



Portage County Board of Commissioners

Meeting Minutes

0748

449 South Meridian Street
Ravenna, OH 44266

<http://www.co.portage.oh.us>

Amy Hutchinson, Clerk
330-297-3600

Thursday, September 5, 2019

8:29 AM

Commissioners' Board Room

The Commissioners' meeting minutes are summarized; Audio recordings and backup material are available. Please contact the Commissioners' Office for specific details.

The Portage County Board of Commissioners' meeting came to order 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 attending throughout the day Brian Ames and Record Courier Reporter Diane Smith.

DOMESTIC RELATIONS COURT

Present: Judge Paula Giulitto, Bev Lowe, and Department of Budget and Financial Management Director Todd Bragg

- Judge Giulitto noted her salary is set by statute, but she is requesting a 5% increase for employees and with that, it will increase OPERS, Medicare, and Workers Compensation. The 5% increase equals \$24,000 for 8 full time staff members (the 9th staff member is paid from Domestic Relations funding.)
- From the request last year, the Health Benefit line has been running in the deficit \$9,000. There have been changes in coverage for 3 individuals that have shifted from single to family, and last month their change in coverage has made a \$9,000 grow to a deficit of \$16,175.42 by the end of this year. The 2020 request is anticipated at \$162,949.17.
- The bulk of the budget's (with the exception of the equipment line) equates to a grand total of approximately \$5,000.
- Requested increase in training for \$1,000 for new magistrate training.
- Requested increase in the travel line, \$1,750 for vehicle rental.
- There's a modest increase for telephone expense of \$250.00
- No increase in postage, although it has increased.
- Requested increase in Material/Supplies of \$1,500.00, which includes Civil Protection Order ID cards.
- Photocopy anticipated expenses increase of \$500.
- Equipment less than \$5,000: There are 11 Computer/monitor set for replacement and does not include the 3 Courtroom laptops for the courtroom. If the purchase is not done next year, it will become a 2021 expense. If the computers are paid out of the Domestic Relations' Equipment line, there's benefit back to the General Fund for IV-D Contract. If the IV-D contract includes this expense item will also include a contribution of Federal dollars back to the General Fund.
- There's a need for 3 new laptops for the Courtroom.

Commissioner Clyde asked if the allocation for computers is in December's budget for Domestic Court and Director Bragg responded they've been waiting for Information Technology (IT) to provide the computer list and the 2019 program had \$50,000 set aside, none of which has been spent in part because they don't have the list. Director Bragg came before the Board and asked if it would replace Judge Giulitto's this year and he understood the Board was going to proceed before the program was approved, but Director Bragg will check with IT Director Alger.

Director Bragg asked if Judge Giulitto received the items for the new scheduling software and she responded they've received the benefits of everything they discussed.

Recessed: 8:54 AM

Reconvened: 9:00 AM

Recessed to Solid Waste Management District: 9:00 AM

Reconvened: 9:00 AM

HUMAN RESOURCES

Present: Director Janet Kovick, Benefits Specialist Susan Lynn, WIC Director Amy Cooper and Water Resources Deputy Director Laura Weber

1. Life Insurance Vendor Follow Up

As a follow up from last week, Director Kovick explained the department is having issues with two of the vendors, and she is proposing the County bring on Washington National Life Insurance. Commissioner Clyde asked if this would need to go out for bid and Ms. Lynn responded going out to bid is perfectly legitimate, but because the County doesn't pay any portion of the policies, it's not necessary.

Last open enrollment, Mr. VanGuilder, the County representative for Allstate and Unum, passed away and there were a lot of issues with the policy and communications thereafter. Portage County brought in Aflac for employees who wanted to purchase cancer policies. During the process, Ms. Lynn reached out to Allstate and Unum, asking for a representative to meet with employees during open enrollment and she received no response from Allstate and it was weeks later before she heard back from Unum. Ms. Lynn also reached out to Colonial Life as a couple of years ago, OPERS promoted them as providing statewide price reductions and they were scheduled to attend open enrollment, and then no response. Ms. Lynn also reached out to New York Life, but they are 3 states away, Washington National and Aflac, who have constantly kept in contact with Portage County and their policies and prices are reasonable.

Ms. Lynn believes the County should offer minimal options for payroll deductions but she is open to however the Board would like to proceed.

Commissioner Clyde asked if anyone checked with the Prosecutor's Office and Director Kovick responded they have and Attorney Meduri would like to review their process but believes because it is optional and the County isn't utilizing its own funding, it doesn't need to go out for bid. Ms. Lynn also contacted Doug Brown from Willis

Towers Watson, who indicated he would be happy to assist with a review of the proposals, but it is not included in their contract and additional fees would apply.

Commissioner Clyde is okay with moving forward conditional upon written approval by the Prosecutor's Office.

Commissioner Christian-Bennett asked if there were certain companies the County was no longer going to offer payroll deductions from and Ms. Lynn responded the County will still have a payroll deduction through Unum but will stop payroll deduction for two other policies – critical illness and accident and Great Southern Life. The Human Resources Department will allow employees ample time to arrange for their own payroll deduction if they want to keep that policy.

Moving forward the County would like to offer Washington National for life insurance and Aflac for short term.

2. **Turnover Report**

Director Kovick discussed the January-June 2019 Voluntary Turnover Report.

Nineteen (19) employees voluntarily resigned during the period of January- June 2019, out of an average of 350 employees working in the Board of Commissioners' departments. The voluntary turnover percentage for this time frame was 5.5% and comparing to the same time frame in 2018, twenty-three (23) employees resigned with a turnover percentage of 6.53%.

As a reminder, the information gathered for this report is based on the exit interviews conducted with each employee prior to their last day with Portage County. The responses are categorized into the following areas:

- **Work/Life** – Lifestyle issues, hours of work, relocation, retirement, medical, etc.
- **Competitive Practices** – Salary, less than favorable working conditions, lack of recognition, etc.
- **Career Potential** – Lack of career path or advancement opportunities, lack of interest for the position or career.
- **Personal** – Reason provided is personal in nature.
- **Unspecified** – No specific reason provided by the employee.
- **Management/Supervision** – Employee specifically states he/she is resigning because of a manager or supervisor. (NOTE: The mention of this category in the turnover report is based solely on information provided by the employee, not that their statements have been confirmed.)

2019 VOLUNTARY TURNOVER

During the period of this review, the category with the highest turnover was the Unspecified category. This category includes employees who do not specifically designate a reason for resigning. This could be employees that resign without any notification, in lieu of possible discipline/termination, refuse to meet with Human Resources for an exit interview or simply do not offer a reason for resigning. In 2019, seven (7) employees fell under this category, equal to 37%. There has been an

increase of employees resigning in lieu of possible termination and refusing to meet with Human Resources.

Next, Director Kovick presented the reasons given by employees during their exit interviews. Excluding the Unspecified reason, retirement and management/supervision were reasons mentioned the most in exit interviews. Three (3) employees retired and three (3) employees advised they were leaving due to a manager or supervisor.

DEPARTMENT TURNOVER

Director Kovick presented information on voluntary turnover for the departments who experienced turnover during January – June 2019, including the Building Department, Internal Services Department, Job & Family Services (JFS), Solid Waste Management District and Water Resources Department.

The Building Department and Internal Services Departments each had one (1) employee either resign or retire.

Job and Family Services had a total of nine (9) employees out of approximately 195 resign during the review period. The two categories with the highest turnover were the Unspecified and Retirement categories.

Solid Waste Management District had four (4) employees out of an average of twenty (20) employees resign. There were two (2) employees who named a manager or a supervisor as the reason for resigning and two (2) employees refused to meet with Human Resources for exit interviews.

Water Resources Department had four (4) employees out of an average of sixty-two (62) employees resign. Each employee provided a different reason for resigning.

VOLUNTARY TURNOVER COMPARISON TO PREVIOUS YEAR

The turnover percentage for January – June 2019 was 5.5%, which is 1% lower than the same time period in 2018.

Comparing the two years, there has been an increase in the Unspecified, Management/Supervision and Job Growth (Lack of Career Path) categories in 2019. The department has also noticed decreases in Retirements, Lack of Career Interest, Salary, Hours of Work, Distance to Work and a personnel change from Part-Time to Full-Time.

CONCLUSION

Data from exit interviews are shared with the department directors for feedback and further discussions, when necessary. More importantly, the directors of the departments in which employees named a manager or supervisor as their reason for resigning or refusing to meet for exit interviews are aware of this information. The Human Resources department will continue to conduct exit interviews, gather

information on the reasons why employees end their employment with Portage County, identify trends and work with the departments.

3. **Portage County Discounts**

The Human Resources Department discovered two additional discounts they would like to offer employees:

- A. Tickets At Work is a discount program free for employees of the County and it links very similarly to the current discount program, Best Benefits, but offers more (ie. Disney, Universal Studios and broad way shows). Director Kovick will ensure the information is in the newsletter but will also send out an e-mail advising same to employees.
- B. Dell Computer discount is free for employees to go to Dell's website for up to 30% off computers and accessories.

The Board approved the request to distribute to employees.

9:20 AM In accordance with the Ohio Revised Code 121.22(G)(1), it was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde that the Board of Commissioners move into executive session to discuss employment of a public employee. Also present: Human Resources Director Janet Kovick, WIC Director Amy Cooper. Roll call vote: Sabrina Christian-Bennett, Yea; Kathleen Clyde, Yea; Vicki A. Kline, Yea;

9:30 AM Upon conclusion of the above referenced discussion, it was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde that the Board of Commissioners move out of executive session. Roll call vote: Sabrina Christian-Bennett, Yea; Kathleen Clyde, Yea; Vicki A. Kline, Yea;

After exiting executive session, the Board acted by adopting Resolution No. 19-0654 (APPROVE JOB ABOLISHMENT AND SUBSEQUENT LAYOFF OF POSITIONS IN THE PORTAGE COLUMBIANA WOMEN, INFANTS & CHILDREN (WIC) DEPARTMENT EFFECTIVE SEPTEMBER 30, 2019.)

WATER RESOURCES

Present: Deputy Director Laura Weber

1. Letter of Support

Deputy Director Weber presented a letter of support for the Portage County Combined General Health District's 2020 Water Pollution Control Loan Fund (WPCLF) application for the repair and replacement of household sewage treatment systems. The Board agreed to move forward with the request and allowed the Water Resources Department to sign the correspondence to the Health Department.

DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Todd Bragg

- Director Bragg checked with IT Director Lloyd Alger on the computer funding for Domestic Relations and it is already in their budget. The estimate was \$8,000 and it amounted to \$6,000.
- Director Bragg asked if the Board wanted to talk about the 2020 budget and discuss the possible reductions that are needed in 2021 and Commissioner Kline asked if he's talking layoffs in 2020 and Director Bragg responded that it's possible.
- The Board could provide more modest raises compared to revenue increases so that extra funding will be left over.
- The Board will need to discuss how it wants to handle the sales tax money and the Sheriff's request from 5-6 to 15 new employees.
- The State has announced it will be giving 70% reimbursement for Indigent Defense so that will help.
- Commissioner Christian-Bennett asked if the Board received the Sheriff's staffing study from Mr. Pace and Director Bragg noted he has not received a copy. Clerk with check with the Sheriff's Office. (No report has been received to date by the Sheriff's Office).
- The Board will need to discuss its intention regarding the Levy and preparing for the loss of funding and operating without it, noting the 2021 budget will be prepared in late 2020, which is election time.
- Commissioner Christian-Bennett suggested putting the levy on the spring ballot vs. November, because it would allow time to put it on again or begin gauging layoffs.
- Commissioner Clyde has no sense of knowing what the needs are since the jail expansion and would like to get through a budget process before deciding on an additional levy.
- Commissioner Christian-Bennett asked Director Bragg for the cost of the labor currently being funded with levy dollars and Director Bragg responded it's almost \$900,000.
- Director Bragg asked how the Board wanted to proceed, independent of the levy, with the 2020 budget and the Board agreed to wait for the Sheriff to discuss his staffing needs.
- Commissioner Clyde would like to see a middle path option if the Board doesn't receive the sales tax funding or if it does.
- Commissioner Kline inquired about whether the COLA raises were in addition to what Elected Officials are asking for or is it included and Director Bragg noted it's the general increase to everyone.
- The merit pay policy is another expense that will need to be discussed. Commissioner Clyde suggests Director Bragg touch base with Human Resources Director Kovick for her thoughts on what she anticipates with the policy.
- Commissioner Christian-Bennett noted the Board also talked about bringing everyone's pay that is currently spread over 3 years to be a combined one year increase to the minimum pay scale. Commissioner Clyde noted the Board intentionally left that portion vague to see what would come of it because the evaluation process wasn't necessarily uniform and not every department was requiring them. As departments are going through the evaluation process, they should find out more and keep the Board apprised on what they propose.

- Commissioner Christian-Bennett pointed out when the Board reviewed the performance evaluations, there should be some way the Board could increase salary based on longevity, but that portion isn't clear. Director Bragg noted longevity is not in the current revisions.
- Director Bragg suggests the Board choose a percentage of funding to set aside so that he can budget accordingly. He mentioned a 1% merit increase equals roughly \$200,000 across the County to the General Fund. Commissioner Kline believes that's a fair number and Commissioner Christian-Bennett stated it would be helpful to leave that amount set aside.
- Director Bragg inquired if Non-General Fund merit based increase will be held to the same 1% increase or is it determined on a per fund basis.
- Director Bragg will need additional information on the Pretty Glenn dam project because the state has provided one time funding that is sitting. Commissioner Christian-Bennett recalled that the Board agreed to move forward with demolition because the County would receive grant money for removal. Director Bragg believed the last item discussed was the need to obtain the easements from property owners, but the Board needs to provide additional direction. Commissioner Christian-Bennett will ask Director Townend for a status update later during the day.
- The Board has been preparing for the jail addition and when employees have resigned, they haven't been replaced, allowing a buildup of cash balance.
- Director Bragg noted there are many outstanding items that need additional funding such as existing debt, and capital projects such as the Annex, Riddle Block, and/or the Ravenna Courthouse. The County could refinance this year or next because interest rates have fallen, but the Board needs to be mindful of the uncertainty with the Village of Mantua and the possible need to issue debt next year.
- Director Bragg recommends the Board refinance existing debt next year and pay down some debt while refinancing.
- An estimate for \$850,000 was obtained for 6th floor renovations, there's at least that on the 2nd floor, and the Board of Elections.
- Commissioner Kline asked if it's worth putting money into the Administration Building and noted someone need to tell them if the building is worth saving.
- Commissioner Kline suggests the Board choose 1 capital project each year to focus on.
- Commissioner Christian-Bennett asked if the Board should hire a consultant for space use, but Director Bragg suggests sitting down with other Elected Officials for simple fixes vs. larger projects, then call the consultant.
- Commissioner Christian-Bennett noted the County is only half way through the expected life of the building and there's a lot of opportunity to expand. Director Bragg responded there's no doubt the building will still be standing in 50 years, but the question is whether the County will still be using it. Commissioner Kline stated if the building will still be standing, the Board may want to continue to put money into it.
- Commissioner Clyde suggested when the second round of budget hearing take place, the Board could reach out to some of the departments that have major facilities and ask them for their input.
- Director Bragg explained the Judges have repeatedly stated the Riddle Block is not adequate, but they like the location close to the Courthouse.
- Job and Family Services Director Jeffries has previously discussed the condition of the Annex Building and she has noted employees are still over there with the basement being musty.

