREAS, there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

WHEREAS, the Journal Vouchers/Entries are recommended by the County Auditor’s Office for review and approval by the Board of Commissioners; now therefore be it

RESOLVED, that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor’s Office:

12/21/10	1773	\$ 32,550.33
12/21/10	1782	8,595.44
12/21/10	1692	17,841.99
Total		\$ 58,987.76

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 meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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RESOLUTION No. 10-1158

- RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (Then and Now Certification), and

WHEREAS, the Then and Now Certification is recommended by the State Auditor’s Office, the Portage County Auditor’s Office, and the Portage County Prosecutor’s Office, and

WHEREAS, a listing of expenditures, attached hereto as Exhibit “A” and incorporated herein by reference, has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

RESOLVED, that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$12,494.51** as set forth in Exhibit “A” dated **December 21, 2010** shall be paid; 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 meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-1159

- RE: WIRE TRANSFER TO OHIO WATER DEVELOPMENT AUTHORITY SERVICES APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Department of Budget and Financial Management or other designee on December 21, 2010 in the total payment amount of **\$ 485,277.22 for**

RESOLUTION No. 10-1160

RE: AMENDMENT TO THE GENERAL FUND 2010 ANNUAL APPROPRIATION RESOLUTION NO. 09-1169 ADOPTED DECEMBER 17, 2009

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

RESOLVED, that it has become necessary to amend the General Fund 2010 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

		<u>Increase</u>	<u>Decrease</u>
Fund: 0001	General Fund		
	001 Commissioners		
00014	Commissioners CS	0	18,000
	MEMO TOTAL	<u>\$ -</u>	<u>\$ 18,000</u>

Note: GF Support for Motor Pool

	010 Commissioners Other		
00107	Commissioner Other OE	3,197	0
00109	Commissioner Other ME	18,000	0
	MEMO TOTAL	<u>\$ 21,197</u>	<u>\$ -</u>

Note: GF Support for Motor Pool, Unused Guardian Funds

	020 Building Regulation Inspection		
00203	Building Regulation In Fringes	1,865	0
0020D	Building Regulation Full Time	0	270
0020E	Building Regulation Part Time	0	1,595
	MEMO TOTAL	<u>\$ 1,865</u>	<u>\$ 1,865</u>

Note: Year End Cleanup

	055 Senior Center		
00553	Senior Center Fringes	286	0
0055O	Senior Center Payoff/Retiremen	0	286
	MEMO TOTAL	<u>\$ 286</u>	<u>\$ 286</u>

Note: Year End Cleanup

		<u>Increase</u>	<u>Decrease</u>
100 Auditor			
01103	Auditor Financial M Fringes	3	0
01100	Auditor Financial Retirement	0	3
01124	Auditor Real Property CS	13	0
01125	Auditor Real Property MS	0	13
01153	Auditor Weights & Meas Fringes	1	0
01154	Auditor Weights & Measures CS	0	1
	MEMO TOTAL	<u>\$ 17</u>	<u>\$ 17</u>

Note: Year End Cleanup

200 Treasurer			
02003	Treasurer Fringes	0	76
0200D	Treasurer Full Time	76	0
	MEMO TOTAL	<u>\$ 76</u>	<u>\$ 76</u>

Note: Year End Cleanup

300 Prosecutor			
03013	Prosecutor Support Fringes	92	0
03014	Prosecutor Support CS	0	92
	MEMO TOTAL	<u>\$ 92</u>	<u>\$ 92</u>

Note: Year End Cleanup

560 Probate Court			
05604	Probate Court CS	0	3,197
	MEMO TOTAL	<u>\$ -</u>	<u>\$ 3,197</u>

Note: Unused Guardian Funds

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		<u>Increase</u>	<u>Decrease</u>
590 Adult Probation			
05953	Adult Prob - Com Pleas Fringes	1,980	0
0595D	Adult Prob - Com Pls Full Time	0	1,980
05963	Adult Prob - Muni Crt Fringes	0	1,367
0596D	Adult Prob - Muni Ct Full Time	0	533
0596O	Adult Prob - Muni Crt Payout	1,900	0
	MEMO TOTAL	<u><u>\$ 3,880</u></u>	<u><u>\$ 3,880</u></u>

Note: Year End Cleanup

600 Coroner			
06003	Coroner Fringes	0	1
0600E	Coroner Part Time	1	0
	MEMO TOTAL	<u><u>\$ 1</u></u>	<u><u>\$ 1</u></u>

Note: Year End Cleanup

915 Data Processing Board			
09153	Data Processing Bd Fringes	669	0
09154	Data Processing Bd CS	0	7,069
0915D	Data Processing Bd Full Time	6,400	0
	MEMO TOTAL	<u><u>\$ 7,069</u></u>	<u><u>\$ 7,069</u></u>

Note: Projected Need

	TOTAL MEMO BALANCE ALL AMENDMENTS	<u><u>\$ 34,483</u></u>	<u><u>\$ 34,483</u></u>
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; and be it further

RESOLVED, that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

RESOLVED, that a certified copy of this resolution be filed with the County Auditor; 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 meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call as Follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-1161

RE: AMENDMENT TO THE NON GENERAL FUND
2010 ANNUAL APPROPRIATION RESOLUTION
NO 09-1170 ADOPTED DECEMBER 17, 2009

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

RESOLVED, that it has become necessary to amend the Non General Fund 2010 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

		<u>Increase</u>	<u>Decrease</u>
Fund: 1016	Mediation And Dispute Domestic		
550	Domestic Relations		
1016D	Mediation & Dispute Full-Time	1	0
1016E	Mediation & Dispute Part-Time	0	1
	MEMO TOTAL	<u>\$ 1</u>	<u>\$ 1</u>

Note: Year End Cleanup

Fund: 1121	Probation Services		
590	Adult Probation		
11213	Adult Probation Servi Fringes	0	4,651
1121D	Adult Probation Serv Full Time	4,651	0
	MEMO TOTAL	<u>\$ 4,651</u>	<u>\$ 4,651</u>

Note: Year End Cleanup

Fund: 1123	Community Integration Soc CISP		
590	Adult Probation		
11233	Comm Integra Soc CISP Fringes	0	2,589
11239	Comm Integr Soc CISP ME	0	36,000
1123D	Comm Integr Soc CISP Full Time	0	108,225
1123E	Comm Integr Soc CISP Part Time	0	4,278
	MEMO TOTAL	<u>\$ -</u>	<u>\$ 151,092</u>

Note: Adjust to Grant Exp

		<u>Increase</u>	<u>Decrease</u>
Fund:	1272 RLF Section 17		
	001 Commissioners		
	12724 RLF Section 17 CS	407	0
	MEMO TOTAL	<u>\$ 407</u>	<u>\$ -</u>

Note: Projected Need

Fund:	1273 RLF CDBG Foreclosure/Rescue		
	001 Commissioners		
	12734 RLF CDBG Foreclosure CS	46	0
	MEMO TOTAL	<u>\$ 46</u>	<u>\$ -</u>

Note: Projected Need

Fund:	1410 Job And Family Services		
	051 Job And Family Services		
	14103 Job & Family Services Fringes	3,040	5,214
	14104 Job & Family Services CS	0	401
	1410D Job & Family Service Full Time	9,224	0
	1410M Job & Family Service Overtime	0	7,684
	1410O Job & Family Services Retirement	1,035	0
	MEMO TOTAL	<u>\$ 13,299</u>	<u>\$ 13,299</u>

Note: Projected need

Fund:	1415 Child Welfare - Special Levy		
	051 Job And Family Services		
	14153 JFS Child Welfare Levy Fringes	15,877	0
	14154 JFS Child Welfare Levy CS	0	15,877
	MEMO TOTAL	<u>\$ 15,877</u>	<u>\$ 15,877</u>

