



**PORTAGE COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

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

Solid Waste Management District Commissioners
Vicki A. Kline, Kathleen Clyde, 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 October 31, 2019 at 9:02 AM with the following members present:

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

Also Present: Director Bill Steiner, Department of Budget and Financial Management Director Todd Bragg, Attorney Chris Meduri, Human Resources Director Janet Kovick, County Auditor Janet Esposito, Office of Homeland Security and Emergency Management Director Ryan Shackelford, Clerk Amy Hutchinson, Barb Tittle and Record Courier reporter Diane Smith

CONSENT AGENDA

1. Approval of Minutes October 24, 2019

2. Resolutions

- A. Approve the October 31, 2019 bills as presented by the County Auditor./19-157
- B. Approve the October 31, 2019 Journal Vouchers as presented by the County Auditor/19-158
- C. Approve the October 31, 2019 Then & Now certification as presented by the County Auditor./19-159
- D. Approve the five (5) year recycling contract with Mantua Township./19-160

Motion To: Approve the Consent Agenda for October 31, 2019

RESULT:	ADOPTED
MOVED:	Sabrina Christian-Bennett
SECONDED:	Kathleen Clyde
AYES:	Sabrina Christian-Bennett, Kathleen Clyde, Vicki A. Kline

REGULAR AGENDA

October 31, 2019

Discussion

A. Pending

- Contamination Policy – No Discussion today.

B. Citizens Work Group

Director Steiner would like to put together a work group of about 5-7 citizens and he will prepare information relative to the idea back in about 2 weeks. Director Steiner mentioned Judy Nelson has agreed to volunteer time at the District and she is available to help Director Steiner lead the work group and possibly cover hours at the Randolph Fair. The Board is comfortable with Director Steiner moving forward with the request.

C. Hiring Process

Director Steiner would like to initiate a draft policy that goes along with the hiring process, whereby he can accept a resignation and forward the document to the Human Resources to automatically generate a Journal Entry to accept the resignation and authorize the posting. The action will come back before the Board during its next meeting, but the posting doesn't have to wait an additional week before it can occur. Attorney Meduri explained if the Board is so inclined to provide that authority to Director Steiner, it could move forward with a policy to automatically generate the actions during the next meeting. Director Steiner would like to get through the interview and application process and have the final hire come through the Board. Director Kovick doesn't believe this practice is being done by any other department under the Board, but a Journal Entry will be needed providing the Department Heads authority during the time when the Board's not in session to authorize the Human Resources to post. Director Kovick noted for bargaining positions, it's part of their contract to post.

Commissioner Clyde would like more time to review this practice because of the Countywide implication and would like Human Resources' review, as well. Commissioner Christian-Bennett would like to ensure that statutorily it's allowed and Attorney Meduri noted a posting is different than the hiring because the hiring ultimately needs to be done by the Board, and whether the Board wants to delegate that authority is within its discretion to decide.

Director Steiner believes the District is a little bit different than other Commissioners' departments and Attorney Meduri explained Director Steiner is bound by length of hours for the drivers and Director Steiner pointed out he has an overtime list for employees as to the reason why overtime was required.

Commissioner Kline noted the Board must be consistent with all Directors, however some departments have different needs, so when composing a policy it should address the fact that Solid Waste Department is different.

D. District proposed new rate structure

The District is reviewing its rate structure as it currently is on a contract system. The District formed a team to review the situation comprised of Attorney Meduri, Department of Budget and Financial Management Director Todd Bragg, Water Resources Department Director Gene Roberts and Director Steiner. The team is reviewing 3 separate fee structures – weekly

curbside service, every other week service (bi-weekly), and a drop off service and rates would be structured much like water and sewer rates, regardless of location. For communities that wish to continue with a paper invoice, the cost would be reflective in the payment. The program has the potential to lower rates for weekly and every other week curbside service.

Currently, drop off recycling is based upon how many 8 yard containers are located within a community (\$600.00/container). Instead of invoicing Villages or Townships directly for the drop off containers, the District may want to consider the creation of a fee structure that could be assessed to property taxes. The last time a cost analysis was done on the drop offs, the District was losing \$6,000 per month on the program and contamination is at 38%, which impacts the rest of the County for the curbside program. Director Steiner has talked with several Trustees about the idea and the response has been very positive.

If this project moves forward, in January, the Board would need to adopt a resolution establishing the rates throughout the year as authorized under ORC 343.08. The communities would then be given the option to continue their contract until it expires or if it's lowers the cost, the contract could be voided. Hopefully, this will encourage communities with drop offs to move towards curbside recycling. The District is in no way taking away a community's right to have their service provided by a private sector entity, but financially it makes sense for the District.