- Commissioner Kline asked if the Annex building will still be standing in 50 years and Director Bragg mentioned it has a new roof and the siding, but it still has issues with the heating and air conditioning.
- The Annex building may not be conducive to Job and Family Services, but it could be for something else.
- The Board still has Station 30, Regional Planning Commission, and Motor Pool vacant.
- A more cohesive plan is necessary.
- The Airport needs attention but step two needs to be determined and then moved forward.
- Commissioner Kline asked if the Comprehensive Plan would take into consideration the items being discussed and Director Bragg replied not with regard to facilities.
- Director Bragg noted the County improved its computer infrastructure with the idea that it would be able to handle modern technologies, however the technology costs money to implement (ie. online applications, CPO cards, and e-discovery). How much technology is the County willing to move forward, still being conscious about reducing expenses? Money-wise it's not a savings, but it will save on old processes that won't be needed any longer.
- Director Bragg asked what is the priority - to reduce capital projects, COLA raises, additional staff, existing services, or new services.
- Director Bragg did not send the letter to Elected Officials because he is unsure if the Board can make the deadline of an early October proposed budget. We will be lucky to get a proposed budget out by end of October/beginning November.
- Director Bragg will talk about all these items again later, but his primary question to the Board today is what is needed from him to facilitate the discussion.
- Director Bragg needs a schedule from the Board in order to send a letter to everyone explaining the process.
- In response to Director Bragg's questions about budget tightening, Commissioner Clyde would like to see the tightening distributed between years 2020 and 2021.
- Director Bragg will begin providing budget forecasts.
- Director Bragg will prepare correspondence to Elected Officials for Board review, noting the final budget resolution will be adopted on December 19th.
- Director Bragg asks that the Board pick one or more topic it would like to refine next week and what information the Board wants for the discussion.
- Commissioner Clyde suggests the budget resolution be adopted prior to the week before Christmas as it would make it harder for the people doing the work and Commissioner Christian-Bennett explained it all depends on when the Board gets the information together.

Pretty Glenn Dam

- Commissioner Clyde suggests the Board reach out to Internal Services Director Townend for an update in the near future and Commissioner Christian-Bennett has already asked her to report on it today.

BUILDING DEPARTMENT BUDGET MEETING

Present: Director Randy Roberts and Department of Budget and Financial Management
 Director Todd Bragg

Personal Services:

- The Building Department has made several changes in staffing, which resulted in an overall budget reduction.
- Former Director Charles Corcoran's salary was removed and it was replaced with Director Robert's part time salary.
- They added Joe Bodnar to the position of Deputy Director.
- While reviewing the grade descriptions and salary, Director Roberts found that each of the 3 clerical employees were below the minimum pay range and he would like to see them moved between the low and the midpoint of the scale. Upon further investigation, he found the Board already approved an adjustment to bring the 3 employees to the minimum pay range of the scale. Director Roberts will work with Director Bragg to interject the Clemans Nelson figures over the 3 year period.

Contractual Services:

- Director Roberts recommends leaving the \$3,000 in place 'just in case'.
- Retain the training budget of \$500 for educational seminars as required under State law and travel.
- Membership dues increased slightly from \$445-\$500 because of rising costs.
- Telephone was at zero in 2018 and has gone to \$700 in 2019, but the Department has only been charged for \$306.00. He is suggesting an increase to cover actual costs of the budget of \$1,200. Director Bragg noted it showed zero in 2018 because the County was working on the AT&T contract, but a department is not held accountable if they go over, but if they are under in that line, funding will be removed for someone else.
- There are no advertising costs listed, but Director Roberts is requesting \$500.00. Director Bragg explained funding can be taken from another line for this expense.
- Postage was \$3,000, but they have used \$4,426.04 because before of the procedure to send every plan review (commercial and residential) certified mail. Director Roberts changed to another method approved by the State, so the cost has decreased. The \$4,000 may be reduced at a later time.
- The maintenance/repair are budgeted at \$1,850 and the funding was not used, so it was rolled into vehicle maintenance at \$3,500.
- The software system has an annual license fee for the ICES software. Director Roberts does not want to upgrade the software as he believes it is not worth the price.
- Materials/Supplies-\$22,000. The Building Department is hoping to live within this amount for vehicles, phone, postage, etc. in order to run the office.
- The Building Department has 3 vehicles and received their first one through Enterprise. Director Roberts is certain the process will work and he likes the idea of the lease, cost, and maintenance. In the near future, the department will need to look into replacing another vehicle.
- Director Roberts will need to look at the grading method that was accomplished through the Clemans Nelson study as he is receiving conflicting information from the previous director.

- Director Roberts would like to change the Department's name from the Portage County Building Department to the Department of Building Standards. He believes it flow along with the Board of Building Standards, their governing agency. Director Roberts has checked with the Prosecutor's Office and they are in the process of reviewing what is needed for the change.
- Director Roberts presented a summary of the Portage County Building Department's monthly report for August/Quarterly Report for 2019.
- Last year at this time, the department collected just under \$308,000 and to date this year the department has collected \$393,501.53, and that figure does not include Menard's.
- There have been 295 commercial projects for the year.
- Commissioner Christian-Bennett asked about Spins Bowls the former Twin Star bowling alley and Director Roberts explained they do not have city water. When the building was original constructed, it did not require a suppression sprinkler system, but during renovations in 2019, a sprinkler system is required. In order to install a sprinkler system, they would need to go to Powdermill Road, under the railroad tracks to find water which costs \$750,000-\$1 million for a \$150,000 renovation. Director Roberts was ready to go to the State's Appeals Board for alternate methods to make the building safe which the County could would work and the designers concurred, but the Building Department can't say it's okay. The department also received their drawing and did a decibel level check and found the fire alarm wouldn't be loud enough, so the drawings are being revised again.

Recessed: 10:53 AM

Reconvened: 11:03 AM

INTERNAL SERVICES

Present: JoAnn Townend and Department of Budget and Financial Management Director Todd Bragg

1. Hope Village Contract: Director Townend fixed the Hope Village contract and would like the Board to sign today since they've been providing services since April 1, 2019. The money is coming from the commissary fund.
2. Resolution to lease vehicle Kia Sedona: During the last meeting, the Board has a resolution to lease a vehicle for Job and Family Services and Director Townend checked to see if there were any other models available and they came back with a 2019 Dodge Caravan that was \$9.00/month cheaper. Director Townend has the resolution to add if the Board is so inclined.
 - A. Draft Resolution to Declare the necessity to lease a 2019 Dodge Caravan for use by the Portage County Department of Job and Family Services.

Motion To: Declare the necessity to lease one (1) vehicle for use by the Portage County Department of Job and Family Services/19-0655

RESULT: **ADOPTED**

MOVED: Sabrina Christian-Bennett

SECONDED: Kathleen Clyde

AYES: Sabrina Christian-Bennett, Kathleen Clyde, Vicki A. Kline

3. Pretty Glen Dam (Hills Pond Dam):

- The Ohio Department of Natural Resources completed their 5 year study and found overgrowth and repairs necessary at Hills Pond Dam.
- An engineering firm did a study and the price is over \$1 million to fix, but grants are available for dam removal.
- There are 6 homes involved requiring easements if the dam is going to be removed.
- Director Townend was going to inquire an approximate cost from the appraiser to do the 6 homes, but the jail project started.
- Commissioner Christian-Bennett explained there are no grants available for repair of the dam, but they are available for removal.
- Commissioner Kline would like to have the dam removed.
- The County owns the dam and the City of Akron owns the rest.
- Commissioner Kline asked what happens if the property owners do not want to provide the easements and Director Townend replied it's an eminent domain issue.
- There are 2 property owners wanting the dam removed, but the largest outcry is from the people that don't live on the water but further up in the development.
- Testa purchase the old golf course and was advertising the property as lakefront but had no interest in helping with the maintenance to keep it.
- Commissioner Kline remembered the Board making the decision to remove the dam because of the available grant money.
- Director Townend will need to contact Shawn Arden from EMH&T to investigate the current availability of grant funding for the project.
- The state provided a one-time MCU allotment and it happened to match the dam estimates so the Board put the funding aside. Director Bragg reported the state is providing that funding under emergency services and the County does not want it to sit much longer.
- Commissioner Christian-Bennett noted it appears the County has a huge carryover, but the funding is earmarked for specific projects.
- Commissioner Kline noted the Board will need to know the amount of current grant funding available because it's probably changed.
- Director Bragg pointed out that since it's a recreational dam, there is no state funding to repair it.
- Pretty Glen is a Class II dam (because of 532) which means the County must adhere to the second highest level of stringency in terms of safety.
- To apply for tearing out, most of the money will come from the conservation portion of the project and that means the Board would have already had to proceed with the design plans on the tear out, so the County cannot begin applying until more steps are in place.
- To tear the dam out would cost \$350,000, but putting it back together is when the funding would come into play.

- Director Bragg suggests the County reach out to the City of Akron to use their property for the fire suppression and possibly to contribute funding because they would like it removed as it alters their flow analysis in terms of water clarity.
- Commissioner Christian-Bennett noted how they restored the area in Cuyahoga Falls is very nice.
- Commissioner Kline reiterated that the dam needs to be removed.
- The dam was originally purchased to prevent annexation, not for any other purpose, and is now costing taxpayers money.
- Director Bragg suggests the Board send a letter noting public meetings will be held for conceptual designs on the restoration so the general public can attend.
- Commissioner Clyde responded there are multiple purposes of a public meeting and one could be to send out open communication.
- Director Townend noted they can send letters out stating an appraisal company will be coming to look at your property and may need access.
- The removal of the dam will need to be bid because of the cost.
- The Board agreed to remove the dam and to get appraisals done for the easements.
- Director Townend will work on draft correspondence to the property owners for Board review.

11:26 AM In accordance with the Ohio Rev. Code 121.22(G)(6), it was moved by Kathleen Clyde, seconded by Sabrina Christian-Bennett that the Board of Commissioners move into executive session for the purpose of security arrangements. Also present: Internal Services Director JoAnn Townend and Department of Budget and Financial Management Director Todd Bragg. Roll call vote: Kathleen Clyde, Yea; Sabrina Christian-Bennett, Yea; Vicki A. Kline, Yea;

11:49 AM Upon conclusion of the above referenced discussion, it was moved by Sabrina Christian-Bennett, seconded by Kathleen Clyde that the Board of Commissioners move out of executive session. Roll call vote: Sabrina Christian-Bennett, Yea; Kathleen Clyde, Yea; Vicki A. Kline, Yea;

After exiting executive session, the Board took no action.

Recessed: 11:49 AM
Reconvened: 1:00 PM

Recessed to Public Hearing: 1:00 PM

PUBLIC HEARING

REVISED RULES FOR THE PORTAGE COUNTY ILLICIT DISCHARGE DETECTION AND ELIMINATION AND THE PORTAGE COUNTY CONSTRUCTION SITE SEDIMENT, EROSION CONTROL AND STORM WATER MANAGEMENT

Also Present: Health Commissioner Joe Diorio, Director of Environmental Health for the Portage County Health District Mary Helen Smith, John Yearon, Kimberly Peer, Jim Milligan, Attorney David Garnier and Attorney Chris Meduri, Prosecutor's Office, County Engineer Mickey Marozzi and Larry Jenkins, James Bielair and Eric Long, Portage Soil and Water

Conservation, Richard Bonner, Record Courier Reporter Diane Smith, Brian Ames, Bruce Smith, and Clerk Amy Hutchinson

I. OPENING & INTRODUCTIONS

Portage County Commissioner Vicki A. Kline opened the Public Hearing at 1:00 PM and asked for introductions from those in attendance:

Diane Smith, Record Courier, John Yearon, Suffield Township, Eric Long, Portage County Soil and Water Conservation District, Kim Peer, Portage County Suffield, Larry Jenkins, Portage County Engineer's Office, County Engineer and Stormwater Coordinator Mickey Marozzi, Dick Bonner, Portage County Airport, James Bierlair, Portage Soil and Water Conservation District, Attorney David Garnier, Portage County Prosecutor's Office, Joseph Diorio, Portage County Health District, Mary Helen Smith, Director of Environmental Health for the Portage County Health District, Bruce Smith, Shalersville Township, Attorney Chris Meduri, Portage County Prosecutor's Office, Jim Milligan, and Advanced Drainage Systems.

II. PURPOSE OF THE HEARING – Commissioner Kline

In compliance with Ohio Revised Code § 307.79, the Portage County Board of Commissioners will hold three Public Hearings to hear comment on proposed amendments to the rules for Portage County Construction Site Sediment, Erosion Control and Storm Water Management and Portage County Illicit Discharge Detection and Elimination rules.

Upon further adoption, the proposed amended rules would be implemented through a Portage County Storm Sewer District in accordance with Ohio Revised Code 6117.01.

This is the third and final public hearing.

Notice of the public hearings were published in the Record Courier Newspaper on August 15, 2019, August 22, 2019 and August 29, 2019.

A copy of the proposed amendments to the rules has been on display and available for public review at the Commissioners' Office located on the seventh floor of the Portage County Administration Building, 449 South Meridian Street in Ravenna and at the County Engineer's Facility, 5000 Newton Falls Road in Ravenna since July 19, 2019. A copy has also been posted on the Portage County Storm Water Management Department's website, which can be found on the Portage County Homepage.

III. SWEARING IN OF THOSE WHO ARE SPEAKING

Commissioner Kline noted that anyone wishing to speak should raise your right hand and repeat after me.

- Do you solemnly affirm under the penalties of the law of perjury of the State of Ohio that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?

Audience Response: I do.

IV. INTRODUCTION AND OVERVIEW – County Engineer Michael Marozzi

The Portage County Stormwater District was established in 2009 for the County and the unincorporated areas of the Townships. The purpose of the District is to facilitate compliance with the requirements of the Ohio EPA, National Pollutant Discharge Elimination System (NPDES), Stormwater Phase II Permit Program. Ohio EPA required compliance for Phase II communities, including Portage County beginning in 2003. Through the Phase II permit program, the Stormwater District is required by Ohio EPA to implement a stormwater management plan that includes activities in the 6 minimum control measures with the goal of improving surface water quality, including bodies of water that Ohio EPA has designated as impaired, and has established total maximum daily loads for specific pollutants of concern. In 2009, the Board of Portage County Commissioners adopted rules regarding Illicit Discharge Detection and Elimination (IDDE) and construction and post construction storm water management erosion control, and sediment control. These topics relate to the minimum control measures Nos. 3, 4, and 5 of the Stormwater Management Plan. From time to time, the IDDE and stormwater management rules will require an update to maintain consistency with best management practices and revisions to the Ohio EPA's permit requirements. The permit is renewed every 5 years by the Ohio EPA and there have been 3 or 4 upgrades since the program was established.

Representatives from the Portage County Health District and the Portage County Soil and Water Conservation District will each provide an overview of the proposed rule revisions for both IDDE and Stormwater management. These rules were developed over a 6-12 month period by the various members of the Stormwater Steering Committee and included assistance from the Stormwater Consultant, Shawn Arden and Attorney David Garnier from the Prosecutor's Office. When the rules were in a rough draft form, they were presented to the Stormwater Task Force and they approved and recommended approval to the Commissioners.

At this time, County Engineer Marozzi asked Mary Helen Smith to come forward and discuss the IDDE.

V. RULE CHANGES SUMMARY

Environmental Health Director Mary Helen Smith, Portage County Health District:

There are three substantial changes to Exhibit A. Illicit Discharge Detection Elimination System (IDDE) Regulations:

The first change was to align some of the definitions with definitions being used in the second set of rules, Exhibit B. For example, the word illegal has been changed to illicit Waters of the State to Waters of the United States, and the definition of a Stormwater Pollution Prevention Plan that is referenced in these IDDE rules matches the definition in the second set of rules.