Note: Projected Need

Fund:	3000 County Notes		
	001 Commissioners		
	30008 County Notes DE	0	1
	MEMO TOTAL	<u>\$ -</u>	<u>\$ 1</u>

Note: ADJUST TO ACTUAL

		<u>Increase</u>	<u>Decrease</u>
Fund: 4214	Crain Ave Bridge Replacement		
800	Engineer's Department		
42146	Crain Ave Bridge Replcmt CO	0	450,000
42149	Crain Ave Bridge Replacemt ME	341,135	0
	MEMO TOTAL	<u><u>\$ 341,135</u></u>	<u><u>\$ 450,000</u></u>

Note: Projected Need

Fund: 5507	PCW Cleveland to Aurora		
060	Water Resources		
55076	PCW Cleveland to Aurora CO	214	0
	MEMO TOTAL	<u><u>\$ 214</u></u>	<u><u>\$ -</u></u>

Note: TO PAY INVOICE

Fund: 6100	SCRAM Alcohol Monitoring		
590	Adult Probation		
61003	SCRAM Alcohol Monitor Fringes	0	41
6100D	SCRAM Alcohol Monitor FullTime	41	0
	MEMO TOTAL	<u><u>\$ 41</u></u>	<u><u>\$ 41</u></u>

Note: Year End Cleanup

Fund: 7002	Central Vehicle Maintenance		
014	Motor Pool		
70024	Motor Pool CS	0	35,000
70025	Motor Pool MS	35,000	0
	MEMO TOTAL	<u><u>\$ 35,000</u></u>	<u><u>\$ 35,000</u></u>

Note: To Pay for Gas

TOTAL MEMO BALANCE FOR ALL FUNDS	<u><u>\$ 410,671</u></u>	<u><u>\$ 669,962</u></u>
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; and be it further

RESOLVED, that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

RESOLVED, that a certified copy of this resolution be filed with the County Auditor; 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 meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call as Follows:

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

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RESOLUTION No. 10-1162 - RE: CASH ADVANCE REPAYMENT - FROM FUND 1002, ENTERPRISE ZONE PROGRAM TO FUND 0001, GENERAL FUND

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

WHEREAS, Resolution No. 03-1013, adopted on November 25, 2003, authorized a cash advance in the amount of \$ 25,000.00 from Fund 0001 to Fund 1002 [Formally Fund 026] until the termination of the program; and

WHEREAS, Fund 1002 has sufficient cash to meet cash flow requirements; now therefore be it

RESOLVED, that the following cash advance repayment be made in the amount of \$ 25,000.00:

FROM:
FUND 1002, ENTERPRISE ZONE PROGRAM
ORGCODE - 10020809
Debit Expense Account
Object 921000 - Advances-Out Return \$ 25,000.00

TO:
FUND 0001, GENERAL FUND

ORGCODE- 00100002
Credit Revenue Account
Revenue Source 291000 - Advances-In Repayment \$ 25,000.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, Economic Development and the Department of Budget & Financial Management, 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 meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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RESOLUTION No. 10-1163 - RE: TRANSFER - FROM FUND 0001, GENERAL FUND TO FUND 1401, INDIGENT GUARDIANSHIP

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

WHEREAS, the Portage County Board of Commissioners adopted Resolution #10-0430 on May 4th, 2010 approving a Surplus Transfer from Fund 1401, Indigent Guardianship to the General Fund by Common Pleas Court, Probate Division Court Order dated April 14, 2010, and

WHEREAS, it is stated in the Court Order that the “Court finds that there is a deficiency, due to 2010 budget cuts, in our Probate general budget...” in the Legal Services object code, and

WHEREAS, it is Court Ordered that \$6,000.00 of the surplus in the Indigent Guardianship be transferred to the Probate Court’s general fund budget, and

WHEREAS, it is further Court Ordered that “any remaining funds shall be returned to this Court’s Indigent Guardianship Fund”, Fund 1401 at yearend, and

WHEREAS, Resolution #10-0430 stated “that any remaining funds in object code 05600004/422000 at the end of FY 2010 will be transferred by resolution to the Indigent Guardianship Fund, Fund 1401, and

WHEREAS, the remaining funds as determined by the Common Pleas Court in 05600004/422000 are \$3,197.00; now therefore be it

RESOLVED, that the following transfer of funds in the amount of \$3,197.00 be and is hereby made:

FROM:

FUND 0001, GENERAL FUND

ORGCODE - 05600002

Debit Revenue Account

Revenue Source 280000 - TRANSFERS IN \$ 3,197.00

TO:

FUND 1401 INDIGENT

ORGCODE - 14015609

Credit Expense Account

Object 910000 - TRANSFERS OUT \$ 3,197.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said transfer by Journal Entry, and be it further

RESOLVED, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Portage County Probate Court, 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 meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-1164

RE: **FIXING CHARGES FOR THE USE OF THE SANITARY SEWERAGE SYSTEM IN THE PORTAGE COUNTY REGIONAL SEWER**

**DISTRICT, FUND 5200, PURSUANT TO CHAPTER 6117, OHIO
REVISED CODE, AND REPEALING RESOLUTION 09-0720
ADOPTED AUGUST 4, 2009.**

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

WHEREAS, this Board, has heretofore established by Resolution No. 74-78, adopted on April 11, 1974, the Portage County Regional Sewer District hereinafter referred to as the Regional Sewer "DISTRICT"; and

WHEREAS, this Board is authorized by the pertinent provision of Chapter 6117 of the Ohio Revised Code, to fix reasonable rates to be charged for the use of the sewers or sewage treatment disposal works referred to in such Chapter, by every person, firm or corporation whose premises are served by a connection to such sewers or sewage treatment or disposal works when such sewers or sewage treatment or disposal works are owned or operated by the County and may change such rates as it deems advisable; and

WHEREAS, the sanitary sewer system serving the District consists of sewers and sewage treatment and disposal works as referred to in such Chapter 6117; and

WHEREAS, to distribute equitably the cost of providing sewage system collection, conveyance, treatment and disposal facilities among the present and future users of the System, this Board has determined to establish rates to be charged which, in its judgment are reasonable and proper having due regard to all relevant circumstances and conditions, as hereinafter set forth;

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

SECTION 1. SEWER SERVICE CHARGE

Sewer service charge means the total charge which is assessed users of the sewage system, and includes user charges and a fixed charge subject to change at any time and from time to time by resolution of this board, each person, firm or corporation whose premises are served by a connection to the System shall be charged a quarterly sewer service charge determined from time to time as hereinafter set forth.

SECTION 2. DETERMINATION OF SERVICE UNITS FOR NON-METERED USERS

For the purpose of calculating the charges herein provided for and having given due consideration to the volumes, strength and other characteristics of the sewage emanating from the premises served by the System, it is hereby determined that the following uses of such premises shall be assigned the following Service Units for non-metered users:

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE	NOTES	TRUNK UNITS*	PLANT UNITS.	
Apartments:				
1 Bedroom		0.6250	0.6250	Apartment
2 Bedroom		0.7500	0.7500	Apartment
3 Bedroom		0.8750	0.8750	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)		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
Drive Inn Theater				
		0.0250	0.0250	Car Space
Factories:				

No Showers	0.0625	0.0625	Employee
W>Showers	0.0875	0.0875	Employee

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE	NOTES	TRUNK UNITS*	PLANT UNITS.	
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 - (Public) Coin Operated		1.00	1.00	Machine
<u>Laundry Wastes Require Special Consideration--Consult District Sanitary Engineer</u>				
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

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE PER	NOTES	TRUNK UNITS*	PLANT UNITS.	
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 service)
		0.0250	0.0250	Camper (no food 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.

A minimum of one unit shall be utilized for billing charges.