In order to start the process, it would involve 3 advertisements, 3 public hearings for public comment and a resolution to fix the rates and other levels of services in January. Commissioner Christian-Bennett asked for a breakdown of costs and Director Bragg noted Kent is charged \$5.50 per month (\$66.00 per year) and he recommends holding the rate of \$66.00/year until the District can see who's interested in participating. Depending on how many communities opt out of their contract to join the process, it could lower the rates for the curbside.

Commissioner Clyde asked about the difference in revenue coming in from the drop off communities and Director Steiner believes the District brings in about \$60,000/year for the drop off and this program would boost income to over \$200,000, covering the costs to run the program. The District is not removing the drop offs from the community, just recouping the cost of the program. Communities could opt out of the drop offs, but the District is obligated by the plan to provide at least 90% of the County to access to recycling. Director Bragg noted the Board may want to consider whether it wants to change the service that communities are receiving each year.

Commissioner Kline asked if there are entities wanting curbside service that have drop offs and Director Steiner replied Freedom Township is interested in converting and there's a survey circulating in Palmyra Township.

Commissioner Kline reported the Board will need to think about the decision before moving forward.

Director Bragg mentioned Brimfield Township's contract is ready to expire and they are asking for a contract proposal so they can vote on it during their November meeting which is next week. The City of Kent is 1 year into a 5 year contract, but if the rates decrease, they could opt out early and many of the Townships may want to opt out to go under the new

system, too. Director Steiner noted the District wants to work with the Townships but shouldn't be in limbo for long periods of time waiting for communities to receive voter input.

Director Bragg explained under this system, the District would not proceed with contracts and the Board's decision would be such that it no longer going to pursue contracts and as they expire, you either join the plan or bid it out privately. The Board needs to decide whether it will start this year or hold off and do it next year. Brimfield Township has a lot of reservation about joining the new contract and some of the provisions they want, the team is not comfortable granting in a contract.

Director Steiner explained Brimfield Township sent out a Request for Proposal (RFP) for recycling and the District was the only entity that responded and provided a price for weekly, and for every other week service. The RFP was rather difficult to follow so the District worked extensively putting the proposal together and when submitted, the Township said no to all submittals. The District and the Township met and the District was told the Township wanted fees removed from property taxes and subscription service. Director Steiner indicated the District does not provide subscription service, so the Township indicated it would walk away from the program. At the same time, the District is obligated to ensure 90% of the residents have access to recycling and the Township wants a letter and/or contract from Director Steiner today for their meeting next week. Director Steiner indicated the District already proposed a contract and they said no, so it's nothing he can deliver, but he would still like to keep the lines of communication open with them for an alternative. Mantua Village is the only community in the County that does not utilize the District.

Part of the drop off incentive would reduce the contamination because the processing contract expires in November 2020. Director Steiner will ask when they do the composition analysis to do curbside separate from drop offs because the drop offs are a heavy contributor to the overall number of contaminations.

Commissioner Clyde noted currently, citizens within drop off communities may or may not participate in recycling and if the District charges each resident a fee, that option is then eliminated and Director Steiner noted the District tries to encourage residents to use the drop off because it will lower their trash bill and the drops offs are usually centrally located for ease of use.

There are other programs Townships use such as the tire collection program and the District's costs have doubled in the last 2 years and a future discussion will be needed with the Board.

Director Steiner will bring back both items next week.

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Director Bragg indicated prior to 2017, the District sent annual bills to every community. The invoice indicated if you didn't pay, it would be assessed to taxes. In 2016, the District looked at ways to have the billing go straight to taxes. The question was asked whether the District could take the 2020 charges, assess them in 2019 so that people could pay them in 2020 while the District is providing the service. The Prosecutor ruled that the District had to provide the service before it can charge for it. The District cannot assess the July-December portion of the bill because the service hasn't been provided. In 2017, the District assessed ½ the year billing in August and second half in January and then assessed the first ½ of the next year in August

and that caused problems with the County Auditor's Office. At that time, the District was told new communities should proceed from a June-July assessment and existing communities should proceed as usual. The City of Aurora is now the only community the District continues to bill how it's always been done – setting the annual bill and assessing the years' worth. This year, the question was posed about assessing the 2nd half and the recommendation from the Prosecutor's Office was no, so next year, the District will need to assess 2nd half of Aurora's billing in January and decide whether ½ a year's bill is sent to Aurora in 2020 and wait until 2021 to send the bill for the other half of the year. Attorney Meduri noted it's a contract issue and he has spoken with Aurora's Law Director, who indicated the City would rather have the County certifying, but under their contract, the City was supposed to do it, but it's easier if County does and they would prefer remaining with the contract for the 1st 6 months of the year. The Prosecutor's Office is trying to work on a Memorandum of Understanding (MOU) and the Law Director is willing to do an MOU to clarify, but for the existing term of 2 years, the City would like to stick with a contract revision to certify for 6 months.

Director Bragg and Director Steiner met with the Service Director, and while reviewing the contract currently in place (Aurora's contract), it's set up for quarterly billing, but the District has invoice annually. Director Steiner is working with the City of Aurora to move forward.