The second substantial change was to streamline the process of monitoring and enforcement referrals if found during dry weather screening. Dry weather screening is after 72 hours of a storm event or 48 hours of a storm event, along a certain amount

The third substantial change is to fix a concern they've had with local residents and a competing authority that is given to the Health District. The Ohio Department of Health designates authority to General Health Districts to be able to implement the household sewage treatment system regulations under Ohio Revised Code 3718, promulgated in 2010 and the subsequent regulations 3701.29, passed in 2015. While doing inspections, the legislative intent was specific that a homeowner that had a household sewage treatment system that was functioning at the time the statute and rules were passed, could continue to use that sewage treatment system as long as it did not cause a public health nuisance as defined in statute or was not prohibited technology. There is a specific set of household sewage treatment systems commonly referred to by the industry as Class I aeration systems. Class I systems were put in between 1986-2006 and met the old Federal Clean Water Standard, they were not issued an NPDES permit from the State because at that time the State was focusing on larger general and industrial permits, not down to the level of the Clean Water Act, focusing on homeowner discharges for sewage systems to waters of the state. The

Health District was contracted by the Board for Illicit Discharge Detection and Elimination under Title 61, which is EPA's authorization for contamination to waters of the state. So now the Health Departments find illicit discharge (unpermitted) and under Title 61, the Health Department says go to the Ohio EPA for a permit to have that discharge. The EPA says they cannot give them a permit to discharge because it doesn't meet the 2007 Federal Clean Water Act, which causes the homeowner to have to upgrade or replace their septic system. The Health Department met with Prosecutor's Office, called the Ohio EPA, and talked to the Ohio Department of Health, and came up with a solution. The Health Department is asking in the new regulations that the Board accept the septic systems that are Class I aeration in this timeframe, and that they not be considered illicit discharge as long as three items are maintained: (1) Have a service contract as required by the Health District, (2) Maintained and operated in accordance with the way the system was design, and (3) Is not causing a public health nuisance as defined in statute.

Stormwater Engineer Eric Long, Portage Soil and Water Conservation District:

The Portage County Construction Site Sediment Erosion and Stormwater Management Rules are the rules currently being amended and the primary purpose of the amendments are to meet the changes that have occurred to the Ohio EPA's documents, so that Portage County's document is concurrent with the EPA's current requirements.

Almost all of the changes are specifically done to mimic the Ohio EPA's document, so that the County is not in conflict, however, there are several exceptions, including the Critical Storm Requirement. The Critical Storm Requirement is a method for the reduction of peak run off rates from constructions sites. The Critical Storm Requirement is something the County has applied in the review of construction sites throughout the existence of the stormwater district and it has been in the Regional Planning Subdivision requirements.

A major change in the EPA's requirement is that they had 2 different thresholds for what construction sites were required to follow (ie. 5 acre and 2 acre), and now all construction sites over 1 acre have to meet the standards in the EPA's Stormwater Pollution Prevention Plan Requirements. There's now a 2 acre threshold that states anything over 2 acres has to use the approved best management practices from the Ohio EPA and any sites between 1 acre and 2 acres in disturbance can apply for alternative methods or use the accepted best management practice methods.

There was a requirement for signage in the document that required any construction site to erect a Stormwater Pollution Prevention Plan sign and since he's never witnessed a sign of that nature at any construction sites, it was determined the sign is no longer necessary.

The changes to the Performance and Maintenance Guarantee section are to meet the proposed changes on the new subdivision requirements. These changes are specifically in place for the residential subdivisions as they wanted the document to be consistent with the Regional Planning's Subdivision requirements.

There no longer is a requirement to submit 5 full sets of construction drawings, now they are required to provide 1 hard copy and one digital copy be submitted for review.

There was a change to the language of the ability of the Commissioners to establish a fee and review schedule. The ability for the Commissioners to establish a schedule has always been there, but currently they do not require a fee for the review or inspection on construction sites.

The remaining changes are to the definitions in Exhibit A and Exhibit B so that they are concurrent and that any definitions they have are in line with the Ohio EPA's document.

VI. PUBLIC COMMENT

1. Kimberly Peer, Suffield Township.

Ms. Peer has a home for sale and the County indicated they were going to inspect the septic, but they didn't come to her, instead sent an Illicit Discharge Non-Compliance notice and she's lost buyers that were under contract when the inspection came through. It's very concerning to her because the house was built in 2003 and the system is completely functional and she's been told it will cost upwards of \$15,000.

Ms. Peer asked if the County is saying that the proposed amendment would allow her system that was installed in a brand new home in 2003 that is completely functional, pumped every two years, will now be compliant if the amendment passes?

Ms. Smith explained it might be best to meet with Ms. Peer individually and to look at her situation. The rules being discussed today are for Class I aeration or the type of aeration that was put in between 1986-2006, in that it will no longer be considered an illicit illegal discharge under the County's stormwater program as long as it is maintained with a service contract and operating as it's designed and not causing a public health nuisance in accordance with the statute. Ms. Smith also noted there are many different kinds of septic systems and they are talking about a specific type of system.

There being no further business to come before the Board, a motion was made by Sabrina Christian-Bennett, seconded by Kathleen Clyde to adjourn the Public Hearing at 1:22 PM. All in favor, motion carries.

Reconvened to the Commissioners' Meeting: 1:22 PM

COUNTY ENGINEER

Present: Mickey Marozzi, Larry Jenkins, Attorney David Garnier and Attorney Chris Meduri, Prosecutor's Office, Bruce Smith, and Mary Helen Smith, Health District.

County Engineer Marozzi presented three Portage County Storm Water District Customer ERU Appeal Applications. The original appeal started with a small parcel that exists completely under I-76 and cannot be used for anything because it's in ODOT's Linear

Transportation Right of Way. Upon further review, it was determined two more existed and should have the same consideration.

1. **David J and Mary A Halachoff, Lynn Road Parcel, 04-026-00-00-012-000.** Upon review by the storm water consultant, Shawn Arden (EMH&T), the parcel lies almost completely under I-76 and cannot be used by the owner and Mr. Arden recommends waiving the storm water fee. The Storm Water Committee reviewed the recommendation and recommends the Board drop the assessment and issue a refund for the current year. NOTE: This owner has NOT paid the storm water fees for several years, therefore no refund is necessary.
2. **RW Martin and Sons, State Route 43, Parcel 04-032-00-00-038-000.** Upon review by the storm water consultant, Shawn Arden (EMH&T), the parcel lies almost completely under I-76 and cannot be used by the owner and Mr. Arden recommends dropping the storm water fee. The Storm Water Committee reviewed the recommendation and recommends that the Board drop the assessment and issue a refund for the current year. NOTE: The Owner has paid the storm water fees for this year, first and second half – issue reimbursement of \$18.45.
3. **Robert A. Summers, Lynn Road, Parcel 32-033-00-00-025-000.** Upon review by the storm water consultant, Shawn Arden (EMH&T), the parcel lies almost completely under I-76 and cannot be used by the owner and Mr. Arden recommends dropping the storm water fee. The Storm Water Committee reviewed the recommendation and recommends the Board drop the assessment and issue a refund for the current year. NOTE: The Owner has paid the storm water fees for this year, first and second half – issue reimbursement of \$18.45.

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The Board agreed to add the Journal Entries on next week's Consent Agenda.

1. Draft Resolution: To adopt the revised rules for Storm Water Management.

Motion To: Amend Resolution No. 09-0836, adopted September 10, 2009: Adopting Rules for Illicit Discharge Detection and Elimination, Construction and Post-Construction Storm Water Management and to Adopt Amended Portage County Illicit Discharge Detection and Elimination Rules (Exhibit A) and the Portage County Construction Site Sediment, Erosion Control and Storm Water Management Rules (Exhibit B)./19-0656

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

Resolution No. 19-0656 will become effective 31 days from the day of passage.

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PLEASE ADD TO YOUR AGENDA:

September 24, 2019

1. Declare the necessity to lease one (1) vehicle for use by the Portage County Department of Job and Family Services.

Motion To: Declare the necessity to lease one (1) vehicle for use by the Portage County Department of Job and Family Services. /19-0655

RESULT: **ADOPTED**

MOVED: Sabrina Christian-Bennett

SECONDED: Kathleen Clyde

AYES: Sabrina Christian-Bennett, Kathleen Clyde, Vicki A. Kline

COMMISSIONERS' CONSENT AGENDA

September 5, 2019

1. Approval of the August 29, 2019 regular meeting minutes.

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RESOLUTIONS

September 5, 2019

Budget & Financial Management:

1. Approve the Thursday, September 5, 2019 wire transfers for health benefits as presented by the County Auditor and reviewed by the Department of Budget & Financial Management. /19-0638
2. Approve the Thursday, September 5, 2019 Journal Vouchers, as presented by the County Auditor and reviewed by the Department of Budget & Financial Management. /19-0639
3. Approve the Tuesday, September 10, 2019 bills/ACH payments as presented by the County Auditor and reviewed by the Department of Budget & Financial Management. /19-0640
4. Approve the Tuesday, September 10, 2019 Journal Vouchers, as presented by the County Auditor and reviewed by the Department of Budget & Financial Management. /19-0641
5. Approve the Tuesday, September 10, 2019 Then & Now Certification, as presented by the County Auditor. /19-0642

Internal Services

6. Enter into a septic assistance program agreement between the Portage County Board of Commissioners, the Portage County Regional Planning Commission and Pag's Excavating Inc. for a septic system replacement. /19-0643
7. To authorize the Portage County Engineer to apply for a Federal Surface Transportation Block Grant (STBG) programmed by the Akron Metropolitan Area Transportation Study (AMATS) to resurface Tallmadge Road (CH18), from State Route 44 to State Route 14 (Sections G-J), in Rootstown and Edinburg Townships, Portage County, Ohio. /19-0644

8. To authorize the Portage County Engineer to apply for a Federal Surface Transportation Block Grant (STBG) programmed by the Akron Metropolitan Area Transportation Study (AMATS) to resurface Tallmadge Road (CH18), from State Route 225 to Mahoning Road (Sections O-P), in Palmyra Township, Portage County, Ohio./19-0645
9. To authorize the Portage County Engineer to apply for a Federal Surface Transportation Block Grant (STBG) programmed by the Akron Metropolitan Area Transportation Study (AMATS) to resurface New Milford Road (CH31), from Tallmadge Road to State Route 5/44 bypass (Sections K-N and part of Section O), in Rootstown and Ravenna Townships, Portage County, Ohio./19-0646
10. To authorize the Portage County Engineer to apply for a Federal Surface Transportation Block Grant (STBG) programmed by the Akron Metropolitan Area Transportation Study (AMATS) to replace bridge #131 on Newton Falls Road, Section H (CH177), over the Mahoning River in Paris Township, Portage County, Ohio./19-0647
11. Enter into real estate lease agreement between the Portage County Board of Commissioners on behalf of Portage County Job & Family Services and the Revocable Trust of James A. Shrewberry./19-0648
12. Approve plans and specifications and set date for accepting bids for the removal and replacement of roofing shingles for several buildings at the Portage County Engineer Central Facility./19-0649
13. Declare obsolete and authorize sale of equipment by public auction./19-0650
14. Enter into an agreement between the Board of Commissioners and Hope Village for screening services of inmates at the Portage County Justice Center./19-0651

Water Resources

15. The Portage County Board of Commissioners certifies to the Portage County Auditor annual sewer maintenance assessments for Mogadore Sewer District No. 8 to be levied on the 2019 tax duplicate payable in 2020./19-0652

Homeland Security & Emergency Management

16. Authorize application for the FY18 supplemental Emergency Management Performance Grant (EMPG) funds on behalf of the Portage County Homeland Security & Emergency Management./19-0653

Motion To: Approve the Consent Agenda for September 5, 2019 as presented

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

**RESOLUTION NO. 19-0638 - RE: WIRE TRANSFER 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 Department of Budget and Financial Management, Department of Internal Services or other designee on September 5, 2019 in the total payment amount as follows:

1. \$1,115.00 to Wage Works – Admin; and
2. \$8,572.50 to Wage Works - Contributions; and
3. \$125,298.98 to Medical Mutual – Claims; and

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 authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor's Office:

Wire Transfer on Friday, September 6, 2019	\$ 1,115.00
Wire Transfer on Friday, September 6, 2019	\$ 8,572.50
Wire Transfer on Friday, September 6, 2019	\$125,298.98

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:

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

**RESOLUTION NO. 19-0639 - 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 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:

09/05/19	117	\$63,232.61
09/05/19	179	30,726.25
09/05/19	182	180.85
09/05/19	187	8,370.00
09/05/19	188	8,368.83
Total		\$110,878.54

; 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:

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

RESOLUTION NO. 19-0640 - RE: BILLS APPROVED AND ACH 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 Department of Budget and Financial Management, Department of Internal Services or other designee on September 10, 2019 in the total payment amount of **\$479,972.68** for **Funds 0001-8299** 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 ACH payment is approved as certified to the County Auditor for payment on or after Wednesday, September 10, 2019, contingent upon the review of the Portage County Department of Budget and Financial Management, Department of Internal Services or other designee on September 10, 2019 in the total payment amount of **\$54.05 to Neil Group** 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:

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

RESOLUTION NO. 19-0641 - 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 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:

09/10/19	250	\$ 38,540.32
09/10/19	251	236.10
09/10/19	252	846.39
09/10/19	253	84.00
09/10/19	256	196.00
09/10/19	259	3,835.81

09/10/19	282	124.69
09/10/19	283	74.92
09/10/19	285	3,617.86
09/10/19	287	12,987.00
09/10/19	301	149.69
Total		\$ 60,692.78

; 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:

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

RESOLUTION NO. 19-0642 - 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 **\$63,722.57** as set forth in Exhibit "A" dated **September 10, 2019** 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.

Roll call vote as follows:

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

RESOLUTION NO. 19-0643 - RE: ENTER INTO A SEPTIC ASSISTANCE PROGRAM AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS, THE PORTAGE COUNTY REGIONAL PLANNING COMMISSION AND PAG'S EXCAVATING INC. FOR A SEPTIC SYSTEM REPLACEMENT.

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

WHEREAS, an agreement was entered into between the Portage County Board of Commissioners and the Portage County Regional Planning Commission for the purpose of administration and coordination as it relates to the execution of the responsibilities of the Storm Water Septic Assistance Program, and

WHEREAS, the Portage County Regional Planning Commission and the Portage County Health Department have determined that the septic system owned by Gregory L & Jeffrey Phile located at 4518 Rock Spring Road, Ravenna, Ohio 44266 qualifies for replacement under this program, and

WHEREAS, Pag's Excavating Inc., a licensed and certified contractor in the State of Ohio to install and remove home septic tank systems and related activities, has submitted an estimate to replace said septic system at a cost of \$3,675, now therefore be it

RESOLVED, that the Board of Commissioners agrees to enter into an agreement with the Regional Planning Commission and Pag's Excavating Inc. in the amount of \$3,675 to perform the agreed upon services; and be it further

RESOLVED, that payment for said services will be paid out of Fund 6800 Storm Water; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Portage County Engineer, the Portage County Regional Planning Commission and the Portage County Health Department; and be it further

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

Roll call vote as follows:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 19-0644

- RE: TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO APPLY FOR A FEDERAL SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO RESURFACE TALLMADGE ROAD (CH 18), FROM STATE ROUTE 44 TO STATE ROUTE 14 (SECTIONS G-J), IN ROOTSTOWN AND EDINBURG TOWNSHIPS, PORTAGE COUNTY, OHIO.

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

WHEREAS, the Akron Metropolitan Transportation Study (AMATS) requires the adoption of legislation by the governing body of the applicant to submit Surface Transportation Block Grant (STBG) Paving Program applications and execute contracts; and

WHEREAS, the Portage County Engineer has prepared an application for STBG Paving Program funds to resurface Tallmadge Road (CH 18), from State Route 44 to State Route 14 (Sections G-J), in Rootstown and Edinburg Townships, Portage County, Ohio; and

WHEREAS, the Board of Portage County Commissioners is the governing body; now therefore be it

RESOLVED, that the Board of Portage County Commissioners hereby authorizes the Portage County Engineer to apply for federal Surface Transportation Block Grant (STBG) Paving Program funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following project:

TALLMADGE ROAD RESURFACING (CH 18), SECTION G-J

The purpose of this project is to repair areas and resurface pavement with 1.5 inch of asphalt concrete for a total of 4.91 miles at a total estimated cost of \$949,944.00

;and be it further

RESOLVED, that the Portage County Engineer acknowledges and understands the AMATS "Funding Policy Guidelines" and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds, 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:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 19-0645

- RE: TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO APPLY FOR A FEDERAL SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO RESURFACE TALLMADGE ROAD (CH 18), FROM STATE ROUTE 225 TO MAHONING ROAD (SECTIONS O-P), IN PALMYRA TOWNSHIP, PORTAGE COUNTY, OHIO.