Trailer parks shall be billed in accordance with the equivalency chart above unless a flow meter approved by the Portage County Water Resources Department has been installed and is operational. Such metered parks will be billed at the existing commercial rate. Under no circumstances will a park or individual trailer owner be billed less than one unit.

In the case of any uses not described above, the Sanitary Engineer is authorized to establish the applicable service unit for such premises using generally accepted engineering principles and criteria until further legislative determination by this Board or until the installation of a water meter.

SECTION 3. CHARGES – COUNTY OWNED FACILITIES:

That for the purposes provided in Section 10 hereof, there is hereby fixed and charged to each person, firm or corporation whose premises have a connection with the following treatment plant or otherwise discharge sewage, industrial wastes, water or other liquids, either directly or indirectly into such sewer facilities, sewer rates for each service unit, payable and hereinafter provided, in the respective amounts as follows:

1. Quarterly Sewer Service Charge:

A. Zone 2 - Bolingbrook (SH-2), Brimfield (BR-2), Franklin Hills (FR-1), Red Fox (SH-1), Shalersville Township (SH-4), Twin Lakes (FR-2), Western Reserve (N-1), and Mantua Township (M-1) Sewer Service Areas.

The quarterly sewer service charge for single family residential users shall be:

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2010	\$ 112.27
2011	\$ 112.27

During such period, in the case of non-residential premises serving food (Commercial Food Service), the quarterly sewer service charge for 1,000 cubic feet of metered water consumption shall be:

	PER 1,000 CUBIC FT	MINIMUM BILL
2010	\$ 55.41	\$ 112.27
2011	\$ 55.41	\$ 112.27

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

	PER 1,000 CUBIC FT	MINIMUM BILL
2010	\$ 43.81	\$ 112.27
2011	\$ 43.81	\$ 112.27

Zone 2 year begins on December 1, 2010 and ends on November 30, 2011.

B. Zone 3 - Atwater Sewer Service Area (AT-1), West Branch Service Area (CH-1) Ravenna Regional Sewer Service Area (RV-O), Fairlane Estates Sewer Service Area (SU-1), Rivermoor Sewer Service Area, (SU-2) and the New Milford Sewer Service Area.

The quarterly sewer service charge for single family residential users shall be:

2010	\$ 112.27
2011	\$ 112.27

During such period, in the case of non-residential premises serving food (Commercial Food Service), the quarterly sewer service charge for 1,000 cubic feet of metered water consumption shall be:

	PER 1,000 CUBIC FT	MINIMUM BILL
2010	\$ 55.41	\$ 112.27
2011	\$ 55.41	\$ 112.27

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

	PER 1,000 CUBIC FT	MINIMUM BILL
2010	\$ 43.81	\$ 112.27
2011	\$ 43.81	\$ 112.27

C. - Randolph Sewer Service Area (RA-3).

The quarterly sewer service charge for single family residential users shall be:

2010	\$ 94.00
2011	\$ 94.00

For premises with metered water consumption, in the case of non-residential premises servicing food (Commercial Food Service), the quarterly sewer service charge shall be:

	PER 1,000 CUBIC FT	MINIMUM BILL
2010	\$ 65.69	\$ 118.77
2011	\$ 65.69	\$ 118.77

In the case of all other non-residential premises (Commercial and Public Authority User) the quarterly sewer service charge shall be:

	PER 1,000 CUBIC FT	MINIMUM BILL
2010	\$ 54.83	\$ 118.77
2011	\$ 54.83	\$ 118.77

D. Allen Aircraft – Quarterly Sewer Service Charge

In the case of the Allen Aircraft Products Industrial Waste connection, Zone 3, the quarterly sewer service charge shall be:

	PER 1,000 CUBIC FT	MINIMUM BILL
2010	\$ 27.63	\$ 112.27
2011	\$ 27.63	\$ 112.27

2. Surcharge

A. Extra Strength Waste & Excessive Flow Surcharge

Users that discharge extra strength waste into the sanitary sewer system or exceed original permit design flow to the system shall be surcharged for such flow. The surcharge rate shall be determined by the Sanitary Engineer using the Rules and Regulations governing Portage County and the Streetsboro Sewer District No. 4 and the current user rate and tap-in fee resolutions. The surcharge shall be in conjunction with the Quarterly Sewer Service Charge per Section 3 and Section 4 of this resolution.

B. Project Construction Surcharge

1. Zone 2

Aurora Meadows Surcharge: In addition to the quarterly sewer service charge all residential, commercial, commercial food service and industrial users connected to the Aurora Meadows Sanitary Sewer System (M1-06-190) will pay a capital surcharge of \$43.45 per equivalent resident unit per quarter for a period of 40 years, ending December 31, 2050.

2. Zone 3

a. Black Horse Surcharge: In addition to the quarterly sewer service charge all existing residences, businesses, and institutions in the Black Horse Service Area will pay a capital surcharge of \$30.60 per equivalent resident unit per quarter until a total amount of \$612.00 per residential equivalent unit is paid, (in place of normal front foot charges). This is due to the availability of Community Development Block Grant and Issue 2 funding. All future customers in the Black Horse Service Area without existing on site systems are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.

b. New Milford Surcharge: In addition to the quarterly sewer service charge all existing residences, businesses, and institutions in the New Milford Service Area will pay a capital surcharge of \$110.00 per equivalent resident unit per quarter until a total amount of \$1760 per residential equivalent unit is paid, (in place of normal front foot, trunk, and plant charges). This is due to the availability of Community Development Block Grant and Issue 2 funding. All future customers in the New Milford Service Area without existing on site systems, are required to pay the then current normal front foot, trunk and plant charges as part of their normal sewer permit process.

c. Randolph Surcharge: Additionally all residences in the Randolph Service Area will pay a capital surcharge of \$62.25 per equivalent resident unit per quarter for a period of 40 years, ending December 31, 2046. Note: A duplex shall be considered as one residential unit for surcharge purposes only.

3. Fixed Charge

In addition to the amounts calculated in accordance with **SECTION 3**, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 4. CHARGES - COUNTY OPERATED FACILITIES.

There is hereby fixed and charged to each person, firm or corporation owning sewer facilities and using the Portage County Water Resources Lab Facilities, payable as hereinafter provided in the respective amounts per quarter as follows:

1. Quarterly Sewer Service Charge:

A. Southeast School Sewage Treatment Plant. Zone 3

The quarterly sewer service charge for services provided by the Water Resources Department shall be:

FOR THE PERIOD FROM:	RATE PER QUARTER
1-01-2010 TO 12-31-2010	\$1,316.35
1-01-2011 TO 12-31-2011	\$1,316.35

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 5. QUARTERLY BILLING AND PAYMENT OF CHARGES PENALTY

The Water Resources Department shall bill the charges herein provided for at the end of each quarter. The amount billed shall be due and payable within 21 days of being mailed; except those rates applicable to properties owned or leased by political subdivisions, of the State Of Ohio shall be due and payable without penalty no later than the 30th day following the billing date. A penalty equal to 10 percent of the unpaid current billing that has not been received by the close of business on the last day such bill is due and payable without penalty shall be added to the unpaid amount of that bill. The “due date” (the date by which payment may be received without penalty) will be shown on the bill. This penalty may be waived at the discretion of the Sanitary Engineer.

SECTION 6. DISCOUNT PROGRAM

The Portage County Discount Program (“Discount Program”) will apply to qualified residential customers. A discount of 10% will be deducted from the sewer charge for qualified residential customers.

A “qualified residential customer” shall be defined as an individual who receives sanitary sewer service from Portage County Water Resources Department, is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the property which the deduction is requested, and is responsible for the payment of the sanitary sewer utility bill.

