



PortageRecycles.com

**PORTAGE COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

District Recycling Center
3588 Mogadore Road
Kent, Ohio 44240
(330) 678-8808

Solid Waste Management District Commissioners
Kathleen Clyde, Vicki A. Kline, Sabrina Christian-Bennett

William G. Steiner II, Director

The Solid Waste District Board of Commissioners' meeting minutes are summarized. The entire proceeding has been audio recorded and is available at the Commissioners' Office at cost.

The Solid Waste Management District Board of Commissioners met in regular session on Thursday, January 30, 2020 at 9:01 AM with the following members present:

Attendee Name	Title	Status
Kathleen Clyde	President	Present
Vicki A. Kline	Vice President	Present
Sabrina Christian-Bennett	Board Member	Present

Also Present: Director Steiner, Dr. Joe Gadd, Clerk Amy Hutchinson, Brian Ames, Tony Badalamenti, Attorney Chris Meduri, Barb Tittle, and Diane Smith, Record Courier

1. Approval of Minutes January 23, 2020

Motion: Commissioner Kline

Second: Commissioner Christian-Bennett

All in Favor: Commissioner Kline, Yea; Commissioner Christian-Bennett, Yea; Commissioner Clyde, Yea;

Motion Carries

2. Resolutions

RESOLUTION NO. 20-016: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett 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 Board of Commissioners, Department of Budget and Financial Management, Department of Internal Services or other designee on January 30, 2020 in the total payment amount of **\$18,135.09 for Funds 8300-8399** 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 District 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:

Kathleen Clyde, Yea; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 20-017

There were no Journal Vouchers submitted by the County Auditor. This is for numbering purposes only.

RESOLUTION NO. 20-018: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett 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 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 **\$17,400.81** dated **January 30, 2020** shall be paid; and be it further

RESOLVED, that the District 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:

Kathleen Clyde, Yea; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 20-019: AUTHORIZE THE PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT TO ENTER INTO A 2020 AGREEMENT FOR SERVICES WITH THE PORTAGE COUNTY SHERIFF’S DEPARTMENT

It was moved by Vicki A. Kline, seconded by Sabrina Christian-Bennett that the following resolution be adopted:

- RESOLVED,** the Sheriff has the statutory authority to enforce the Revised Code throughout Portage County; and
- RESOLVED,** the Portage County Solid Waste Management District desires services in order to enforce the unauthorized or improper disposal of solid waste under Ohio law; and
- RESOLVED,** the Board of District Commissioners for the Portage County Solid Waste Management District authorizes the Portage County Solid Waste Management District to enter into an agreement for services for the year 2020 with the Portage County Sheriff’s Department in an amount not to exceed \$84,590.64 for 2020 for the purpose of providing environmental protection services for the time period January 1, 2020 through December 31, 2020; and be it further
- RESOLVED,** that the Board of District Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Vicki A. Kline, Yea; Kathleen Clyde, Yea; Sabrina Christian-Bennett, Yea;

Discussion: The District’s cost remains the same from 2019-2020 at \$84,590.64. Sheriff Doak and Director Steiner made a change to the contract when the Environmental Compliance Officer is out of the office, whether it’s training for the Sheriff’s Office, sick day, vacation day, etc., that time will be deducted from the quarterly invoice.

The District has received only positive feedback about the program and it’s helping the County really clean up. Officer Alex has worked on well over 500 cases and this is something the Sheriff and the District want to continue.

Commissioner Kline pointed out in the third RESOLVED, the 2019 should be replaced with 2020 and Director Steiner noted he submitted a revised resolution.

JOURNAL ENTRIES
January 30, 2020

1. The Board of Commissioners accepts the termination of a Solid Waste probationary

employee effective January 24, 2020, presented by William Steiner, Solid Waste Management District Director and Janet Kovick, Human Resources Director.