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

WHEREAS, the Akron Metropolitan Transportation Study (AMATS) requires the adoption of legislation by the governing body of the applicant to submit Surface Transportation Block Grant (STBG) Paving Program applications and execute contracts; and

WHEREAS, the Portage County Engineer has prepared an application for STBG Paving Program funds to resurface Tallmadge Road (CH 18), from State Route 225 to Mahoning Road (Sections O-P), in Palmyra Township, Portage County, Ohio; and

WHEREAS, the Board of Portage County Commissioners is the governing body; now therefore be it

RESOLVED, that the Board of Portage County Commissioners hereby authorizes the Portage County Engineer to apply for federal Surface Transportation Block Grant (STBG) Paving Program funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following project:

TALLMADGE ROAD RESURFACING (CH 18), SECTION O-P

The purpose of this project is to repair areas and resurface pavement with 1.5 inch of asphalt concrete for a total of 2.54 miles at a total estimated cost of \$541,590.00

;and be it further

RESOLVED, that the Portage County Engineer acknowledges and understands the AMATS "Funding Policy Guidelines" and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds, 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:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 19-0646

RE: TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO APPLY FOR A FEDERAL SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO RESURFACE NEW MILFORD ROAD (CH 31), FROM TALLMADGE ROAD TO THE STATE ROUTE 5/44 BYPASS (SECTIONS K-N AND PART OF SECTION O), IN ROOTSTOWN AND RAVENNA TOWNSHIPS, PORTAGE COUNTY, OHIO.

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

WHEREAS, the Akron Metropolitan Transportation Study (AMATS) requires the adoption of legislation by the governing body of the applicant to submit Surface Transportation Block Grant (STBG) Paving Program applications and execute contracts; and

WHEREAS, the Portage County Engineer has prepared an application for STBG Paving Program funds to resurface New Milford Road (CH 31), from Tallmadge Road to the State Route 5/44 Bypass (Sections K-N and Part of Section O), in Rootstown and Ravenna Townships, Portage County, Ohio; and

WHEREAS, the Board of Portage County Commissioners is the governing body; now therefore be it

RESOLVED, that the Board of Portage County Commissioners hereby authorizes the Portage County Engineer to apply for federal Surface Transportation Block Grant (STBG) Paving Program funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following project:

NEW MILFORD ROAD RESURFACING (CH 31), SECTIONS K-N AND PART OF SECTION O

The purpose of this project is to repair areas and resurface pavement with variable depth asphalt to establish proper crown and provide uniform cross slope with a total of 2.25 inches of asphalt concrete for a total of 3.5 miles at a total estimated cost of \$746,602.00.

;and be it further

RESOLVED, that the Portage County Engineer acknowledges and understands the AMATS "Funding Policy Guidelines" and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds, 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:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 19-0647

- RE: TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO APPLY FOR A FEDERAL SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO REPLACE BRIDGE #131 ON NEWTON FALLS ROAD, SECTION H (CH 177), OVER THE MAHONING RIVER IN PARIS TOWNSHIP, PORTAGE COUNTY, OHIO.

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

WHEREAS, the Akron Metropolitan Transportation Study (AMATS) requires the adoption of legislation by the governing body of the applicant to submit Surface Transportation Block Grant (STBG) applications and execute contracts; and

WHEREAS, the Portage County Engineer has prepared an application for STBG funds to replace Bridge #131 on Newton Falls Road, Section H (CH 177), over the Mahoning River in Paris Township, Portage County, Ohio; and

WHEREAS, the Board of Portage County Commissioners is the governing body; now therefore be it

RESOLVED, that the Board of Portage County Commissioners hereby authorizes the Portage County Engineer to apply for federal Surface Transportation Block Grant (STBG) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following project:

NEWTON FALLS ROAD, SECTION H (CH 177), BRIDGE REPLACEMENT

The purpose of this project is to replace an existing fracture critical truss bridge with the replacement of the entire bridge deck and superstructure with either a steel beam or prestressed concrete beam bridge with a composite concrete deck. Total estimated cost is \$1,236,000.00.

;and be it further

RESOLVED, that the Portage County Engineer acknowledges and understands the AMATS "Funding Policy Guidelines" and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds, 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:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

RESOLUTION NO. 19-0648

-

RE: ENTER INTO REAL ESTATE LEASE AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF PORTAGE COUNTY JOB & FAMILY SERVICES AND THE REVOCABLE TRUST OF JAMES A. SHREWSBERRY.

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

- WHEREAS,** the Board of Commissioners wishes to lease real estate property situated in the Township of Ravenna, County of Portage, for Portage County Job & Family Services (Residential Group Home); and
- WHEREAS,** the Revocable Trust of James A. Shrewsberry, P.O. Box 7, Rootstown, Ohio 44272 of Portage County has property located at 3102 Brady Lake Road, Ravenna, Ohio 44266 available for lease by the Portage County Commissioners; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into a Lease Agreement for the property at 3102 Brady Lake Road, Ravenna Ohio for twenty-four (24) months beginning on September 1, 2019 through August 31, 2021; and be it further
- RESOLVED,** that the monthly lease amount shall be Two thousand, five hundred and 00/100 dollars (\$2,500.00) for the term of this agreement and not to exceed a total of Sixty Thousand and 00/110 dollars (\$60,000.00) for the term; and be it further
- RESOLVED,** that funding for this agreement will come from Job & Family Services fund 1415; and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

RESOLUTION No. 19-0649 - RE: APPROVE PLANS AND SPECIFICATIONS AND SET DATE FOR ACCEPTING BIDS FOR THE REMOVAL AND REPLACEMENT OF ROOFING SHINGLES FOR SEVERAL BUILDINGS AT THE PORTAGE COUNTY ENGINEER CENTRAL FACILITY

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

- WHEREAS,** roofing shingles on several buildings at the Portage County Engineer Central Facility were damaged due to a hail storm on April 14, 2019, and
- WHEREAS,** a claim was filed with the County Risk Sharing Authority (CORSA) and an insurance check has been issued, and

WHEREAS, the Portage County Engineer has determined it will be necessary to remove and replace said roofing shingles, and

WHEREAS, plans and specifications for this project have now been completed and are on file with the Portage County Commissioners and the Portage County Engineer; now therefore be it

RESOLVED, that plans and specifications, as submitted, are approved for furnishing all labor, materials and equipment necessary for the removal and replacement of roofing shingles on several buildings at the Portage County Engineer Central Facility, and be it further

RESOLVED, that sealed bids will be accepted by the Portage County Director of Internal Services, Portage County Administration Building, 1st Floor, Room 114, 449 South Meridian Street, Ravenna, Ohio 44266 until **2:00 P.M.**, Local Time, **September 25, 2019**; and be it further

RESOLVED, that Notice of Receiving Bids shall be published in the Record Courier on **September 9, 2019** and **September 16, 2019** and a copy thereof be posted on the Official Bulletin Board of the Board of Portage County Commissioners forthwith, and be it further

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

Roll call vote as follows:

Vicki Kline, Yea;

Kathleen Clyde, Yea:

Sabrina Christian-Bennett, Yea:

**RESOLUTION No. 19-0650 - RE: DECLARE OBSOLETE AND AUTHORIZE
SALE OF EQUIPMENT BY PUBLIC
AUCTION.**

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

WHEREAS, the Portage County Board of Commissioners has equipment and vehicles that are obsolete and unfit for the use for which it was acquired; now therefore be it

RESOLVED, that the Board of Portage County Commissioners has determined that the items described below are obsolete and unfit for the use for which said item was acquired:

Item

2008 Ford F-150 Pick up Truck VIN 1FTRF14W98KE24108

RESOLVED, that said items will be sold at Public Auction, as prescribed by Section 307.12 of the Ohio Revised Code, to the highest bidder; and be it further

RESOLVED, that Notice of Public Auction shall be posted in the office of the Portage County Commissioners, the County's website and a Notice of Public Auction shall be published in the Record Courier on September 9, 2019.

Date of Auction: Saturday - September 21, 2019
Time of Auction: 9:30 A.M.
Location: Edinburg Auction Sales, Inc.
4029 State Route 14
Edinburg, Ohio

Said equipment may be viewed from 9:00 A.M. to 5:00 P.M. Monday, Tuesday, Thursday and Friday at Edinburg Auction Sales, Inc.; and be it further

RESOLVED, that a copy of this resolution be forwarded to 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 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. 19-0651 - RE: ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS AND HOPE VILLAGE FOR SCREENING SERVICES OF INMATES AT THE PORTAGE COUNTY JUSTICE CENTER.

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

WHEREAS, Portage County desires to implement a system of screening inmates to determine needs and to streamline access to services for such needs of inmates that are to be released from the Portage County Jail; and

WHEREAS, Hope Village desires to provide such services for the County; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and Hope Village Inc. for a

period of one (1) year beginning on April 1, 2019 and ending on March 31, 2020, in an amount of \$2,500.00 per month not to exceed \$30,000.00 per year; 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:

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

RESOLUTION No. 19-0652 - RE: THE PORTAGE COUNTY BOARD OF COMMISSIONERS CERTIFIES TO THE PORTAGE COUNTY AUDITOR ANNUAL SEWER MAINTENANCE ASSESSMENTS FOR MOGADORE SEWER DISTRICT NO. 8 TO BE LEVIED ON THE 2019 TAX DUPLICATE PAYABLE IN 2020.

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

WHEREAS, the Portage County Board of Commissioners wishes to certify to the Portage County Auditor **Annual Sewer Maintenance Assessments for Mogadore Sewer District No. 8** which are to be levied on the 2019 tax duplicate payable in 2020, now therefore be it

RESOLVED, that this Board hereby certifies to the Portage County Auditor **Annual Sewer Maintenance Assessments for Mogadore Sewer District No. 8** which are to be levied on the 2019 tax duplicate payable in 2020 as indicated on the attached lists; 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 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. 19-0653**RE: AUTHORIZE APPLICATION FOR THE FY18
SUPPLEMENTAL EMERGENCY
MANAGEMENT PERFORMANCE GRANT
(EMPG) FUNDS ON BEHALF OF THE
PORTAGE COUNTY OFFICE OF HOMELAND
SECURITY & EMERGENCY MANAGEMENT.**

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

- WHEREAS,** the Ohio Emergency Management Agency advised the Portage County Office of Homeland Security & Emergency Management in an August 21, 2019, email that should Portage County be determined eligible for supplemental reimbursement from the Emergency Management Performance Grant (EMPG) Fiscal Year 2018 performance period, a request for a supplemental reimbursement should be submitted for Ohio EMA review and postmarked no later than September 20, 2019; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners authorizes the application for Fiscal Year 2018 EMPG funds in the amount of Forty-one thousand, three hundred thirty-two dollars and 91/100 (\$41,332.91), on behalf of the Portage County Office of Homeland Security & Emergency Management; and be it further
- RESOLVED,** that the Board of Commissioners authorizes Commissioner Vicki A. Kline, President of the Board, to sign the request for Fiscal Year 2018 Supplemental Emergency Management Performance Grant funds; and be it further
- RESOLVED,** that a copy of this resolution be filed with the Portage County Auditor, the Department of Budget & Financial Management, and the Office of Homeland Security & Emergency Management Agency; 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:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

**RE: APPROVE JOB ABOLISHMENT AND
SUBSEQUENT LAYOFF OF POSITIONS IN
THE PORTAGE COLUMBIANA WOMEN,
INFANTS & CHILDREN (WIC)
DEPARTMENT.**

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

WHEREAS, the Supplemental Nutrition Program for Women, Infants and Children (WIC) provides nutrition services and food assistance to low-to-moderate income families with pregnant women, breastfeeding and early postpartum mothers, infants and children up to their fifth birthday; and

WHEREAS, WIC is a 100% federally funded grant program, issued by the United States Department of Agriculture (USDA) under the federal Child Nutrition Act of 1966 and administered by the Ohio Department of Health. The Ohio Department of Health awards funds annually to a local grantee agency to deliver these services to the residents of Portage and Columbiana Counties through the Portage Columbiana WIC Program. Currently, the Portage Columbiana WIC grant is awarded to the Portage County Board of Commissioners; and

WHEREAS, the Portage County Board of Commissioners will not be applying for the FY 2020 grant application. Since Portage Columbiana WIC is funded entirely by grant funds, all WIC positions will be abolished due to the lack of funds, effective September 30, 2019; and

WHEREAS, the Portage County Board of Commissioners has reviewed the Statement of Rationale and determined that a department-wide job abolishment for the current Portage Columbiana WIC Department is necessary due to the lack of funds. The following positions will be abolished:

- WIC Director (one full-time)
- Project Coordinator (one full-time)
- Dietitian (one full-time, four part-time)
- Nutrition Associate (two full-time)
- Breastfeeding Peer Helper (one part-time)
- Lead Breastfeeding Peer Helper (one part-time)
- Medical Assistant (two full-time, one part-time)
- Health Assistant (one part-time)
- Intake Clerk 2 (one full-time)
- Intake Clerk (three full-time)

; and

WHEREAS, the Portage County Combined General Health District has applied to administer the Portage Columbiana WIC Program in FY 2020 and has been awarded the grant effective October 1, 2019. As the grant administrator, the Health District will determine the staffing needs for the Program in FY 2020; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby adopt the attached Statement of Rationale; and be it further

RESOLVED, that the Board of Portage County Commissioners does hereby approve the job abolishment and layoff of the positions within the WIC Department effective at close of business day of September 30, 2019; 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:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

Statement of Rationale:

The Supplemental Nutrition Program for Women, Infants and Children (WIC) provides nutrition services and food assistance to low-to-moderate income families with pregnant women, breastfeeding and early postpartum mothers, infants and children up to their fifth birthday. WIC services include nutrition education, breastfeeding support, referrals for health care and other community services and the provision of nutritious foods. WIC is a 100 percent federally funded grant program, issued by the United States Department of Agriculture (USDA) under the federal Child Nutrition Act of 1966 and administered by the Ohio Department of Health. The Ohio Department of Health awards funds annually to a local grantee agency to deliver these services to the residents of Portage and Columbiana Counties through the Portage Columbiana WIC Program. Currently, the Portage Columbiana WIC grant is awarded to the Portage County Board of Commissioners. Funds are made available to ensure that pregnant, breastfeeding and postpartum women, infants and children throughout Ohio have access to nutrition services, nutrition education, breastfeeding education and support services, to improve the health status and prevent health problems among Ohio's at-risk women, infants and children.

The Portage County Board of Commissioners will not be applying for the FY 2020 grant application. Since Portage Columbiana WIC is funded entirely by grant funds, all Board of Commissioners' WIC positions will be abolished due to the lack of funds, effective September 30, 2019. In the absence of grant funding, no funds are available to compensate current WIC employees.

The positions which will be affected include:

WIC Director

Project Coordinator

Dietitian

Nutrition Associate

Breastfeeding Peer Helper

Lead Breastfeeding Peer Helper

Medical Assistant

Health Assistant

Intake Clerk 2

Intake Clerk

In April 2019, the Portage County Combined General Health District has applied to administer the Portage Columbiana WIC Program in FY 2020 and has been awarded the grant effective October 1, 2019. As the grant administrator, the Portage County Combined General Health District will determine which positions will remain with the Program in FY 2020 and follow the department's hiring procedures to fill the vacancies.