SECTION 7. EFFECTIVE DATE OF NEW CONNECTION

The effective date of connection to the sanitary sewer system for new building construction shall be the first day of the first month after 90 days has elapsed from the date of lateral installation or the date of occupancy, whichever comes first. If the connection is to an existing building, modular unit, prefab unit or trailer unit the billing shall begin the day of such connection as certified by the County's Sanitary Engineer. Billing shall be prorated from the effective date of connection. If the building (commercial or residential) is on the Portage County Water System, billing starts the date the water is turned on.

SECTION 8. CONTINUING CHARGE IN THE ABSENCE OF DISCONNECTION

So long as the premises of a person, firm or corporation are connected to the Sanitary Sewer System, whether occupied or vacant, the applicable charge shall be billed to such user. The effective date of disconnection of a user from the System shall be the day such disconnection is approved by the County's Sanitary Engineer.

An exception to the above paragraph shall be made provided that the premises are also connected to the Portage County Water System and are billed as a Portage County Water Resources retail customer. In such cases, the sewer charge will not be applied if a permit to

turn the water off has been purchased and the water for the same premises is shut off. Such services shall remain off until a permit to turn the water on is purchased and water service is restored.

SECTION 9. CHARGES AND CERTIFICATION

A. Non-Payment Of Charges: The amount of any charges, as set forth in Section 3 and Section 4 of this Resolution, which are not received by the due date shall be certified, together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as other taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue sewer service to the non-paying user's premises or any other premises of that user served by a connection to the System.

B. Final Certification List: The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent sewer service charges in September of each year which this Board will certify to the Portage County Auditor for collection with real estate taxes.

SECTION 10. SANITARY SEWERAGE SYSTEM REVENUE FUND

All funds received by the County from the collection of the charges herein provided for shall be deposited as received with the County Treasurer who shall keep the same in a separate and district fund to the credit of the District, and any monies in that fund shall be used first for the payment of the cost of management, replacement, maintenance and operation of the System and thereafter shall be used for the payment of principal of or interest on any debt incurred to pay costs of replacements and improvements to the System.

SECTION 11. LEASED PREMISES

The lessor and lessee of any premises, which are served by a connection to the System, shall be jointly and severally liable for payment of the charges billed with respect to the leased premises, together with any penalty relating to the delinquent payment thereof. The County shall have the right to collect those charges and any penalty from either the lessor or the lessee or both of them.

SECTION 12. WATER METERS REQUIRED FOR NON-RESIDENTIAL USERS; FLOW METERS

The County Sanitary Engineer shall require upon adoption of this resolution, that each future non-residential user of the System install, at the user's cost, a water meter on its premises to measure its water consumption.

If a current non residential customer (not a trailer park), does not have installed a proper meter at the time of adoption of this resolution, then that user will be assigned a number of service units (minimum of one) as specified in Section 2 of the resolution and charged for the service units plus 50%, after a reasonable (as determined by the Sanitary Engineer) time is

given to install a meter. This additional 50% charge will continue to be charged until the user installs a proper meter. A trailer park without a meter will be billed in accordance with Section 2 of this resolution without an additional 50% charge.

Should a customer remove (without approval of the Sanitary Engineer), tamper with or fail to provide reasonable access to the metering system, the bill will be calculated using previous meter readings plus 50% or section 2 whichever is greater.

In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards, that a portion of the water consumption measured by a water meter installed on a non-residential user's premises does not enter or is not capable of entering the System, then such user may install, at his expense, a separate discharge flow meter measuring to the satisfaction of the Sanitary Engineer applying accepted engineering standards, the volume of wastewater discharged from the user's premises into the System. In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards that the volume of wastewater discharged from a non-residential user's premises into the System exceeds the volume of water consumed by that user as measured by the water meter installed on the user's premises, the Sanitary Engineer may require that user to install, at the user's cost and expense, a separate discharge flow meter to measure the volume of wastewater discharged from that user's premises into the System. Notwithstanding any provision to the contrary contained in this Resolution, in the event a separate discharge flow meter is installed by a user as herein provided, the user charge to be billed to that user shall be determined on the basis of the volume of wastewater discharged to the user's premises into the System, rather than on the basis of the volume of water consumed as measured by the water meter installed on the user's premises.

SECTION 13. MULTIPLE BUILDINGS – ONE OWNER

Properties that have more than one building that are connected to the sanitary sewer system, exist on the same parcel and have the same county parcel identification number, are metered through one common meter, and have at least one building connected to the county sewer system that is recognized as a commercial building may be combined and billed as one metered account. Such change in property billing shall not take place until such information is verified and a written request for such change in service is received at the office of the Water Resources Department.

This change is subject to periodic review to determine that no change in property status has occurred. If a representative of the Water Resources Department is denied access to verify account status then billing shall be as per Section 12 of this Resolution or current rate resolution.

SECTION 14. INSPECTION AND METER READINGS ON PRIVATE PROPERTY

The County Sanitary Engineer is hereby authorized and directed to designate personnel within the County's Water Resources Department who shall have the right to enter upon private property to take water meter readings and flow meter readings and composite samples from meters and samples installed thereon. In the event a user of the System

refuses to permit authorized County personnel to enter and take such readings and samples, those authorized personnel shall request the assistance of County Sheriff's Department and shall make the inspection accompanied by an officer of the Sheriff's Department. The County Sheriff is hereby required to provide such assistance. After a user's refusal to permit entry of authorized County personnel to take such readings and samples, the County Sanitary Engineer may elect to bill the user a charge as determined and also may terminate the user's sewer service.

SECTION 15. DUTIES OF COUNTY SANITARY ENGINEER

The County Sanitary Engineer is hereby charged with the responsibility for administering and enforcing this Resolution, classifying users of the System and determining changes that occur in premises or the use thereof which result in changes of user classification or applicable rate. The Sanitary Engineer is hereby authorized to review the operation, maintenance and replacement costs of the System each year for the preceding year and to prepare and review an expense projection for the coming year. This projection shall be prepared in accordance with and based upon generally accepted accounting principles consistently applied and upon an analysis of the operation, maintenance and replacement costs of the System and the covenants of any resolutions, trust indentures or trust agreements pertaining to the System.

SECTION 16. SEVERABILITY

This Resolution is severable and the invalidity of any section, phrase or provision thereof shall not affect the validity of any other section, phrase or provision.

SECTION 17. REPEAL OF PRIOR RATE RESOLUTION

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 09-0720 adopted August 4, 2009, by this Board, 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.

SECTION 18. EFFECTIVE DATE

This Resolution shall take effect and be in full force as of the date of approval by this Board of Commissioners.

SECTION 19. OPEN MEETING

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 follows:

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

* * * * *
RESOLUTION No. 10-1165 - RE: **FIXING RATES FOR WATER SUPPLIED IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, FUND 5400, AND REPEALING RESOLUTION 08-1234 ADOPTED DECEMBER 23, 2008.**

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

WHEREAS, this Board, has heretofore established by Resolution No. 74-78, adopted on April 11, 1974, the Portage County Regional Sewer District hereinafter referred to as the Regional Sewer "DISTRICT" and has heretofore constructed Water Supply improvements in the Brimfield, Franklin, Twin Lakes, Rivermoor, and Shalersville Service Areas; and

WHEREAS, this Board is authorized by the pertinent provision of Chapter 6117, Ohio Revised Code, to fix reasonable rates to be charged for water supplied by the County; and

WHEREAS, as an essential part of the program for the construction of Water Improvements in the "District" and for the construction of further water improvements pursuant to the General Plan of the District, this Board has determined it to be necessary to establish rates to be made for water supplied in the several service areas to provide additional funds required for the purposes of the water system of the "District" and to distribute equitably the cost of providing water distribution facilities among the present and future users of such system, such rates to be those herein established which, in the judgment of this Board, are reasonable and proper having due regard to all relevant circumstances and conditions, including capital costs and financing costs related thereto heretofore incurred by the County by the development, construction and acquisition of the said Water Service Facilities and those anticipated to be reasonably necessary to be incurred to meet present and future respective demands for the services of the water system of the "District"; and

Subject to change at any time and from time to time by resolution of this Board, each person, firm or corporation whose premises are served by a connection to the System shall be charged a quarterly sewer service charge determined from time to time as hereinafter set forth.