Motion: Commissioner Kline

Second: Commissioner Christian-Bennett

All in Favor: Commissioner Kline, Yea; Commissioner Christian-Bennett, Yea;
Commissioner Clyde, Yea;

Motion Carries

2. The Board of Commissioners authorizes the external posting of the full time CDL Truck Driver, replacing Peter Teeple, for the Portage County Solid Waste Management District, as presented by William Steiner, Solid Waste Management District Director and Janet Kovick, Human Resources Director.

Motion: Commissioner Kline

Second: Commissioner Christian-Bennett

All in Favor: Commissioner Kline, Yea; Commissioner Christian-Bennett, Yea;
Commissioner Clyde, Yea;

Motion Carries

3. The Board of Commissioners authorizes the full time hire of Jeffrey Weller as a CDL Truck Driver – 3rd Shift, replacing the position previously held by Daniel Reagan, for Portage County Solid Waste Management District, presented by William Steiner, Solid Waste Management District Director and Janet Kovick, Human Resources Director. Anticipated start date is February 3, 2020. The Board of Commissioners agreed that this hire is contingent upon the applicant passing the required pre-employment testing.

* Director Steiner noted Mr. Weller has found other employment so this Journal Entry is not necessary.

4. The Board of Commissioners authorizes the full time hire of Robert Kern as a CDL Truck Driver, replacing the position previously held by Charles Dean, for Portage County Solid Waste Management District, presented by William Steiner, Solid Waste Management District Director and Janet Kovick, Human Resources Director. Anticipated start date is February 3, 2020. The Board of Commissioners agreed that this hire is contingent upon the applicant passing the required pre-employment testing.

Motion: Commissioner Kline

Second: Commissioner Christian-Bennett

All in Favor: Commissioner Kline, Yea; Commissioner Christian-Bennett, Yea;
Commissioner Clyde, Yea;

Motion Carries

Commissioner Clyde asked if Mr. Dean provided his resignation date and Director Steiner explained he will still need to talk with him and he also has to schedule a meeting with the Union to let them know he is looking into having part-time drivers.

Commissioner Christian-Bennett asked how many drivers the District is down and what's the impact and Director Steiner responded the drivers are working longer because of 2 retirements and a termination. The District struggles to fill the night driver position, which is responsible for emptying the recycling trucks throughout the night, due to the hours. Director Steiner will also discuss the position with the union. Commissioner Christian-Bennett asked if the drivers are limited by hours for their CDL license and Director Steiner responded his staff looked into the issue and they would be limited working in the private sector, but not with the County. Commissioner Christian-Bennett pointed out it's their license, not the County's and she would like him to double check and Director Steiner will forward the research.

DISCUSSION:

1. Brimfield Township Recycling Program

Director Steiner is aware of a posting on Facebook and was told people are essentially not happy with the fact curbside recycling may end in Brimfield Township. He was also told a video was published that has been viewed 1,900 times. Director Steiner has not viewed the video nor read the posts from the general public and he would like to review the information before making any comments. He went on to say the Board will need to come to a decision because he doesn't believe a contract with Brimfield will be coming anytime soon and he doesn't want the District to continue picking up recycling for free if there's a chance they may not be able to recoup the costs. Commissioner Christian-Bennett pointed out it's the Board's decision and since the District does not have a contract with Brimfield Township any longer, they are essentially providing the service for free. When asked, Attorney Meduri stated that without a contract there's no guarantee people are going to pay for the service and there's no enforcement mechanism in place. Commissioner Christian-Bennett asked what the Board should tell residents that are calling because the video instructs the public to contact the Commissioners and Director Steiner. She went on to say the Board needs to decide how it's going to move forward instead of 'kicking the can'. Commissioner Kline believes Director Steiner is saying that he wants to contact the residents because he's not sure the Trustees are speaking for the residents. Director Steiner recommends an explanation to the residents of the County's position so they understand.