**RESOLUTION NO. 19-0655 - RE: DECLARE THE NECESSITY TO LEASE ONE
(1) VEHICLE FOR USE BY THE PORTAGE
COUNTY DEPARTMENT OF JOB & FAMILY
SERVICES**

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

WHEREAS, pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to lease one (1) 2019 Dodge Grand Caravan passenger van for use by the Portage County Department of Job & Family Services; and

WHEREAS, the lease of the vehicle will be with Enterprise Fleet Management; and

WHEREAS, the lease cost of the one (1) 2019 Dodge Grand Caravan passenger van is Four hundred, thirty-six and 28/100 (\$436.28) per month for sixty (60) months, and

WHEREAS, the lease cost will be expensed from job & family services funds; now therefore be it

RESOLVED, that the Portage County Board of Commissioners declares it necessary to lease one (1) 2019 Dodge Grand Caravan passenger van for use by the Portage Department of Job & Family Services; and therefore be it

RESOLVED, that a copy of this resolution be forwarded to 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 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. 19-0656 - RE: TO AMEND RESOLUTION NO. 09-0836, ADOPTED SEPTEMBER 10, 2009: ADOPTING RULES FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION, CONSTRUCTION, AND POST-CONSTRUCTION STORM WATER MANAGEMENT AND TO ADOPT AMENDED PORTAGE COUNTY ILLICIT DISCHARGE DETECTION AND ELIMINATION RULES (EXHIBIT A) AND THE PORTAGE COUNTY CONSTRUCTION SITE SEDIMENT, EROSION CONTROL AND STORM WATER MANAGEMENT RULES (EXHIBIT B)

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

- WHEREAS,** on September 10, 2009, the Board of Commissioners (Board) adopted Resolution No. 09-0836, adopting rules for illicit discharge detection and elimination, construction and post-construction storm water management; and
- WHEREAS,** the Resolution will need to be amended as a result of the National Pollutant Discharge Elimination System (NPDES) permit updates from the Ohio Environmental Protection Agency (EPA); and
- WHEREAS,** notices of required Public Hearing were published in the Record Courier newspaper once a week for three weeks on August 15, 2019, August 22, 2019, and August 29, 2019; and
- WHEREAS,** the Board held three Public Hearings to hear public comment on the proposed amendments on August 29, 2019, September 3, 2019 and September 5, 2019; and

WHEREAS, the proposed amendments were made available by the Board to the public at the Board's Office and the County Engineer's Office and on the Portage County Stormwater Management Department's website, located on Portage County's home page; now therefore be it

RESOLVED, that the Board of Commissioners does hereby amend Resolution No. 09-0836, dated September 9, 2009, as a result of the National Pollutant Discharge Elimination System (NPDES) permit updates from the Ohio Environmental Protection Agency (EPA); and be it further

RESOLVED, that the Board of Commissioners, pursuant to Section 307.79 of the Ohio Revised Code, and without limitation, does hereby approve and adopt the amended "Portage County Illicit Discharge Detection and Elimination Rules," which are attached as Exhibit "A" to this Resolution, and hereby fully incorporated herein; and be it further,

RESOLVED, that the Board of Commissioners, pursuant to Section 307.79 of the Ohio Revised Code, and without limitation, does hereby approve and adopt the amended "Portage County Construction Site Sediment, Erosion Control, and Storm Water Management Rules," which are attached as Exhibit "B" to this Resolution, and hereby fully incorporated herein; and be it further,

RESOLVED, that the rules shall be effective on the thirty-first day following the date of this adoption and apply in the unincorporated areas of Portage County; and be it further

RESOLVED, that a certified copy of this Resolution be sent to the County Engineer, the Combined General Health District, the County Soil and Water Conservation District, Township Trustees, the County Recorder, Ohio Environmental Protection Agency Central Office, and Ohio Environmental Protection Agency Northeast District Office; and be it further

RESOLVED, that 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 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.

Roll call vote as follows:

Vicki Kline, Yea;

Kathleen Clyde, Yea;

Sabrina Christian-Bennett, Yea;

"Exhibit A"

PORTAGE COUNTY ILLICIT DISCHARGE DETECTION AND ELIMINATION RULES

(Resolution No. 19-0656)**I. PURPOSE and INTENT**

The purpose of these rules is to provide for the health, safety, and general welfare of the citizens of Portage County through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. These rules establish methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.

II. OBJECTIVES

The objectives of these rules are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) via storm water discharges by any user.
- (2) To prohibit illicit connections and discharges to the municipal separate storm sewer system.
- (3) To establish legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with these rules.

III. EFFECTIVE DATE

Effective date: Res. 09-0836 January 1, 2010;
Effective date: Res. 19-0656 October 6, 2019.

IV. APPLICABILITY

These rules shall apply to all water entering the storm drain system generated on any lands in unincorporated Portage County unless explicitly exempted by the Portage County Board of Commissioners.

V. RESPONSIBILITY FOR ADMINISTRATION

The Portage County Board of Commissioners shall administer, implement, and enforce the provisions of these rules. Any powers granted or duties imposed upon the Portage County Board of Commissioners may be delegated in writing by the Portage County Board of Commissioners to authorized enforcement agencies acting in the beneficial interest of or in the employ of the Portage County Board of Commissioners.

VI. SEVERABILITY

The provisions of these rules are hereby declared to be severable. If any provision, clause, sentence, or paragraph of these rules or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of these rules.

VII. ULTIMATE RESPONSIBILITY

The standards set forth herein and promulgated pursuant to these rules are minimum standards; therefore, these rules do not warrant nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

VIII. ILLICIT DISCHARGE AND ILLEGAL CONNECTION PROHIBITION AND MONITORING

PART ONE: DISCHARGE AND CONNECTION PROHIBITIONS

A. Prohibition of Illicit Discharges

No person shall discharge, or cause to be discharged, an illicit discharge into the MS4. The commencement, conduct, or continuance of any illicit discharge to the MS4 is prohibited except as described below:

1. Water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensate; water softener discharges that are not accessible to sanitary sewer, irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; and discharges or flows from firefighting activities. These discharges are exempt until such time as they are determined by the Portage County Board of Commissioners to be significant contributors of pollutants to the MS4.
2. Discharges specified in writing by the Portage County Board of Commissioners as being necessary to protect public health and safety.
3. Discharges from off-lot discharging household sewage treatment systems permitted by Portage County Combined General Health District for the

purpose of discharging treated sewage effluent in accordance with Ohio Revised Code 3718 and Ohio Administrative Code 3701-29 or other applicable Portage County Combined General Health District sewage treatment regulations, until such time as the Ohio Environmental Protection Agency issues an NPDES permitting mechanism for Household Sewage Treatment Systems existing prior to January 1, 2007. These discharges are exempt unless such discharges are deemed to be creating a public health nuisance in accordance with Ohio Administrative Code 3718.011 and 3718.012 by the Portage County Combined General Health District.

In compliance with NPDES Permit #OHQ000001, or subsequent versions, discharges from all off-lot discharging household sewage treatment systems must either be eliminated or have coverage under an appropriate NPDES permit issued and approved by the Ohio Environmental Protection Agency. When such permit coverage is available, discharges from off-lot discharging household sewage treatment systems will no longer be exempt from the requirements of these Rules and Regulations.

B. Prohibition of Illicit Connections

The construction, use, maintenance, or continued existence of illicit connections to the MS4 is prohibited.

1. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
2. A person is considered in violation of this regulation if the person connects a line conveying illicit discharges to the MS4 or allows such a connection to continue.

PART TWO: MONITORING OF ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS

A. Establishment of an Illicit Discharge and Illegal Connection Monitoring Program

The Portage County Board of Commissioners shall establish a program to detect and eliminate illicit discharges and illegal connections to the MS4. This program shall include the mapping of the MS4, including MS4 outfalls and household sewage treatment systems; the routine inspection of storm water outfalls to the MS4, and the systematic investigation of potential residential, commercial, industrial, and institutional facilities for the sources of any dry weather flows found as the result of these inspections.

B. Inspection of Residential, Commercial, Industrial, or Institutional Facilities

1. The Portage County Board of Commissioners shall be permitted to enter and inspect facilities subject to this regulation as often as may be necessary to determine compliance with this regulation.
2. The Portage County Board of Commissioners shall have the right to set up at facilities subject to this regulation such devices as are necessary to conduct monitoring and/or sampling of the facility's storm water discharge, as determined by the Portage County Board of Commissioners.
3. The Portage County Board of Commissioners shall have the right to require the facility owner/operator to install monitoring equipment as necessary. This sampling and monitoring equipment shall be maintained at all times in safe and proper operating condition by the facility owner/operator at the owner/operator's expense. All devices used to measure storm water flow and quality shall be calibrated by the Portage County Board of Commissioners to ensure their accuracy.
4. Any temporary or permanent obstruction to safe and reasonable access to the facility to be inspected and/or sampled shall be promptly removed by the facility's owner/operator at the written or oral request of the Portage County Board of Commissioners and shall not be replaced. The costs of clearing such access shall be borne by the facility owner/operator.
5. Unreasonable delays in allowing the Portage County Board of Commissioners access to a facility subject to this regulation for the purposes of illicit discharge inspection is a violation of this regulation.
6. If the Portage County Board of Commissioners is refused access to any part of the facility from which storm water is discharged, and the Portage County Board of Commissioners demonstrates probable cause to believe that there may be a violation of this regulation, or that there is a need to inspect and/or sample as part of an inspection and sampling program designed to verify compliance with this regulation or any order issued hereunder, or to protect the public health, safety, and welfare, the Portage County Board of Commissioners may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.

IX. SUSPENSION OF MS4 ACCESS

A. Suspension due to Illicit Discharges in Emergency Situations

The Portage County Board of Commissioners may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4, or Waters of the United States or Surface Waters of the State of Ohio. If the violator fails to comply with a suspension order issued in an emergency, the Portage County Board of Commissioners may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

B. Suspension due to the Detection of Illicit Discharge

Any person discharging to the MS4 in violation of these rules may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Portage County Board of Commissioners will notify a violator of the proposed termination of its MS4 access.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the Portage County Board of Commissioners.

X. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Portage County Board of Commissioners prior to the allowing of discharges to the MS4.

XI. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES

The Portage County Board of Commissioners will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or Waters of the United States or Surface Waters of the State of Ohio.

The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs.

Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's

expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system.

Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a storm water pollution prevention plan (SWP3), as necessary, for compliance with requirements of the NPDES permit.

XII. WATERCOURSE PROTECTION

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately-owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

XIII. NOTIFICATION OF SPILLS

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsibility for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illicit discharges or pollutants discharging into storm water, the storm drain system, or Waters of the United States or Surface Waters of the State of Ohio, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.

In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Portage County Board of Commissioners in person or by phone or facsimile no later than the next business day.

Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Portage County Board of Commissioners within three business days of the phone notice.

If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

XIV. ENFORCEMENT

- A. Whenever the Portage County Board of Commissioners finds that a person has violated a prohibition or failed to meet a requirement of these rules in conjunction with a failure to obtain any federal, state, or local permit necessary for sediment and erosion control, earth movement, clearing, cut and fill activity, or connections and discharges; the Portage County Board of Commissioners or authorized representative may issue a stop work order to the responsible person.
- B. Notwithstanding the provisions of Paragraph A of this Section, whenever the Portage County Board of Commissioners finds that a person has violated any prohibition or failed to meet any requirement of these rules, the Portage County Board of Commissioners or authorized representative may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
1. The performance of monitoring, analyses, and reporting;
 2. The elimination of illicit connections or discharges;
 3. That violating discharges, practices, or operations shall cease and desist;
 4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
 5. Payment of a fine to cover administrative and remediation costs; and
 6. The implementation of source control or treatment BMPs.
- C. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the Portage County Board of Commissioners may seek to have the work done by a designated governmental agency or a contractor, and the expenses charged to the violator.
- D. If, after a period of not less than thirty days has elapsed following the issuance of the notice of violation, the violation continues, the Portage County Board of Commissioners may issue a second notice of violation, including any relevant updated information.
- E. If, after a period of not less than fifteen days has elapsed following the issuance of the second notice of violation, the violation continues, the

Portage County Board of Commissioners may issue a stop work order in accordance with R.C. 307.79.

1. In the case of an issuance of a stop work order, the Portage County Board of Commissioners shall request, in writing, the Portage County Prosecuting Attorney to seek an injunction or other appropriate relief in the court of common pleas, in accordance with Section XV of these rules.
2. The person to whom a stop work order is issued under this section may appeal the order to the Portage County Court of Common Pleas.

XV. INJUNCTIVE RELIEF

Notwithstanding the provisions of Section XIV of these rules, if a person has violated or continues to violate the provisions of these rules, the Portage County Board of Commissioners may request in writing that the Portage County Prosecutor's Office petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Each day of violation of any of these rules shall be considered a separate violation subject to a civil fine.

XVI. COMPENSATORY ACTION

In lieu of enforcement proceedings, penalties, and remedies authorized by these rules, the authorized enforcement agency may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

The authorized enforcement agency may recover all attorney's fees court costs and other expenses associated with enforcement of these rules, including sampling and monitoring expenses.

XVII. REMEDIES NOT EXCLUSIVE

The remedies listed in these rules are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the Portage County Board of Commissioners to seek cumulative remedies.

XVIII. DEFINITIONS

For the purposes of these rules, the following shall mean:

Authorized Enforcement Agency:

The Portage County Board of Commissioners, its authorized employees, or its designees, including without limitation other County departments, boards, etc., not under the direct authority of the Portage County Board of Commissioners.

Best Management Practices (BMPs):

Schedules of activities, prohibitions of practices, maintenance procedures and other management practices (both structural and non-structural) to prevent or reduce the pollution of surface waters of the state. BMPs also include treatment requirements, operating procedures and practices to control plant and /or construction site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.

Clean Water Act:

The federal Water Pollution Control Act (33 U.S.C. ' 1251 et seq.), and any subsequent amendments thereto.

Construction Activity:

Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of 1 acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials:

Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illicit Connections:

An illicit connection is defined as either of the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process water, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an Authorized Enforcement Agency or,

Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an Authorized Enforcement Agency.

Illicit Discharge

As defined at 40 CFR 122.26 (b)(2) means any discharge to an MS4 that is not composed entirely of storm water, except for those discharges to an MS4 pursuant to a NPDES permit or otherwise noted in Section VIII of this rule.

Industrial Activity:

Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

Municipal Separate Storm Sewer System (MS4):

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are:

- (a). Owned or operated by the federal government, state, municipality, township, county, district, or other public body (created by or pursuant to state and federal law) including special district under state law such as a sewer district, flood control district or drainage districts, or similar entity, or a designated and approved management agency under Section 208 of the act that discharges into surface waters of the state; and
- (b). Designated or used for collecting or conveying solely storm water;
- (c). Which is not a combined sewer; and
- (d). Which is not a part of a publicly owned treatment works.

National Pollutant Discharge Elimination System (NPDES) Discharge Permit:

A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC ' 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge:

Any discharge to the storm drain system that is not composed entirely of storm water.

Person:

Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant:

Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises:

Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Drainage System:

Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water:

Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Storm Water Pollution Prevention Plan (SWP3): A plan prepared in accordance with appropriate guidelines that is required by the Ohio EPA for any facility or development that discharges storm water. The SWP3 identifies potential pollution sources and describes practices that will be implemented to prevent or control pollutant releases.

Surface Waters of the State:

All streams, lakes, reservoirs, ponds, marshes, wetlands, or other waterways which are situated wholly or partly within the boundaries of the State, except those private waters which do not combine or affect a junction with a surface water. Waters defined as sewerage systems, treatment works, or disposal systems in Section 6111.01 of the Ohio Revised Code are not included.

"Exhibit B"

PORTAGE COUNTY CONSTRUCTION SITE SEDIMENT, EROSION CONTROL, AND STORM WATER MANAGEMENT RULES

(Resolution No. 19-0656)

RECITALS

Flooding and streambank erosion in PORTAGE COUNTY are a significant threat to public health and safety and public and private property, and storm water quantity control slows runoff and reduces its erosive force, and flood damage.