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

SECTION 1. DETERMINING TO FIX AND COLLECT RATES

It is hereby determined and declared to be necessary to fix and collect rates to be charged for every person, firm or corporation in the "District" whose premises are served by such water system and each political subdivision purchasing water in bulk pursuant to an agreement between this Board and such political subdivision.

SECTION 2. WATER REVENUE FUND

The funds received from the collection of the rates hereinafter provided shall be deposited as received with the County Treasurer who shall keep the same in a separate and distinct fund to the credit of the Portage County Regional Sewer District Water Revenue Fund 5400. That subject to the provisions of any indenture authorizing the issuance of County Water Revenue Bonds for the purpose of improving the water system of the "District", monies in said fund shall be used first for the payment of the cost of the management, maintenance and operation of Water Service Facilities for the use of which such charges are made and second for the payment of interest or principal of any debt incurred for the construction of such improvements, all in accordance with the provision of Section 6103.02 of the Ohio Revised Code. Any surplus thereafter remaining in such funds may be used for the extension or replacement of such Water Service Facilities or other enlargements, replacements or extensions of the water system of the "District".

SECTION 3. QUARTERLY WATER SERVICE CHARGE

For the purpose provided in Section 2 hereof, there is hereby fixed and charged to each person, firm or corporation whose premises are served by a water rate to be computed, billed and collected in accordance with the following schedule:

3-A. For the Brimfield Water Service Area excluding the Ohio American Water Company and the Rootstown Water Service Company, and for the **Shalersville Water Service Area** excluding the Ohio American Water Company and the Cities of Streetsboro and Aurora, and for the Pines Water Service Area:

BILLING PERIOD	0-1500 Cubic Feet Minimum bill	NEXT 3500 Cubic Feet Per Thousand	OVER 5000 Cubic Feet Per Thousand
12/01/09– 11/30/10	\$66.63	\$40.91	\$38.92
12/01/10 – 11/30/11	\$66.63	\$40.91	\$38.92

The water rates are hereby fixed thru November 30, 2011 and shall be billed by the County Sanitary Engineer at the end of each quarterly billing period. All such water rates shall be due and payable within 21 days of being mailed, except those rates applicable to properties

owned or leased by political subdivisions, which shall be allowed 30 days for payment at the net rate. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date. This penalty may be waived at the discretion of the Sanitary Engineer.

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

3-B. For the Pines Water Service Area (Non-Metered Customers) the minimum quarterly flat rate for non-metered customers shall be billed and collected in accordance with the following schedule:

BILLING PERIOD	AMOUNT PER UNIT
12/01/09 – 11/30/10	\$88.93
12/01/10 – 11/30/11	\$88.93

The water rates are hereby fixed thru November 30, 2011 and shall be billed by the County Sanitary Engineer at the end of each quarterly billing period. All such water rates shall be due and payable within 21 days of being mailed, except those rates applicable to properties owned or leased by political subdivisions, which shall be allowed 30 days for payment at the net rate. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date.

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

Note: should a meter be installed at a unit now located within the Pines Service area the rate of billing shall be the same as charged in the Shalersville Water Service Area.

3C. For the Rivermoor Water Service Area, and for the Infirmary Road Water Service Area.

BILLING PERIOD	0-1500 Cubic Feet Minimum Bill	NEXT 3500 Cubic Feet Per Thousand	OVER 5000 Cubic Feet Per Thousand
01/01/10 – 12/31/10	\$66.63	\$40.91	\$38.92
01/01/11 – 12/31/11	\$66.63	\$40.91	\$38.92

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The water rates are hereby fixed thru December 31, 2011 and shall be billed by the County Sanitary Engineer at the end of each quarterly billing period. All such water rates shall be due and payable within 21 days of being mailed, except those rates applicable to properties owned or leased by political subdivisions, which shall be allowed 30 days for payment at the net rate. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date.

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 4. CHARGES AND CERTIFICATION

A. Non-Payment Of Charges. The amount of any charges, as set forth in Section 3 of this Resolution, which are not received by the due date may be certified, together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as property taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue water service to the non-paying user's premises or any other premises of that user served by a connection to the System.

B. Final Certification List.

The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent water service charges in September of each year, which this Board will certify, to the Portage County Auditor for collection with real estate taxes.

SECTION 5. SHUT OFF OF DELINQUENT ACCOUNT

In addition to any other remedy available to the County for collection of delinquent water charges, the County Sanitary Engineer is hereby authorized to disconnect any premises with respect to which any water charges have not been paid within a period of 30 days after such charges are due and payable.

SECTION 6. BULK USER RATES

For the purpose provided in Section 2 hereof, there is hereby fixed and charged to the Ohio American Water Company, the Rootstown Water Service Company, and the City of Streetsboro, which now purchases water in bulk, a monthly water rate to be computed, billed and collected as follows:

DATE EFFECTIVE	PER 1,000 CUBIC FEET
January 1, 2010	\$23.61

January 1, 2011	\$23.61

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 7. AURORA USER RATES (PER AGREEMENT)

For the purpose provided in Section 2 hereof, there is hereby fixed and charged to the City of Aurora, which now purchased water through a twenty year agreement with the County, a monthly water rate to be computed, billed and collected as follows:

DATE EFFECTIVE	PER 1,000 CUBIC FEET
January 1, 2010	\$23.61
January 1, 2011	\$23.61

In addition to the amounts calculated in accordance with the preceding paragraphs, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 8. WATER BILLING DATE

Billing will begin when the water is turned on at the curb box by an employee of the Water Resources Department.

SECTION 9. WATER TAMPERING & NON-ACCESS PENALTY

In the event that the water is turned on by anyone other than an employee of the Portage County Water Resources Department billing shall start on the date the service line was installed and the water bill will be prepared using the Water Resources Equivalent Building Usage Table plus 50%.

Should a water customer, without permission of the Sanitary Engineer, remove, tamper with, or fail to provide reasonable access to the metering system, the bill will be calculated using previous meter readings plus 50% or the Water Resources Department Equivalent Building Usage Table plus 50% whichever is greater.

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE	TRUNK	PLANT
PER	NOTES	UNITS*
		UNITS

Apartments:

1 Bedroom		0.6250	0.6250	Apartment
2 Bedroom		0.7500	0.7500	Apartment
3 Bedroom		0.8750	0.8750	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)		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
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
		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
<u>Laundry Wastes Require Special Consideration--Consult District Sanitary Engineer</u>				
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 service.)
		0.0250	0.0250	Camper (no food 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.

A minimum of one unit shall be utilized for billing charges.

Trailer parks shall be billed in accordance with the equivalency chart above unless a flow meter approved by the Portage County Water Resources Department has been installed and is operational. Such metered parks will be billed at the existing commercial rate. Under no circumstances will a park or individual trailer owner be billed less than one unit.

In the case of any uses not described above, the Sanitary Engineer is authorized to establish the applicable service unit for such premises using generally accepted engineering principles and criteria until further legislative determination by this Board or until the installation of a water meter.

The Sanitary Engineer/Water Resources Director reserves the right to set and/or change standards pertaining to the installation of water service lines and meters.

SECTION 10. HYDRANT WATER USE & PENALTY

Customers that purchase water from a county owned water hydrant shall be billed at the rate provided in section 3 above. All such water rates shall be due and payable within 21 days of being mailed. A penalty in the amount of 10 percent of the current bill shall be added if not received by the due date.

In addition to the amounts calculated in accordance with the above paragraph, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

SECTION 11. DISCOUNT PROGRAM

The Portage County Discount Program (“Discount Program”) will apply only to qualified residential customers. A discount of 10% will be deducted from the total water charge for qualified residential customers.