Commissioner Christian-Bennett believes the only way the District can continue to pick up and get paid for it is to have public hearings. It's clear the residents like the curbside recycling and they are heavy recyclers and she wants to know what is the message to the residents? Director Steiner would like to review the comments on-line and Commissioner Christian-Bennett stated she has reviewed the comments and the majority of people are upset at the fact that recycling could stop. Director Steiner asked if the Trustees ever decided to hold a public meeting because they meet at 8:00 AM and that's when most people are working. Commissioner Christian-Bennett noted the Ohio Revised Code puts the burden on the Commissioners not the Trustees. Commissioner Kline asked if they are willing to pay, why isn't a contract signed? Commissioner Christian-Bennett responded the Trustees want to entertain subscription service and would pay half the cost of a survey and accept whatever the survey revealed, but the District didn't want to put the question out there for subscription services. Commissioner Kline asked if the public is willing to pay \$7.00-\$8.00 per

month for subscription services and Commissioner Christian-Bennett responded they don't know because a survey hasn't been done.

Ms. Tittle asked instead of a survey, why can't Director Steiner set up a public meeting with Brimfield residents with or without the Trustees in the evening to find out what the public thinks.

Commissioner Clyde asked if Director Steiner needs a week to come back with options and Director Steiner doesn't believe the Trustees want a contract and now the public is engaged and needs to be heard. Director Steiner suggests a public meeting. Commissioner Clyde asked if the public hearing would be the start of a pre-hearing process and Director Steiner believes it would. Commissioner Clyde asked if the Board engaged in the process, which is a 6-8 weeks process at minimum, what does he suggest happens in the meantime with service and Director Steiner noted his heart goes out to the residents and he would like to provide a Plan B option to them. If the District suspends service, he suggests not picking up the carts immediately, and providing them one week at minimum, 2 weeks maximum notification when service will end. The residents have been long term supporters of the District and he doesn't want to penalize them. Commissioner Clyde asked about every other week service during the 6-8 week period with a notice that at the end of the 6-8 week period, that this is when service will end depending on what happens at the public hearings and Director Steiner believes that's a good idea. Commissioner Christian-Bennett asked if the Board goes to the public hearings, the Board can collect for the months the District provided service and Attorney Meduri wouldn't rely on having to do that, not saying you couldn't, but at this point he doesn't recommend it. Commissioner Christian-Bennett noted this has been done before when the District's contract with a city expired and they were provided service for a month or two without it, but the contract always stated it's retroactive and Attorney Meduri doesn't suggest the Board continue the practice.

Commissioner Kline noted Attorney Meduri has stated if the County gets a contract, it can go back and recoup the money. Commissioner Kline asked how far apart do the meetings have to be and Attorney Meduri will need to investigate the code and will get back to the Board.

Director Steiner will discuss this issue with the Prosecutor's Office and will come back next week with a template on how the process should flow. Commissioner Clyde noted the Board may be able to set the dates and get a draft process moving forward.

Commissioner Christian-Bennett stated for now, the District will continue service to Brimfield Township until otherwise noted. Commissioner Clyde asked that the District continue service bi-weekly and Director Steiner agreed as it would minimize the impact on the District and will provide the residents notice that in 2 weeks, the District will collect bi-weekly until the process has been completed. Director Steiner will put notice on the website, in the newspaper, and he will post to the Township's Facebook page and will list the dates for pickup.

The Board agreed to start bi-weekly service to Brimfield Township in 2 weeks.

2. Scrap Tire Program

Director Steiner noted the grant is due next Friday at 3:00 PM and will require some changes in the program. The District will not be providing every community with their own container for collections and there will be 5 in the spring. The match will come from charges outlined in the documentation and the District is required to collect \$0.50 minimum for each tire and there's a petty cash funds available for the District. There's almost 6 months available to coordinate the grant and Director Steiner asks the Board for feedback on the draft resolution as it's a crucial part of the application process.

Adjourn the Official Meeting of January 30, 2019 at 9:29 AM.

Motion: Commissioner Clyde

Second: Commissioner Kline

All in Favor: Kathleen Clyde, Yea; Vicki A. Kline, Yea; Sabrina Christian-Bennett, Yea;

Motion Carries

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Solid Waste Management District Commissioners' meeting.

Kathleen Clyde, President

Vicki A. Kline, Vice President

Sabrina Christian-Bennett, Board Member

Amy Hutchinson, Clerk