Insufficient control of storm water quantity can result in significant damage to receiving water resources, impairing the capacity of these resources to sustain aquatic systems and their associated aquatic life use designations.

Soil is most vulnerable to erosion by wind and water during soil disturbing activities and this eroded soil necessitates repair of sewers and ditches and dredging of rivers, harbors, and lakes; accelerates downstream bank erosion and damage to public and private property; endangers water resources by reducing water quality; and causes the siltation of aquatic habitat.

There is a regional effort to reduce the flooding, erosion and sedimentation within various watersheds and PORTAGE COUNTY and to protect and enhance the water resources of PORTAGE COUNTY, and PORTAGE COUNTY recognizes its obligation as a part of a watershed and the region to reduce flooding and erosion and to protect water quality by controlling runoff within its borders.

PORTAGE COUNTY has experienced and continues to experience significant costs associated with inadequate erosion and sediment control including legal fees, engineering services, and increased state and federal regulation.

To promote public health and safety and sound economic development in PORTAGE COUNTY, it is important to provide homebuilders, developers, and landowners with consistent, technically feasible, and operationally practical standards for storm water management and soil erosion and sediment control.

Title 40 Code of Federal Regulations (C.F.R.) Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, require designated communities, including PORTAGE COUNTY, to develop a Storm Water Management Program to address among other components, erosion, sedimentation, and the quality of storm water runoff during and after soil disturbing activities.

I. PURPOSE

The intent of these rules is to establish consistent technically feasible and operationally practical standards to achieve a level of storm water management, and erosion and sediment control that will minimize damage to public and private property and the degradation of water resources, and will promote and maintain the health, safety, and welfare of the residents of PORTAGE COUNTY.

A. These rules further intend, without limitation, to:

1. Allow development while minimizing increases in downstream flooding, erosion, and sedimentation.
2. Reduce damage to receiving water resources and drainage systems that are caused by new development or redevelopment activities.
3. Control storm water runoff resulting from soil disturbing activities.
4. Assure that development site owners control the volume and rate of storm water runoff originating from their property so that surface water and ground water are protected, soil erosion is controlled, and flooding potential is not increased.
5. Preserve to the maximum extent practicable the natural drainage characteristics of the building site and minimize the need to construct, repair, and replace enclosed storm drain systems.
6. Preserve to the maximum extent practicable natural infiltration and groundwater recharge, and maintain subsurface flow that replenishes water resources, wetlands, and wells.
7. Assure that storm water controls are incorporated into site planning and design at the earliest possible stage.
8. Prevent unnecessary stripping of vegetation and loss of soil, especially adjacent to water resources and wetlands.
9. Reduce the need for costly maintenance and repairs to roads, embankments, sewage systems, ditches, water resources, wetlands, and storm water management practices that are the result of inadequate soil erosion, sediment and storm water control.
10. Reduce the long-term expense of remedial projects needed to address problems caused by inadequate storm water, erosion and sediment control.
11. Require the construction of storm water management practices that serve multiple purposes including flood control, soil erosion and sediment control, and require

water quality protection; and encourage such practices that promote recreation and habitat preservation.

12. Ensure that all storm water management, soil erosion and sediment control practices are properly designed, constructed, and maintained.

II. DISCLAIMER OF LIABILITY

Neither submission of a plan under the provisions herein, nor compliance with the provisions of these regulations, shall relieve any person or entity from responsibility for damage to any person or property that is otherwise imposed by law.

III. CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY

- A. Where these rules impose a greater restriction upon land than is imposed or required by other PORTAGE COUNTY regulations, the provisions of these rules shall prevail.
- B. Any reference in these rules to the Ohio Revised Code or to other rules or laws, whether federal, state, or local, shall be construed to be a reference to the most recent enactment of such statute, law or rule, and such shall include any amendments as may from time to time be adopted.
- C. If a court of competent jurisdiction declares any clause, section, or provision of these rules invalid or unconstitutional, the validity of the remainder shall not be affected thereby.
- D. These rules shall not be construed as authorizing any person to maintain a private or public nuisance on their property. Compliance with the provisions of these rules shall not be a defense in any action to abate such nuisance.
- E. Failure of PORTAGE COUNTY to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the owner from the responsibility for the condition or damage resulting there from, and shall not result in PORTAGE COUNTY, its officers, employees, or agents being responsible for any condition or damage resulting there from.

IV. EFFECTIVE DATE

Effective date: Res. 09-0836 January 1, 2010;
Effective date: Res. 19-0656 October 6, 2019.

V. SCOPE

These rules apply to all developments, unless specifically exempted, that have a larger common plan of development equal to or larger than one (1) acre in size of disturbed area.

These rules do not apply to:

1. Land disturbing activities related to producing agricultural crops or Silviculture operations regulated by the Ohio Agricultural Sediment Pollution Abatement Rules (1501: 15-3-01 to 1501: 15-3-09 of the Ohio Administrative Code) and existing at the time of passage of this regulation.
2. Coal surface mining operations regulated by Chapter 1513 of the Ohio Revised Code and existing at the time of passage of this regulation.
3. Other surface mining operations regulated by Chapter 1514 of the Ohio Revised Code and existing at the time of passage of this regulation.

VI. STORM WATER POLLUTION PREVENTION PLAN

In order to control storm water damage and pollution of water resources, wetlands, riparian areas, and other natural areas, the owner of each development area shall be responsible for developing a comprehensive Storm Water Pollution Prevention Plan (SWP3). The SWP3 must address all minimum components of the current Ohio EPA NPDES Construction General Permit and conform to the specifications of the current edition of the Ohio Rain Water and Land Development Manual. The SWP3 must make use of the practices that preserve the existing natural condition to the maximum extent practicable.

A. Narrative Description of Site

1. A description of the nature and type of construction activity (e.g., low density residential, shopping mall, highway, etc.).
2. A description of the total area of the site and the area of the site that is expected to be disturbed (i.e., grubbing, clearing, excavating, filling or grading, including off-site borrow, fill or spoil areas and off-site utility installation areas).
3. A description of the prior land uses of the site.
4. An estimate of the impervious area and percent imperviousness created by the construction activity.
5. The name and/or location of the immediate receiving stream or surface water(s) and the first subsequent named receiving water and the major river watersheds in which it is located.
6. All pertinent permit information, including but not limited to NPDES and wetland permit numbers.

7. A description of the overall erosion and sediment control and water quality scheme for the site.
- B. Vicinity Map: Location map showing the larger common plan of development or sale in relation to surrounding area. Include location of receiving streams, wetlands and other surface waters.
- C. Clearing Limits & Grading Plan: Indicate limits and show acreage of earth disturbing activity, including excavations, filling, grading, and clearing of all areas and sublots. The entire subplot area shall be included. Show all borrow, spoil, and topsoil stockpile areas. Include existing and proposed topography shown in one (1) foot contours. Delineate drainage watersheds before, during and after major grading activities indicating the acreage of each area. Drainage maps for both pre-construction and post-construction conditions must also include flow paths used to determine time of concentration.
- D. Existing Development: Show locations of all prior land uses, existing and proposed buildings, roads, utilities, parking facilities, etc.
- E. Natural Feature & Surface Water Location: All pertinent surrounding natural features within 200 feet of the development site including, but not limited to:
1. Boundaries of wetlands and stream channels the owner intends to fill or relocate for which the applicant is seeking approval from the US Army Corps of Engineers and/or Ohio EPA. Wetland permit number(s) must be indicated on the cover page of the engineering drawings.
 2. Water resources such as wetlands, springs, lakes, ponds, rivers and streams (including intermittent streams with a defined bed and bank). The wetland class, as determined by the Ohio Rapid Assessment Method (ORAM), must be included.
 3. Conservation Easements.
 4. Other sensitive natural features including, but not limited to, steep slopes and designated natural areas.
- F. Soils Information: The types of soils within, or affected by, the development area, and the location of all highly erodible or unstable soils as determined by the most current edition of the Natural Resources Conservation Service (NRCS) soil survey of the county. An onsite, detailed Soils Engineering Report must be included if required by the Portage County Board of Commissioners and/or the Portage County Combined General Health District.
- G. Storm Water Runoff Considerations: Show the pre- and post-construction runoff coefficients including information such as the method used to calculate runoff.

Include a narrative describing post-construction storm water management BMPs, the rationale for their selection, and long-term maintenance provisions. Refer to Ohio EPA NPDES Construction General Permit.

- H. Best Management Practices (BMPs): Show locations of all structural and non-structural erosion and sediment control, storm water management and post-construction water quality best management practices (BMPs). All structural and nonstructural BMPs must be drawn to scale. The size, detail drawings, maintenance requirements and design calculations for all BMPs shall also be included. Settling ponds will be identified with basic dimensions and the calculations for size and volume. Refer to the Ohio Rainwater and Land Development Manual for BMP specifications.
- I. Critical Storm Requirement: A critical storm method for the reduction of peak runoff rates shall be employed according to these guidelines.
1. Storm water runoff estimations and calculations for pre- and post-development peak discharges shall be calculated using the U.S. Soil Conservation Services TR-55 method or other method approved by the County Engineer.
 2. In order to control water pollution by soil sediment from accelerated stream channel erosion and flood plain erosion caused by accelerated storm water runoff from development areas, the peak rates of runoff from an area after development may be no greater than the peak rates of runoff from the same area before development for all twenty-four hour storms from one to one hundred year frequency. Design and development to match the peak rate of runoff for the one, two, five, ten, twenty-five, fifty and one hundred year storms may be considered adequate to meet this requirement. If an increase in volume is expected after development, peak rates of runoff must be reduced. Reduce rates of critical storm and all more frequent storms to one-year 24-hour frequency. Less frequent storms shall have peak runoff rates no greater than predevelopment peak runoff rates.

The critical storm for a specific development area is determined as follows: Determine the total volume of runoff from a one-year frequency, twenty-four hour storm, occurring on the development area before and after development. Then determine the percent of increase in volume of runoff due to development and using this percentage, select the critical storm from table below.

Critical Storm Table

If the Percentage Increase in Volume of Runoff is equal to or greater than	And less than	The 24-hour "Critical Storm" for Discharge Limitation will be
0	10	1 Year
10	20	2 Year
20	50	5 Year

50	100	10 Year
100	250	25 Year
250	500	50 Year
500	-----	100 Year

- J. Schedule of Construction Activity: An implementation schedule which describes the sequence of major construction operations (i.e., grubbing, excavating, grading, utilities and infrastructure installation) and the installation of erosion, sediment and storm water management practices or facilities to be employed during each operation of the sequence.
- K. Off-Site Sediment Tracking: Minimize such tracking of sediments by vehicles by using gravel construction entrances and regularly-scheduled street sweeping when necessary. Show location of construction entrances and maintenance schedules for sweeping, if applicable.
- L. Individual Lots: For developments where the overall plan does not call for centralized sediment control capable of controlling multiple individual lots, a detail drawing of a project specific typical individual lot showing standard individual lot soil erosion and sediment control practices and the sequence and timing of BMP installation for the individual lots. This does not remove or eliminate the responsibility to designate and install specific soil erosion and sediment control practices for the storm water discharges.
- M. Maintenance & Inspections: For the construction phase of the development, include maintenance inspection requirements and schedules for all BMPs. For the post-construction phase of the development, include long-term maintenance requirements, appropriate legal agreements and/or easements, and schedules of all BMPs.
- N. Post-Construction Storm Water Quality: All sites two (2) or more acres in size must provide both structural and non-structural approved BMPs for water quality that capture and treat the Water Quality Volume. Sites between one (1) and two (2) acres may employ alternative practices with individual approval from the Ohio EPA. Refer to Ohio EPA NPDES Construction General Permit for design methodology and list of approved practices. There can be no direct discharge of storm water from the site.
1. The post-construction storm water quality component of the SWP3 must also include a long-term maintenance agreement, maintenance schedule, responsible party, and a funding mechanism to ensure the long-term function of the water quality structures, easements, and practices.
 2. Exemptions: Projects identified as exempt in Part III.G.2.e of the Ohio EPA NPDES Construction General Permit shall not need to comply with Post-Construction Storm Water Quality requirements.

3. Off-site Mitigation: Post-Construction Storm Water Quality requirements may be satisfied through off-site mitigation per Part III.G.2.e of the Ohio EPA NPDES Construction General Permit with the following additional conditions:
 - a. Mitigation must be provided within Portage County, Ohio.
 - b. Modifications to an existing storm water control facility shall not reduce flood control benefits provided by the facility for rainfall events of all recurrence intervals up to and including the 100-year event.

O. Compliance With Other Rules & Regulations:

1. NPDES Permits: The provisions of the National Pollutant Discharge Elimination System (NPDES) Permits, issued by the Ohio EPA, shall be followed. Proof of compliance shall be, but is not limited to, a copy of the Ohio EPA NPDES Permit number or a letter from the site owner explaining why the NPDES Permit is not applicable. The SWP3 shall be completed and submitted prior to the submittal of Notice of Intent (NOI) to the Ohio EPA.
2. Federal And State Wetland Permits: The provisions of the U.S. Army Corps of Engineers dredge and fill permits for federally-protected wetlands shall be followed. The provisions of Ohio EPA's Isolated Wetlands Permits shall also be followed. Wetlands and other waters of the United States shall be delineated on the entire site by protocols accepted by the U.S. Army Corps of Engineers and the Ohio EPA at the time of the application of these regulations. Written proof of compliance with both permit programs must be submitted with the SWP3. Proof of compliance shall be, but is not limited to, the following:
 - a. A copy of the permit(s), if required for the project, showing project approval and any restrictions that apply to site activities; **or**
 - b. A site plan showing that any proposed fill of waters of the United States conforms to the general and specific conditions specified in the applicable permit; **or**
 - c. A letter from the applicant verifying that a qualified professional has surveyed the site and found no wetlands or other waters of the United States; **or**
 - d. A letter of "no impact", or equivalent, from the permitting agency.
3. Ohio Dam Safety Laws: The provisions of the Ohio Dam Safety Laws shall be followed. Proof of compliance with the Ohio Dam Safety Law administered by the ODNR Division of Water shall be, but is not limited to, a copy of the ODNR Division of Water permit number or a copy of the project approval letter from the ODNR Division of Water or a letter from the site owner explaining why the Ohio Dam Safety Law is not applicable. The written proof must be submitted with the SWP3.

VII. PERFORMANCE STANDARDS

The SWP3 must contain a description, location and sequence of all BMPs for each construction operation.

Within seven (7) days of the start of clearing and grubbing the applicant must implement such controls. All BMPs must meet the criteria in the current Ohio EPA Construction

General Permit, and the Ohio Rainwater and Land Development Manual, or other standards acceptable to the Ohio EPA.

No project subject to this regulation shall commence without a SWP3 approved by the Portage County Board of Commissioners.

No project subject to these rules shall commence without a pre-construction meeting being held with the Portage County Board of Commissioners. It is the responsibility of the developer or landowner to contact the Portage County Board of Commissioners to arrange this meeting.