A “qualified residential customer” shall be defined as an individual who receives water from Portage County Water Resources Department, is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the property which the deduction is requested, and is responsible for the payment of the water utility bill.

SECTION 12. REPEAL OF PRIOR RATE RESOLUTIONS

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. 08-1234 adopted December 23, 2008, by this Board is hereby repealed as of the effective date of this Resolution; provided, however, that such repeal shall not affect any rights or

obligations of the County or any property owner or other person which accrued prior to such repeal.

SECTION 13. EFFECTIVE DATE

This Resolution shall take effect and be in full force on the day of passage by this board.

SECTION 14. OPEN MEETING

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:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-1166

RE: FIXING CHARGES FOR THE USE OF THE SANITARY SEWERAGE SYSTEM IN THE STREETSBORO SANITARY SEWER DISTRICT NO. 4, FUND 5600, PURSUANT TO CHAPTER 6117, OHIO REVISED CODE AND REPEALING RESOLUTION 08-1232 ADOPTED DECEMBER 23, 2008.

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

WHEREAS, this Board, in order to preserve and promote the public health and welfare, pursuant to Resolution No. 67-17, adopted February 2, 1967, established the Streetsboro Sanitary Sewer District No. 4, hereinafter referred to as the Regional Sewer "DISTRICT"; and

WHEREAS, this Board is authorized by the pertinent provision of Chapter 6117, Ohio Revised Code, to fix reasonable rates to be charged for the use of the sewers or sewage treatment disposal works referred to in such Chapter, by every person, firm or corporation whose premises are served by a connection to such sewers or sewage treatment or disposal works when such sewers or sewage treatment or disposal works are owned or operated by the County and may change such rates as it deems advisable; and

WHEREAS, the sanitary sewer system serving the District consists of sewers and sewage treatment and disposal works as referred to in such Chapter 6117; and

WHEREAS, to distribute equitably the cost of providing sewage system collection, conveyance, treatment and disposal facilities among the present and future users of the System, this Board has determined to establish rates to be charged which, in its judgment are reasonable and proper having due regard to all relevant circumstances and conditions, as hereinafter set forth;

RESOLVED,

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

SECTION 1. SEWER SERVICE CHARGE

Sewer service charge means the total charge which is assessed users of the sewage system, and includes user charges and a fixed charge subject to change at any time and from time to time by resolution of this board, each person, firm or corporation whose premises are served by a connection to the System shall be charged a quarterly sewer service charge determined from time to time as hereinafter set forth.

SECTION 2. DETERMINATION OF SERVICE UNITS FOR NON-METERED USERS

For the purpose of calculating the charges herein provided for and having given due consideration to the volumes, strength and other characteristics of the sewage emanating from

the premises served by the System, it is hereby determined that the following uses of such premises shall be assigned the following Service Units for non-metered users:

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE PER	TRUNK NOTES	PLANT UNITS*	UNITS	
Apartments:				
1 Bedroom		0.6250	0.6250	Apartment
2 Bedroom		0.7500	0.7500	Apartment
3 Bedroom		0.8750	0.8750	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)		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
Drive Inn Theater		0.0250	0.0250	Car Space

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE PER	TRUNK NOTES	PLANT UNITS*	UNITS	
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 (single family residential)		1.0000	1.0000	House
Institutions-Resident	A	0.2500	0.2500	Bed
Laundries-Coin Operated		1.00	1.00	Machine
<u>Laundry Wastes Require Special Consideration--Consult District Sanitary Engineer</u>				
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

EQUIVALENT BUILDING USAGE TABLE

BUILDING USAGE	TRUNK	PLANT	
PER	NOTES	UNITS*	UNITS
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 service)
		0.0250	0.0250 Camper (no food 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.

A minimum of one unit shall be utilized for billing charges.

Trailer parks shall be billed in accordance with the equivalency chart above unless a flow meter approved by the Portage County Water Resources Department has been installed and is operational. Such metered parks will be billed at the existing commercial rate. Under no circumstances will a park or individual trailer owner be billed less than one unit.

In the case of any uses not described above, the Sanitary Engineer is authorized to establish the applicable service unit for such premises using generally accepted engineering principles and criteria until further legislative determination by this Board or until the installation of a water meter.

SECTION 3. QUARTERLY CHARGES:

STREETSBORO SERVICE AREA (ST-4) - INCLUDING SUMMIT COUNTY CONNECTIONS FROM THE CITY OF HUDSON

That for the purposes provided in Section 8 hereof, there is hereby fixed and charged to each person, firm or corporation whose premises have a connection with the Streetsboro Waste Water Treatment Plant or otherwise discharge sewage, industrial wastes, water or other liquids, either directly or indirectly into such sewer facility, sewer rates for each service unit, payable and hereinafter provided, in the respective amounts as follows:

1. Quarterly Sewer Service Charge

The quarterly Sewer Service Charge for single family residential users shall be:

2/01/2010 TO 01/31/2011	\$ 97.13
2/01/2011 TO 01/31/2012	\$ 97.13

During such period, for premises with metered water consumption, in the case of a Commercial Food Service User, the quarterly Sewer Service Charge shall be:

	PER 1,000 CU FT	MINIMUM BILL
2/01/2010 TO 01/31/2011	\$ 35.70	\$ 97.13
2/01/2011 TO 01/31/2012	\$ 35.70	\$ 97.13

In the case of all other non-residential premises the quarterly Sewer Service Charge shall be:

	PER 1,000 CU FT	MINIMUM BILL
2/01/2010 TO 01/31/2011	\$ 30.98	\$ 97.13

2/01/2011 TO 01/31/2012	\$ 30.98	\$ 97.13
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In the case of the Shalersville Brine Line the quarterly sewer service charge shall be:

	PER 1,000 CU FT	MINIMUM BILL
2/01/2010 TO 01/31/2011	\$ 18.59	\$ 97.13
2/01/2011 TO 01/31/2012	\$ 18.59	\$ 97.13

In addition to the amounts calculated in accordance with the preceding paragraph, there shall be added a Fixed Charge of \$2.25 to each bill rendered.

2. Surcharge

Users that discharge extra strength waste into the sanitary sewer system or exceed original permit design flow to the system shall be surcharged for such flow. The surcharge rate shall be determined by the Sanitary Engineer using the Rules and Regulations governing Portage County and the Streetsboro Sewer District No. 4 and the current user rate and tap-in fee resolutions. The surcharge shall be in conjunction with the Quarterly Sewer Service Charge per Section 3 Sub Paragraph A of this resolution.

3. Quarterly Billing And Payment Of Charges Penalty

The Water Resources Department shall bill the charges herein provided for at the end of each quarter. The amount billed shall be due and payable within 21 days of being mailed; except those rates applicable to properties owned or leased by political subdivisions, of the State Of Ohio shall be due and payable without penalty no later than the 30th day following the billing date. A penalty equal to 10 percent of the unpaid current billing that has not been received by the close of business on the last day such bill is due and payable without penalty shall be added to the unpaid amount of that bill. The “due date” (the date by which payment may be received without penalty) will be shown on the bill. This penalty may be waived at the discretion of the Sanitary Engineer.

SECTION 4. DISCOUNT PROGRAM

The Portage County Discount Program (“Discount Program”) will apply to qualified residential customers. A discount of 10% will be deducted from the sewer charge for qualified residential customers.

A “qualified residential customer” shall be defined as an individual who receives sanitary sewer service from Portage County Water Resources Department, is currently receiving the Homestead Tax Exemption as contained in Section 323.151 of the Ohio Revised Code for the

property which the deduction is requested, and is responsible for the payment of the sanitary sewer utility bill.