PLEASE ADD TO YOUR AGENDA

October 31, 2019

1. Amend Resolution No. 19-129, dated September 5, 2019: Solid Waste Management District Board of Commissioners certifies to the County Auditor unpaid charges for recycling collection services on all residential property in the District.

Motion To: Amend Resolution No. 19-129, dated September 5, 2019: Portage County Solid Waste Management District Board of Commissioners certifies to the Portage County Auditor unpaid charges for recycling collection services on all residential property in the Portage County Solid Waste District./19-161

RESULT:	ADOPTED
MOVED:	Sabrina Christian-Bennett
SECONDED:	Kathleen Clyde
AYES:	Sabrina Christian-Bennett, Kathleen Clyde, Vicki A. Kline

RESOLUTION NO. 19-157 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde 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 October 31, 2019 in the total payment amount of **\$13,750.34 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:

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

RESOLUTION NO. 19-158 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

It was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde that the following Resolution be adopted:

WHEREAS, the Ohio Revised Code requires that warrants be approved by the District Board of Commissioners for the Portage County Solid Waste Management District 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 submitted by the Solid Waste Management District Director for review by the District Board of Commissioners; now therefore be it

10/31/19	1169	\$32.80
10/31/19	1170	448.96
10/31/19	1194	13.95
10/31/19	1293	168.30
Total		\$ 664.01

RESOLVED, that the District Board of Commissioners approves the attached Journal Vouchers/Entries, 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:

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

**RESOLUTION NO. 19-159 - RE: ACCEPTANCE OF THEN AND NOW
CERTIFICATIONS FOR PAYMENT.**

It was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde 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 **\$ 142.64** dated **October 31, 2019** as set forth in Exhibit “A” 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:

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

**RESOLUTION NO. 19-160 - RE: AUTHORIZE THE PORTAGE COUNTY SOLID
WASTE MANAGEMENT DISTRICT TO ENTER
INTO AN AGREEMENT FOR SERVICES TO
PROVIDE BI-WEEKLY CURBSIDE COLLECTION
SERVICE TO MANTUA TOWNSHIP FOR A 5-
YEAR PERIOD**

It was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde that the following resolution be adopted:

WHEREAS, the Board of District Commissioners for the Portage County Solid Waste Management District submitted a proposal for curbside recycling collection services to Mantua Township, which has been accepted by the Mantua Township Trustees, now therefore be

RESOLVED, that 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 to provide bi-weekly curbside recycling collection services for \$3.00 per month \$36.00 per single family household and \$3.00 per unit for multi-family units, with price increases in year two to \$45.00 per year to Mantua Township for service to begin January 1, 2020 and to continue for a period not to exceed five (5) years, and

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 Kline, Yea; Kathleen Clyde, Yea; Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 19-161 - RE: AMEND RESOLUTION NO. 19-129, DATED SEPTEMBER 5, 2019: PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT BOARD OF COMMISSIONERS CERTIFIES TO THE PORTAGE COUNTY AUDITOR UNPAID CHARGES FOR RECYCLING COLLECTION SERVICES ON ALL RESIDENTIAL PROPERTIES IN THE PORTAGE COUNTY SOLID WASTE DISTRICT

It was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde that the following resolution be adopted:

WHEREAS, on September 5, 2019, the Solid Waste Management District Board of Commissioners certified to the County Auditor of Portage County charges for recycling services in the Portage Solid Waste District; and

WHEREAS, an issue surfaced with the City of Aurora's contract as it indicates quarterly billing for recycling collection, however historically, billing was completed a year in advance; and

WHEREAS, while this issue is being resolved, Resolution No. 19-129 needs to be amended correcting the billing date for the City of Aurora from January 1, 2019 to December 31, 2019 to January 1, 2019 to June 30, 2019; now therefore be it

RESOLVED, that the Board of District Commissioners does hereby amend Resolution No. 19-129, dated September 5, 2019, changing the City of Aurora's certification date **from January 1, 2019 to December 31, 2019 to January 1, 2019 to June 30, 2019;** and be it further

RESOLVED, that the remaining portions of the Resolution remain intact; and be it further

RESOLVED, that a copy of this Resolution be filed with the Portage County Auditor's office; 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 Kline, Yea; Kathleen Clyde, Yea; Sabrina Christian-Bennett, Yea;

Motion To: Adjourn the Official Meeting of October 31, 2019 at 10:01 AM

RESULT:	ADOPTED
MOVED:	Sabrina Christian-Bennett
SECONDED:	Kathleen Clyde
AYES:	Sabrina Christian-Bennett, Kathleen Clyde, Vicki A. Kline

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.

Vicki A. Kline, President

Kathleen Clyde, Vice President

Sabrina Christian-Bennett, Board Member

Amy Hutchinson, Clerk