The controls shall include the following minimum components:

A. DURING ACTIVE CONSTRUCTION

1. NON-STRUCTURAL PRESERVATION MEASURES: The applicant must make use of practices that preserve the existing natural conditions to the maximum extent practicable. Such practices may include: maintaining wetland and riparian setbacks, preserving existing vegetation and vegetative buffer strips, phasing of construction operations to minimize the amount of disturbed land at any one time, and designation of tree preservation areas or other protective clearing and grubbing practices.
2. EROSION CONTROL PRACTICES: The applicant must make use of erosion controls that are capable of providing cover over disturbed soils. A description of practices designed to restabilize disturbed areas after grading or construction shall be included in the SWP3. The SWP3 must provide specifications for stabilization of all disturbed areas of the site and provide guidance as to which method of stabilization will be employed for any time of the year. Such practices may include: temporary seeding, permanent seeding, mulching, matting, sod stabilization, vegetative buffer strips, phasing of construction activities, and alternative groundcover.
3. SEDIMENT CONTROL PRACTICES: The applicant must install structural practices that shall store runoff, allowing sediments to settle and/or divert flows away from exposed soils or otherwise limit runoff from exposed areas. Structural practices shall be used to control erosion and trap sediment from a site remaining disturbed for more than fourteen (14) days. Control practices shall be installed prior to grading and within seven (7) days from the start of grubbing. Practices may include, among others: sediment settling ponds, sediment barriers, storm drain inlet protection, and earth diversion dikes or channels which direct runoff to a sediment settling pond. All sediment control practices must be capable of ponding runoff in order to be considered functional. Earth diversion dikes or channels alone are not considered a sediment control practice unless used in conjunction with a sediment settling pond.

4. **RUNOFF CONTROL PRACTICES:** The applicant must make use of measures that control the flow of runoff from disturbed areas and steep slopes so as to prevent erosion. Such practices may include: rock check dams, pipe slope drains, diversions to direct flow away from exposed soils, and protective grading practices that incorporate ground water infiltration.
5. **NON-SEDIMENT POLLUTANT CONTROLS:** The applicant must implement appropriate BMPs to prevent toxic materials, hazardous materials, or other debris from entering water resources or wetlands. No solid or liquid waste, including building materials, shall be discharged in storm water runoff.
6. **TRENCH AND GROUND WATER CONTROL:** There shall be no sediment-laden discharges to water resources or wetlands resulting from dewatering activities. If trench or groundwater contains sediment, it must pass through a sediment settling pond or other equally effective sediment control device prior to being discharged from the construction site. Ground water dewatering which does not contain sediment or other pollutants is not required to be treated prior to discharge. However, care must be taken when discharging to ensure that it does not become pollutant-laden by traversing over disturbed soils or other pollutant sources.
7. **COMPLIANCE WITH OTHER REQUIREMENTS:** The SWP3 shall be consistent with applicable State and/or local waste disposal, sanitary sewer, or home sewage treatment system regulations, including provisions prohibiting waste disposal by open burning, and shall provide for the proper disposal of contaminated soils located within the development area.
8. **INTERNAL INSPECTIONS:** All controls must be inspected by the applicant or a qualified agent of the applicant at least once every seven (7) calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24-hour period. The purpose of the inspection is to ensure that the control practices are functional and to evaluate whether the SWP3 is adequate, or whether additional control measures are required. Inspection logs must be maintained according to the current Ohio EPA NPDES Construction General Permit and must be made available upon request.
9. **MAINTENANCE:** The SWP3 shall be designed to minimize maintenance requirements. All control practices shall be maintained and repaired as needed to ensure continued performance of their function until final stabilization.

When inspections reveal the need for repair, replacement or installation of erosion and sediment control BMPs, the following procedures shall be followed:

- a. When practices require repair or maintenance: If an inspection reveals that a control practice is in need of repair or maintenance, with the exception of a sediment settling pond, it must be repaired or maintained within three (3)

days of the inspection. Sediment settling ponds must be repaired or maintained within ten (10) days of the inspection.

- b. When practices fail to provide their intended function: If an inspection reveals that a control practice fails to perform its intended function as detailed in the SWP3, and that another, more appropriate control practice is required, the SWP3 must be amended and the new control practice must be installed within ten (10) days of the inspection.
- c. When practices depicted on the SWP3 are not installed: If an inspection reveals that a control practice has not been implemented in accordance with the schedule, the control practice must be implemented within ten (10) days from the date of the inspection. If the internal inspection reveals that the planned control practice is not needed, the record must contain a statement of explanation as to why the control practice is not needed.

10. PRE-WINTER STABILIZATION: If the development area will, or is planned to, remain active through the winter months, the owner of the development area shall hold a Pre-Winter Stabilization Meeting. The meeting will be held before October 1st. The applicant shall invite the operator, developer, engineer, contractor, and Portage County Board of Commissioners.

11. FINAL STABILIZATION: Final stabilization is reached when all soil disturbing activities at the site are complete and a uniform perennial vegetative cover with a density of at least 70% cover for the area has been established on all unpaved areas and areas not covered by permanent structures or equivalent stabilization measures. In addition, all temporary erosion and sediment control practices are removed and disposed of and all trapped sediment is permanently stabilized to prevent further erosion.

B. POST-CONSTRUCTION WATER QUALITY PRACTICES

- 1. NON-STRUCTURAL WATER QUALITY PRACTICES: Non-structural post-construction best management practices include preservation, planning or procedures that protect sensitive natural areas, direct development away from water resources, and limit the creation of impervious surfaces. Examples of such practices include: conservation easements, riparian and wetland setbacks, conservation subdivision design, and low impact development design.
 - a. All non-structural water quality practices must be protected from disturbance through the construction phase of the project.
 - b. All non-structural water quality practices must be protected in perpetuity through the use of appropriate legal tools. All easement or conservation areas must appear on the final plat and be disclosed to potential buyers.
 - c. All non-structural post-construction water quality practices must have a maintenance agreement with an inspection schedule that details the maintenance types and methods to be used. The agreement must also identify the responsible party and include a detailed funding mechanism.

2. **STRUCTURAL WATER QUALITY PRACTICES:** Structural post-construction practices are permanent features designed and constructed to provide treatment of storm water runoff either through storage, infiltration, or filtration. They must be capable of treating the Water Quality Volume with target drain times as defined in Ohio EPA's Construction General permit for all sites greater than or equal to 2 acres. Examples of such practices include: wet extended detention basins, dry extended detention basins, constructed extended detention wetlands, permeable pavement (extended detention or infiltration), underground storage (extended detention or infiltration), sand and other media filtration, bioretention cells, and infiltration trenches or basins.
 - a. All structural water quality practices must be installed prior to the completion of the project. Structural water quality practices should be made functional once the disturbed areas on site are stabilized. If detention/retention facilities were used for sediment control during development, sediments must be removed prior to the basin being used for post-construction storm water quality.
 - b. All structural post-construction water quality practices must have a maintenance agreement with an inspection schedule that details the maintenance types and methods to be used. The agreement must also identify the responsible party and include a detailed funding mechanism.

These performance standards are general guidelines and shall not limit the right of the Portage County Board of Commissioners to impose in the future additional, more stringent requirements, nor shall the standards limit the right of the Portage County Board of Commissioners to waive, in writing, individual requirements.

VIII. EASEMENTS

Future access to floodplains, flood control facilities, runoff drainage ditches and channels, runoff storage facilities, storm sewers and other drainage ways and structures, as required by the Portage County Board of Commissioners, shall be secured by means of easements.

- A. The easements shall be recorded in the name of the Portage County Board of Commissioners and, in single-family residential developments, the homeowners association.
- B. Such easements shall be not less than thirty (30) feet in width, in addition to the width of the ditch, channel, or other facility it is to serve. Access easements of this type shall be provided on one (1) side of the flood control or storm drainage ditch, channel, or similar type facility.
- C. Access adjacent to storm water facilities shall consist of a minimum thirty (30) foot easement in the case of detention (dry) basins, and a minimum thirty (30) foot easement with a minimum thirty (30) foot level bench in the case of retention (wet) basins, measured from the top of the bank, and shall include the storage facility itself.

- D. Easements for the emergency flow ways shall be a minimum of thirty (30) feet in width, or larger if required by the Portage County Board of Commissioners.
- E. Flood control or storm drainage easements containing underground facilities shall have a minimum width of thirty (30) feet.
- F. The easements shall be restricted against the planting within said easement of trees, shrubbery or plantings with woody growth characteristics that would impede the flow of water, and against the construction therein of buildings, accessory buildings, fences, walls or any other obstructions to the free flow of storm water and the movement of inspectors and maintenance equipment and also restricted against the changing of final grade from that described by the grading plan.
- G. The easements shall connect to a public right-of-way with a minimum thirty (30) foot frontage along said public right-of-way.

IX. PERFORMANCE AND MAINTENANCE GUARANTEES

All permanent storm water, soil erosion, other wastes control, and water quality practices which involve or are to become public improvements or are to be publicly maintained or which are required to be constructed under the provisions of any federal, state or local storm water or soil erosion statute, law, rule or regulation, and as shown on any Improvement Plans and SWPPP submitted for approval, shall be constructed and completed within the time agreed upon, as required or as provided in such statute, law, rule or regulation, or a satisfactory Performance Guarantee, adequately secured, shall be furnished for their completion, in a manner as provided herein. A Maintenance Guarantee is to be provided for the above permanent improvements, and soil erosion, wastes controls, and water quality practices.

- A. THE GUARANTEE: The guarantee for performance shall be secured by a cash escrow account established with a solvent financial organization. The Escrow Account will be used by PORTAGE COUNTY to complete any guaranteed construction or removal of improvements or temporary and permanent soil erosion, sediment, and other wastes control practices that are not adequately completed, maintained or removed by the owner in a timely manner, as determined by the Portage County Board of Commissioners. Performance and Escrow Agreements shall be provided on forms approved by the Portage County Board of Commissioners. Maintenance Guarantees may be included in the original Performance Guarantee or as a separate surety bond.
- B. No soil disturbing activities shall be permitted until a an Escrow Account has been posted to the satisfaction of the Portage County Board of Commissioners sufficient for Portage County Board of Commissioners to perform the obligations otherwise to be performed by the owner or person responsible for the development area as stated in this regulation, and to allow all work to be performed as needed in the event that the owner or person responsible for the development area fails to comply with the provisions of this regulation. The Performance Guarantee shall remain in effect until released by the PC BOC. The Guarantee shall insure completion of the required

improvements in compliance with the approved Improvement plans and SWPPP. It also will not be released until all permit, inspection and other required fees have been paid in full.

- C. Performance Guarantee: The furnishing of a performance guarantee will be maintained in an amount of not less than 120% of the estimate approved by the Portage County Board of Commissioners, of installation of the deferred improvements.
- D. The PC Engineer may authorize the release of funds backing the Performance Guarantee, after receiving a written request, with copies of invoices to be paid by the funds released. After inspection, 90% of requested funds may be paid. The remaining 10% will be held until satisfactory completion and final inspection.
- E. The developer will be considered to be in default of its guarantee if it fails to commence active and continuous construction within 1 calendar year of execution of the guarantee or fails to achieve substantial completion of improvement within 2 calendar years of such date, unless otherwise provided by law, by agreement, or other requirement.
- F. Maintenance Guarantee: If not included in the original performance guarantee, the developer must provide a separate Maintenance Guarantee, in the form of a cash escrow account or surety bond, in an amount equal to 20% of the estimate approved by the Portage County Board of Commissioners for the construction and, where necessary, removal of such practices. The maintenance guarantee for storm water, soil erosion, sediment, and other wastes control practices shall be maintained for a period of not less than two (2) years after final acceptance.
- G. Time Extension: The Portage County Board of Commissioners may extend for cause the time allowed for the installation of the improvements for which the performance guarantee has been provided with the receipt of a written request from the owner.
- H. Completion: Upon completion of the construction of improvements or temporary and/or permanent, soil erosion, sediment, and other wastes control practices and the removal of the temporary soil erosion, sediment, and other wastes control practices for which the performance guarantee has been provided the owner shall notify the Portage County Board of Commissioners of this fact.
- I. Inspection: The Portage County Board of Commissioners will not release the Escrow Account, Performance or Maintenance guarantees until Portage County has inspected the site to ensure that the guaranteed item(s) have been completed and/or removed.
- J. Slow Release Devices: Performance and maintenance guarantees will be maintained on the temporary sediment removal slow release devices installed in detention and retention basins until the entire site has reached final soil stabilization. Final stabilization in single-family residential developments is when 90% of the homes are constructed with their lawns completely installed and any remaining unbuilt lots

having been permanently stabilized with a uniform ground cover at a growth density of 80% or better.

- K. Release: The Construction Maintenance Guarantee shall not be released by Portage County Board of Commissioners until all temporary soil erosion and sediment control practices that are no longer needed have been removed, properly disposed of and any trapped sediment has been stabilized.
- L. As-Built Drawings: At the completion of the construction and before acceptance, the Developer's Engineer shall update the PC Engineer's set of mylar drawings, and if appropriate the SWPPP, including all permanent post-construction storm water management facilities, for permanent record, showing the locations, sizes and elevations as constructed.
- M. The Portage County Board of Commissioners may, in its discretion and upon individual request of the Developer and/or Owner in connection with a submitted project or plan, accept an alternative form of security to guarantee performance of the obligations hereunder, provided a determination is made that such security will be adequate to meet the purposes of these requirements.

X. VIOLATIONS AND PENALTIES

- A. No person shall violate, or cause, or knowingly permit to be violated, any of the provisions of these rules, or fail to comply with any such provisions or with any lawful requirements of any public authority made pursuant to these rules, or knowingly use or cause or permit the use of any lands in violation of these rules or in violation of any permit granted under these rules.
- B. Whenever the Portage County Board of Commissioners finds that a person has violated a prohibition or failed to meet a requirement of these rules in conjunction with a failure to obtain any federal, state, or local permit necessary for sediment and erosion control, earth movement, clearing, or cut and fill activity; the Portage County Board of Commissioners may issue a stop work order to the responsible person. Upon receipt from the Portage County Board of Commissioners, of such a stop work order, such work shall immediately stop. The order shall be in writing and shall be given to the owner or person responsible for the development area, or person performing the work, and shall state the conditions under which such work may be resumed; provided, however, in instances where immediate action is deemed necessary for public safety or the public interest, the Portage County Board of Commissioners may require that work be stopped upon verbal order pending issuance of the written order.
- C. Notwithstanding the provisions of Paragraph B of this Section, whenever the Portage County Board of Commissioners finds that a person has violated any prohibition or failed to meet any requirement of these rules, the Portage County Board of Commissioners may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

1. That violating practices or operations shall cease and desist;
 2. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
 3. Payment of a fine to cover administrative and remediation costs; and
 4. The implementation of source control or treatment BMPs.
- D. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the Portage County Board of Commissioners may seek to have the work done by a designated governmental agency or a contractor, and the expenses charged to the violator.
- E. If, after a period of not less than thirty days has elapsed following the issuance of the notice of violation, the violation continues, the Portage County Board of Commissioners may issue a second notice of violation, including any relevant updated information.
- F. If, after a period of not less than fifteen days has elapsed following the issuance of the second notice of violation, the violation continues, the Portage County Board of Commissioners may issue a stop work order in accordance with R.C. 307.79. The conditions of the issuance of such stop work order shall be the same as those set forth in Paragraph B of this Section.
1. In the case of any issuance of a stop work order under this section, the Portage County Board of Commissioners shall request, in writing, the Portage County Prosecuting Attorney to seek an injunction or other appropriate relief in the court of common pleas, in accordance with Section XI of these rules.
 2. The person to whom a stop work order is issued under this section may appeal the order to the Portage County Court of Common Pleas.

XI. INJUNCTIVE RELIEF

Notwithstanding the provisions of Section X of these rules, if a person has violated or continues to violate the provisions of these rules, the Portage County Board of Commissioners may request in writing that the Portage County Prosecutor's Office petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation. Each day of violation of any of these rules shall be considered a separate violation subject to a civil fine.

XII. APPLICATION PROCEDURES FOR STORM WATER POLLUTION PREVENTION PLANS:

- A. One (1) paper copy and one (1) digital copy of the SWP3 and necessary data required by this regulation shall be submitted to the Portage County Board of Commissioners, or authorized representative or delegate, with text material being submitted on 8.5 by 11

inch paper and drawings on no larger than 24 by 36 inch sized paper. The SWP3 shall be prepared and signed by a Professional Engineer licensed to practice in the State of Ohio or a Certified Professional in Erosion and Sediment Control (CPESC).