SECTION 5. EFFECTIVE DATE OF NEW CONNECTION

The effective date of connection to the sanitary sewer system for new building construction shall be the first day of the first month after 90 days has elapsed from the date of lateral installation or the date of occupancy, whichever comes first. If the connection is to an existing building, modular unit, prefab unit or trailer unit the billing shall begin the day of such connection as verified by the County's Sanitary Engineer. Billing shall be prorated from the effective date of connection.

SECTION 6. CONTINUING CHARGE IN THE ABSENCE OF DISCONNECTION

So long as the premises of a person, firm or corporation are connected to the Sanitary Sewer System, whether occupied or vacant, the applicable charge shall be billed to such user. The effective date of disconnection of a user from the System shall be the day such disconnection is approved by the County's Sanitary Engineer.

SECTION 7. CHARGES AND CERTIFICATION

1. Non-Payment Of Charges: The amount of any charges as set forth in Section 3, Sub-Paragraphs 1, 2 & 3 of this Resolution, which are not received by the due date, shall be certified, together with any applicable penalty to the Portage County Auditor, who shall place them upon the real property tax list and duplicate against the property served. Such charges shall be a lien on such property from the date the same are placed upon the real property tax list and duplicate by the County Auditor and shall be collected in the same manner as other taxes. The County also shall have the right in the event of non-payment to collect those delinquent charges, together with any applicable penalty, in a civil action or to discontinue sewer service to the non-paying user's premises or any other premises of that user served by a connection to the System.

2. Final Certification List: The Sanitary Engineer is hereby directed to prepare a final yearly list of delinquent sewer service charges in September of each year which this Board will certify to the Portage County Auditor for collection with real estate taxes.

SECTION 8. SANITARY SEWERAGE SYSTEM REVENUE FUND

All funds received by the County from the collection of the charges herein provided for shall be deposited as received with the County Treasurer who shall keep the same in a separate and district fund to the credit of the District, and any monies in that fund shall be used first for the payment of the cost of management, replacement, maintenance and operation of the System and thereafter shall be used for the payment of principal of or interest on any debt incurred to pay costs of replacements and improvements to the System, provided.

SECTION 9. LEASED PREMISES

The lessor and lessee of any premises which are served by a connection to the System shall be jointly and severally liable for payment of the charges billed with respect to the leased premises, together with any penalty relating to the delinquent payment thereof. The County shall have the right to collect those charges and any penalty from either the lessor or the lessee or both of them.

SECTION 10. WATER METERS REQUIRED FOR NON-RESIDENTIAL USERS; FLOW METERS

The County Sanitary Engineer shall require upon adoption of this resolution, that each future non-residential user of the System install, at the user's cost, a water meter on its premises to measure its water consumption.

If a current non residential customer (not a trailer park), does not have installed a proper meter at the time of adoption of this resolution, then that user will be assigned a number of service units (minimum of one) as specified in Section 2 of the resolution and charged for the service units plus 50%, after a reasonable (as determined by the Sanitary Engineer) time is given to install a meter. This additional 50% charge will continue to be charged until the user installs a proper meter. A trailer park without a meter will be billed in accordance with Section 2 of this resolution without an additional 50% charge.

Should a customer remove, tamper with, or not provide reasonable access to the metering system without approval of the Sanitary Engineer, the bill will be calculated using previous meter readings plus 50% or section 2 whichever is greater.

In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards, that a portion of the water consumption

measured by a water meter installed on a non-residential user's premises does not enter or is not capable of entering the System, then such user may install, at his expense, a separate discharge flow meter measuring to the satisfaction of the Sanitary Engineer applying accepted engineering standards, the volume of wastewater discharged from the user's premises into the System. In the event the Sanitary Engineer determines, after reasonable investigation and the application of accepted engineering standards that the volume of wastewater discharged from a non-residential user's premises into the System exceeds the volume of water consumed by that user as measured by the water meter installed on the user's premises, the Sanitary Engineer may require that user to install, at the user's cost and expense, a separate discharge flow meter to measure the volume of wastewater discharged from that user's premises into the System. Notwithstanding any provision to the contrary contained in this Resolution, in the event a separate discharge flow meter is installed by a user as herein provided, the user charge to be billed to that user shall be determined on the basis of the volume of wastewater discharged to the user's premises into the System, rather than on the basis of the volume of water consumed as measured by the water meter installed on the user's premises.

SECTION 11. MULTIPLE BUILDINGS – ONE OWNER

Properties that have more than one building that are connected to the sanitary sewer system, exist on the same parcel and have the same county parcel identification number, are

metered through one common meter, and have at least one building connected to the county sewer system that is recognized as a commercial building may be combined and billed as one metered account. Such change in property billing shall not take place until such information is verified and a written request for such change in service is received at the office of the Water Resources Department.

This change is subject to periodic review to determine that no change in property status has occurred. If a representative of the Water Resources Department is denied access to verify account status then billing shall be as per Section 10 of this Resolution or current rate resolution.

SECTION 12. INSPECTION AND METER READINGS ON PRIVATE PROPERTY

The County Sanitary Engineer is hereby authorized and directed to designate personnel within the County's Water Resources Department who shall have the right to enter upon private property to take water meter readings and flow meter readings and composite samples from meters and samples installed thereon. In the event a user of the System refuses to permit authorized County personnel to enter and take such readings and samples, those authorized personnel shall request the assistance of County Sheriff's Department and shall make the inspection accompanied by an officer of the Sheriff's Department. The County Sheriff is hereby required to provide such assistance. After a user's refusal to permit entry of authorized County personnel to take such readings and samples, the County Sanitary Engineer may elect to bill the user a charge as determined and also may terminate the user's sewer service.

SECTION 13. DUTIES OF COUNTY SANITARY ENGINEER

The County Sanitary Engineer is hereby charged with the responsibility for administering and enforcing this Resolution, classifying users of the System and determining changes that occur in premises or the use thereof which result in changes of user classification or applicable rate. The Sanitary Engineer is hereby authorized to review the operation, maintenance and replacement costs of the System each year for the preceding year and to prepare an expense projection for the coming year. This projection shall be prepared in accordance with and based upon generally accepted accounting principles consistently applied and upon an analysis for the operation, maintenance and replacement costs of the System and the covenants of any resolutions, trust indentures or trust agreements pertaining to the System.

SECTION 14. SEVERABILITY

This Resolution is severable and the invalidity of any section, phrase or provision thereof shall not affect the validity of any other section, phrase or provision.

SECTION 15. REPEAL OF PRIOR RATE RESOLUTION

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

DISCUSSION

December 21, 2010

1. December 16, 2010 correspondence from Gary Horning, requesting a tap in fee waiver for property located in Randolph Township/Journal Entry after discussing with Water Resources Department Director Harold Huff today.
2. December 10, 2010 fax from Ginger Park, Office of Criminal Justice Services, regarding Grant No. 2009-RA-D01-2184 – Collaboration of Advocacy. (cc: Department of Budget & Financial Management)/Clerk to bring back the resolution to accept the extension.

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JOURNAL ENTRY

December 21, 2010

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending December 13, 2010, as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$3,678.00 in License Sales and \$662.00 for Impound fees.
2. The Commissioners received the December 16, 2010 Amended Certificate of Estimated Resources for the year beginning January 1, 2010 as submitted by the Portage County Budget Commission (cc: Department of Budget & Financial Management).
3. In accordance with Ohio Revised Code Section 321.261, the Board of Commissioners acknowledged the receipt of the 2010 Detac Report, as presented by the Portage County Treasurer.
4. The Board of Commissioners received the December 16, 2010 Journal Entry enacting the Due Process Procedure for the Sewage Systems Treatment Appeals Board pursuant to Ohio Revised Code Section 3718.11 et seq. as presented by the Portage County Probate Court. (cc: Portage County Water Resources and Prosecutor's Office).
5. The Board of Commissioners received the December 17, 2010 Certificate of County Auditor that the total appropriations from each fund do not exceed the official estimate of resources for the year beginning January 1, 2010 as submitted by the Portage County Auditor's office (cc: Department of Budget & Financial Management).
6. The Board of Commissioners received the Portage County Investment Reconciliation for the month of November 2010 as presented by the County Auditor and County Treasurer.
7. Board of Commissioners' authorization requested to allow Commissioner Keiper to sign the Standard Affirmation and Disclosure Form for Grants Executive Order 2010-09S Banning the Expenditure of Public Funds on Offshore Services Application /Grantee Affirmation and Disclosure for the 2010 New Horizons Fair Housing Assistance Program as requested by the Regional Planning Commission.

8. In response of the December 10, 2010 Notice from the Ohio Division of Liquor Control of a request for liquor agency only application from Mantua Jay Enterprise Inc. dba Mantua Gas and Beverage, 4737 State Route 82, Mantua Township, Mantua, OH, does the Board of Commissioners wish to request a hearing? The Mantua Township Trustees were notified and have no objections; they are not requesting a hearing.

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REFERRED

December 21, 2010

1. December 6, 2010 memo from Michael Hiler, Ohio Department of Development, regarding Notice of Available Funding. Referred to Regional Planning Commission and Neighborhood Development Services.
2. Undated correspondence (received December 16, 2010) from Gary Haupt, regarding the Regional Airport Authority. Referred to Executive Assistant.

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PLEASE ADD TO AGENDA

December 21, 2010

1. December 20, 2010 e-mail from Carol Ebner, Robinson Memorial Hospital, requesting Commissioners' signature on the Robinson Memorial Hospital Revenue Refunding Bonds, Series 2010/Journal Entry.
2. December 20, 2010 request from Water Resources Department Director Harold Huff for Board approval to extend the Probation Period for an employee/Journal Entry.
3. The Board of Commissioners discussed the Internal Services Director's question regarding Board of Commissioners' departmental letterhead, agreeing that the header/footer format of the letterhead should be kept similar but the information (address and phone numbers) can be changed.

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INFORMATION ONLY

December 21, 2010

1. The Board of Commissioners received a Thank You card from the Compassion for Animals Foundation.
2. The Board of Commissioners received the Reminger Report entitled Court Holds No Immunity for Governmental Agency Employment Action Involving Arrest of Employee.
3. The Board of Commissioners received the Fall 2010 Newsletter as presented by the Summit County Port Authority.

4. The Board of Commissioners received an advertisement for the Innovative Technology Design Group as presented by Westlake Reed Leskosky.

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Journal Entry

December 21, 2010

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

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending December 13, 2010, as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$3,678.00 in License Sales and \$662.00 for Impound fees.
2. The Board of Commissioners acknowledged the receipt of the December 16, 2010 Amended Certificate of Estimated Resources for the year beginning January 1, 2010, as submitted by the Portage County Budget Commission.
3. In accordance with Ohio Revised Code Section 321.261, the Board of Commissioners acknowledged the receipt of the 2010 Detac Report, as presented by the Portage County Treasurer.
4. The Board of Commissioners acknowledged the receipt the December 16, 2010 Journal Entry enacting the Due Process Procedure for the Sewage Systems Treatment Appeals Board pursuant to Ohio Revised Code Section 3718.11 et seq. as presented by the Portage County Probate Court.
5. The Board of Commissioners acknowledged the receipt of the December 17, 2010 Certificate of County Auditor that the total appropriations from each fund do not exceed the official estimate of resources for the year beginning January 1, 2010, as submitted by the Portage County Auditor.
6. The Board of Commissioners acknowledged the receipt of the Portage County Investment Reconciliation for the month of November 2010, as presented by the County Auditor and County Treasurer.
7. The Board of Commissioners authorized Commissioner Keiper to sign the Standard Affirmation and Disclosure Form for Grants Executive Order 2010-09S Banning the Expenditure of Public Funds on Offshore Services Application /Grantee Affirmation and Disclosure for the 2010 New Horizons Fair Housing Assistance Program, as presented by the Regional Planning Commission.
8. In response of the December 10, 2010 Notice from the Ohio Division of Liquor Control of a request for liquor agency only application from Mantua Jay Enterprise Inc. dba Mantua Gas and Beverage, 4737 State Route 82, Mantua Township, Mantua, OH, the Board of Commissioners agreed not to request a hearing noting the Mantua Township Trustees were notified and have no objections, they are not requesting a hearing. The Board further authorized the Clerk to sign and submit the form.

9. The Board of Commissioners signed the December 21, 2010 correspondence to the County Auditor requesting that staff Debit Fund 1493, Collaboration Advocates Grant, and Credit Fund 1460, Enforcement and Protection Orders Grant as follows:

<u>Org</u>	<u>Object</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
Debit: 14930014	400000	9B03S	\$ 7,404.31	FCS – Coll. of Advoc. Grant .
Credit: 14600104	400000	7A590	\$ 7,404.31	FCS – Coll. of Advoc. Grant .

10. The Board of Commissioners signature the December 21, 2010 correspondence the County Auditor requesting that staff Debit Fund 1460, Enforcement and Protection Orders Grant, and Credit Fund 0001, General Fund as follows:

<u>Org</u>	<u>Object</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
Debit: 14600104	400000	7A590	\$ 10,177.15	FCS – Enforc. & Protection
Credit: 00010004	400000		\$ 10,177.15	FCS – Enforc. & Protection

11. The Board of Commissioners signed the Robinson Memorial Hospital Revenue Refunding Bonds document, Series 2010, as presented by Carl Ebner, Vice President of Finance at Robinson Memorial Hospital. The Board of Commissioners noted that the hospital will absorb the cost of any adverse impact on a Portage County debt issuance in the future.

12. The Board of Commissioners accepted the December 20, 2010 recommendation of Water Resources Department Director Harold Huff and authorized a 60 day extension of the Probationary Period for the Superintendent of Water from December 20, 2010 to February 18, 2011.

13. The Board of Commissioners signed the reverse Journal Entry (#2009-11-43), as presented by the Portage County Department of Job & Family Services, after being advised by the Auditor of State that these audit costs for the 2007 WIA Audit Costs cannot be paid by the JFS cost pool.

14. The Board of Commissioners accepted the recommendation of Portage County Water Resources Director Harold Huff and approved the December 16, 2010 request from Gary L. Horning to waive sanitary sewer connection fees at 3952 Waterloo Road in Randolph Township.

15. The Board of Commissioners accepted the recommendation of Portage County Water Resources Director Harold Huff and agreed to appoint Jeff Lonzrick as the Interim Director of the Portage County Water Resources Department, at a salary of \$76,000, effective January 1, 2011 and ending when the position is filled. Internal Services Director JoAnn Townend will prepare the necessary agreement.

16. After meeting today with Internal Services Director JoAnn Townend and Department of Budget & Financial Management Director Audrey Tillis, the Board of Commissioners accepted their recommendation and agreed to transfer \$1,310.07 from Portage County’s Senior Center Activities Fund, Fund 8102, to the Family & Community Services, Inc. for the seniors activities. The Board of

Commissioners also agreed that the \$7,599.49 remaining in the Portage County Senior Activities Fund will remain with the county until the Senior Council submits requests for the release of funds for an authorized use.

All in favor, motion carries.

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JOURNAL ENTRY II

Motion by Christopher Smeiles to use the newer, amended version of the agreement between the Board of Commissioners and the Portage Development Board approved by Resolution 10-1150. These changes were made to clarify funding and membership issues addressed in the agreement. Seconded by Commissioner Keiper, Commissioner Frederick voting no, motion carries.

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Meeting adjourned at 12:15 PM

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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 **December 21, 2010**. 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 **12:15 PM**. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Deborah Mazanec, Clerk

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