- B. The application must include a letter or report from the Portage Soil and Water Conservation District that states that the SWP3 has been reviewed for consistency with Ohio EPA and local regulations.
- C. The SWP3 developed by the site owners and approved by Portage County Board of Commissioners in accordance with this regulation do not relieve the site owner of responsibility for obtaining and complying with all other necessary permits and/or approvals from federal, state, county, and local agencies and departments. If requirements vary, the most stringent requirement shall be followed.
- D. The Portage County Board of Commissioners shall review the SWP3 and supporting data, and shall approve or return these with comments and recommendations for revisions within thirty (30) working days after receipt of the SWP3 as described above. A SWP3 rejected because of deficiencies shall receive a report stating specific problems. At the time of receipt of a revised SWP3, another thirty (30) day review period shall begin.
- E. Approved plans shall remain valid for two (2) years from the date of approval. After two (2) years the plan(s) approval automatically expires
- F. No soil disturbing activity shall begin before the SWP3 has been approved by the Portage County Board of Commissioners, or before all necessary local, county, state and federal permits have been granted to the owner or operator.
- G. The Portage County Board of Commissioners will perform site inspections until the site reaches final stabilization as determined by the Portage County Board of Commissioners.
- H. The Portage County Board of Commissioners may establish a fee schedule for the review of the SWP3, supporting storm water management calculations, and performance of site inspections. The fee schedule shall be maintained in the Portage County Board of Commissioners (or delegated agency's) office, and may be revised periodically. Approvals will not be granted until all outstanding fees are paid in full.

XIII. AMENDMENTS

- A. These rules may be from time to time amended in accordance with procedure established under Ohio law.
- B. The validity of any Storm Water Pollution Prevention Plan for a development area which was approved prior to the effective date of any amendment to these rules will not be affected by such amendment, provided that no changes to the Storm Water Pollution Prevention Plan, as approved, are introduced by the applicant, owner or

owner's agent or representative.

- C. No amendment to these rules shall be construed as abating any action now pending under, or by virtue of, prior existing Construction Site Sediment, Erosion, and Storm Water Management Rules, or as modifying, discontinuing, abating, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of Portage County under any section or provision of the rules existing at the time of the effective date of any amendment, or as vacating or annulling any rights obtained by any person by lawful action of Portage County except as otherwise expressly provided in these rules or amendments thereto.

XIV. DEFINITIONS, as used in these rules:

The following are definitions of terms used throughout these rules and are controlling herein; if a term is not defined herein, unless otherwise provided in these rules the intended meaning of the term will be the same as in the then-current Portage County Subdivision Rules and Regulations, or if not defined therein, then the then-current Ohio EPA General Permit Authorization for Storm Water Discharges Associated with Construction Activity under the NPDES.

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, maintenance procedures and other management practices (both structural and non-structural) to prevent or reduce the pollution of surface waters of the state. BMPs also include treatment requirements, operating procedures and practices to control plant and /or construction site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.

CHANNEL: A natural stream that conveys water, or a ditch or channel excavated for the natural flow of water.

CHECK DAM: Small, temporary stone dams constructed across a swale or drainage ditch.

CONSERVATION: The wise use and management of natural resources.

DETENTION BASIN: A storm water management pond that remains dry between storm events. Storm water management ponds include a properly engineered/designed volume which is dedicated to the temporary storage and slow release of runoff waters.

DEVELOPMENT AREA: Any tract, lot, or parcel of land, or combination of tracts, lots or parcels of land, which are in one ownership, or are contiguous and in diverse ownership, where earth-disturbing activity is to be performed.

DISTURBANCE: Any clearing, grading, excavating, filling, or other alteration of land surface where natural or man-made cover is destroyed in a manner that exposes the underlying soils.

DISTURBED AREA: An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

DITCH: An excavation, either dug or natural, for the purpose of drainage or irrigation, and having intermittent flow.

EARTH DISTURBING ACTIVITY: Any grading, excavating, filling, or other alteration of the earth's surface where natural or man-made ground cover is destroyed.

EARTH MATERIAL: Soil, sediment, rock, sand, gravel, and organic material or residue associated with or attached to the soil.

EROSION: The process by which the land surface is worn away by the action of water, wind, ice or gravity.

EXISTING: In existence at the time of the passage of these regulations.

FINAL STABILIZATION: All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover (e.g. evenly distributed, without large bare areas) with a density of at least 70% coverage for the area has been established on all unpaved areas and areas not covered by permanent structures or equivalent stabilization measures (such as the use of mulches, rip-rap, gabions or geotextiles) have been employed. In addition, all temporary erosion and sediment control practices are removed and disposed of and all trapped sediment is permanently stabilized to prevent future erosion.

GENERAL CONTRACTOR: The primary individual or company responsible to perform a contract. The general contractor typically supervises activities, coordinates the use of subcontractors, and is authorized to direct workers at a site to carry out activities required by the permit.

GRADING: Earth disturbing activity such as excavation, stripping, cutting, filling, stockpiling, or any combination thereof.

GRUBBING: Removing, clearing or scalping material such as roots, stumps or sod.

LARGER COMMON PLAN OF DEVELOPMENT OR SALE: A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

LANDSLIDE: The rapid mass movement of soil and rock material downhill under the influence of gravity in which the movement of the soil mass occurs along an interior surface of sliding.

MAINTENANCE GUARANTEE: An agreement between the Developer and Portage County, financially backed by the Developer, guaranteeing the maintenance of physical improvements for a period defined by these regulations or the appropriate authority.

MAXIMUM EXTENT PRACTICABLE: The level of pollutant reduction that site owners of small MS4s regulated under the NPDES Phase II permit program must provide.

NATURAL RESOURCES CONSERVATION SERVICE (NRCS): An agency of the United States Department of Agriculture, formerly known as the Soil Conservation Service (SCS).

NPDES PERMIT: A National Pollutant Discharge Elimination System Permit issued by Ohio EPA under the authority of the US EPA, and derived from the Federal Clean Water Act. The most current edition of the "General Permit Authorization for Storm Water Discharges Associated with Construction Activities" shall be used with this regulation.

OHIO EPA: The Ohio Environmental Protection Agency.

OHIO RAINWATER & LAND DEVELOPMENT MANUAL: Ohio's manual describing construction and post-construction best management practices and associated specifications. A copy of the manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation. The most current edition of these standards shall be used with this regulation.

OWNER OR OPERATOR: Responsible party for any facility or activity subject to regulation under the NPDES program.

PERFORMANCE GUARANTEE: A financially backed security provided by a Developer and accepted by the County for the amount of estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the Developer's agreement.

PERMANENT STABILIZATION: The establishment of permanent vegetative, decorative landscape mulching, matting, sod, rip-rap and landscaping techniques to provide permanent erosion control on areas where construction operations are complete or where no further disturbance is expected for at least one year.

PERSON: Any individual, corporation, partnership, firm, trust, commission, board, joint venture, agency, unincorporated association, municipal corporation, township, county, state agency, the federal government, other legal entity, or an agent thereof.

PORTAGE COUNTY BOARD OF COMMISSIONERS (PC BOC): The board consisting of the duly elected commissioners of Portage County, or the Board's authorized representative or delegate, by direct employment or by contract.

REDEVELOPMENT: The demolition or removal of existing structures or land uses and construction of new ones.

RETENTION BASIN: A storm water management pond that maintains a permanent pool of water. These storm water management ponds include a properly engineered/designed volume dedicated to the temporary storage and slow release of runoff waters.

RIPARIAN AREA: Transition area between flowing water and terrestrial (land) ecosystems composed of trees, shrubs, and surrounding vegetation which, if appropriately sized, helps to stabilize stream banks, limit erosion, reduce flood flows, and/or filter and settle out runoff

pollutants, increase stream shading, enhance wildlife habitat, or which performs other functions consistent with the purposes of these regulations.

RIPARIAN SETBACK: Those vegetated lands which are alongside streams where earth disturbing activities will not take place and natural vegetation will not be removed.

RUN-OFF: Rainfall, Snowmelt, or Irrigation Water that has not evaporated or infiltrated into the soil but flows over the ground surface.

SEDIMENT: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, gravity or ice, and has come to rest on the earth's surface either on dry land or in a body of water.

SEDIMENT SETTLING POND: A sediment trap, sediment basin, or permanent basin that has been temporally modified for sediment control, as described in the latest edition of the Ohio Rainfall and Development Manual. It is designed to slowly release runoff, detaining it long enough to allow most of the sediment to settle out of the water, thereby protecting the water quality of a nearby stream, river, lake or bay.

SEDIMENT CONTROL: The limiting of sediment being transported by controlling erosion or detaining sediment-laden water and, allowing the sediment to settle out.

SEDIMENT POLLUTION: A failure to use management or conservation practices to control wind or water erosion of the soil and to minimize the degradation of water resources by soil sediment in conjunction with land grading, excavating, filling, or other soil disturbing activities on land used or being developed for commercial, industrial, residential, or other purposes.

SENSITIVE NATURAL AREA: An area or water resource that requires special management because of its susceptibility to sediment pollution, or because of its importance to the well-being of the surrounding communities, region, or the state. It may also be referred to as a critical natural area.

SOIL: Unconsolidated erodible earth material consisting of minerals and/or organics.

SOIL EROSION AND SEDIMENT CONTROL PRACTICES: Conservation measures used to control sediment pollution and including structural practices, vegetative practices and management techniques.

SOIL STABILIZATION: Vegetative or structural soil cover that controls erosion, and includes permanent and temporary seeding, mulch, sod, pavement, etc.

SOIL SURVEY: The official soil survey produced by the Natural Resources Conservation Service, USDA in cooperation with the Division of Soil and Water Conservation, ODNR and the local Board of County Commissioners.

STORM WATER: That portion of run-off that flows from the land surface of a site either naturally, in man - made ditches, or in a closed conduit system.

STORM WATER CONVEYANCE: All storm sewers, channels, streams, ponds, lakes, etc., used for conveying concentrated storm water runoff, or for storing storm water runoff.

STORM WATER MANAGEMENT FACILITY: Any structure, natural or man-made, that due to its condition, design, or construction, conveys, stores, or otherwise, affects storm water runoff. Typical storm water management facilities include, but are not limited to, detention and retention basins or ponds, open channels, storm sewers, pipes and infiltration structures.

STORM WATER POLLUTION PREVENTION PLAN (SWP3): A plan prepared in accordance with appropriate guidelines that is required by the Ohio EPA for any facility or development that discharges storm water. The SWPPP identifies potential pollution sources and describes practices that will be implemented to prevent or control pollutant releases.

STREAM: A body of water running or flowing on the earth's surface, or a channel with a defined bed and banks in which such flow occurs. Flow may be seasonally intermittent.

SWCD: Soil & Water Conservation District.

TEMPORARY STABILIZATION: The establishment of temporary vegetation, mulching, geotextiles, sod, preservation of existing vegetation and other techniques capable of quickly establishing cover over disturbed areas to provide erosion control between construction operations.

UNSTABLE SOIL: A portion of land surface or area which is prone to slipping, sloughing or landslides, or is identified by Natural Resources Conservation Service methodology as having low soil strength.

USEPA: The United States Environmental Protection Agency.

WATERCOURSE: Any natural, perennial, or intermittent channel with a defined bed and banks, stream, river or brook.

WATER QUALITY VOLUME: The volume of storm water runoff that must be captured and treated prior to discharge from the developed site after construction is complete.

WATER RESOURCES: All streams, lakes, ponds, wetlands, water courses, waterways, drainage systems, and all other bodies or accumulations of surface water, either natural or artificial, which are situated wholly or partly within, or border upon this state, or are within its jurisdiction, except those private waters which do not combine or affect a junction with natural surface waters.

WETLAND: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. (40 Codified Federal Register (CFR) 232, as amended). Wetlands shall be delineated by a site survey approved by PORTAGE COUNTY using delineation protocols accepted by

the U.S. Army Corps of Engineers and the Ohio EPA at the time of application of this regulation. If a conflict exists between the delineation protocols of these two agencies, the delineation protocol that results in the most inclusive area of wetlands shall apply.

WETLAND SETBACK: Those lands adjacent to wetlands where earth disturbing activities will not take place and natural vegetation will not be removed.

WINTER: October 1st to April 1st of each year.

Commissioner Clyde spoke with Director Bragg yesterday concerning Local Government Fund as she was under the impression the State dictated the funding formula. Commissioner Clyde noted Sue White was frustrated with the process during the EMA meeting, but after talking to Director Bragg, Commissioner Clyde noted it sounded like a good process and they agreed to the process. Commissioner Kline noted the County took a step back, it could have asked for more, but didn't. Commissioner Christian-Bennett noted the alternative would have been worse for the Townships.

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JOURNAL ENTRY

September 5, 2019

Commissioners

1. In accordance with Ohio Revised Code 3505.14, the Portage County Board of Elections will have galley proofs of all ballots to be used at the General Election on November 5, 2019 on display September 5th and 6th, 2019.
2. In accordance with ORC 311.20, the Board of Commissioners acknowledged the receipt of the Portage County Sheriff's Monthly Jail Reports for expenditures and food costs for prisoners for August 2019.
3. The Board of Commissioners received the August 29, 2019 Amended Certificate of Estimated Resources for the year beginning January 1, 2019 as submitted by the Portage County Budget Commission.
4. The Board of Commissioners received a notice in the matter of the allocation of the Local Government Fund of the several participating sub-divisions of Portage County, Ohio for the year 2020 under the provision of Section 5707.03, Section 5725.24 & Section 5747.53 of the Ohio Revised Code, as presented by the Portage County Budget Commission.
5. The Board of Commissioner acknowledged the receipt of the Portage County Prosecutor's Annual Report to the Fire Marshall's Office, reporting period August 28, 2018 through August 28, 2019, in accordance with ORC Section 309.16.
6. The Board of Commissioners acknowledged receipt of the August 30, 2019 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2019, as presented by the Portage County Auditor's Office.

Department of Budget & Finance

7. The Board of Commissioners signed the September 9, 2019 correspondence to Portage County Auditor Janet Esposito for Final Certification of Delinquent Accounts for the sewer and water service billings through August 22, 2019 in accordance with Ohio Revised Code Section 6117.02, as presented by the Department of Budget & Financial Management.

Human Resources

8. The Board of Commissioners signed the Personnel Action Form accepting the resignation of Savanna Barton, Breastfeeding Peer Helper, for Portage/Columbiana County WIC, effective August 27, 2019, presented by Janet Kovick, Human Resources Director.
9. The Board of Commissioners signed the Personnel Action Form authorizing a wage increase for Regina Frank, Attorney for Portage County Job & Family Services, due to successfully completing 1 year of service in the JFS Non-Bargaining Unit, as supported by the JFS Wage Policy 010-23, effective, August 20, 2019, presented by Kellijo Jeffries, JFS Director, and Janet Kovick, Human Resources Director.
10. The Board of Commissioners signed the Personnel Action Form authorizing a wage increase for Melissa Boyd, PCSA Administrative Assistant for Portage County Job & Family Services, due to successfully completing the 120 day probationary period, effective August 27, 2019, presented by Kellijo Jeffries, JFS Director, and Janet Kovick, Human Resources Director.


Motion To: Approve the Journal Entries for September 5, 2019

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

Motion To: Adjourn the Official Meeting of September 5, 2019 at 1:34 PM

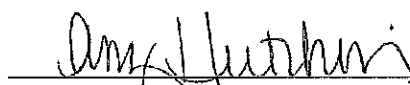
RESULT:	ADOPTED
MOVED:	Sabrina Christian-Bennett
SECONDED:	Kathleen Clyde
AYES:	Sabrina Christian-Bennett, Kathleen Clyde, Vicki A. Kline

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


Vicki A. Kline, President


Kathleen Clyde, Vice President


Sabrina Christian-Bennett, Board Member


Amy Hutchinson, Clerk

