

## MINUTES OF MEETING HELD JANUARY 27, 2011

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Michael Dockry, Mr. Daniel V. Bienko, and Mr. Jason Loree. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-1-27-01:** Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held December 16, 2010.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Dockry	X	
Mr. Loree	X	
Mr. Bienko	X	

Under Old Business, Ms. Landers updated the board regarding a meeting she has scheduled to discuss the website and a flyer she made regarding the logo contest. Mr. Platton was at a seminar so there was no update on the Errors and Omissions Insurance. The board discussed the budget and would like Mr. Platton to recommend a budget document that has four columns (one column for ABC and one column for each township) in addition to creating and maintaining an accounting of where the ABC Water & Storm Water District is currently.

The Request for Qualifications for Engineering Firms was discussed and the board decided to develop a questionnaire and once the top five firms are identified, those firms will be asked to attend the March 24 meeting to present their qualifications to the board.

Regarding the Status of Addition of Territory to the District, Mr. Bienko requested that Mr. Luckage compose a summary and "To Do" list for each board member to review with their respective boards.

Board Compensation was discussed and tabled for the next meeting.

Under New Business, the following motion was passed:

**RESOLUTION 11-1-27-02:** Motion was made by Mr. Loree to amend Article 8, Section 1, to state that this board recognizes four positions: President, Vice President, and Secretary/Treasurer.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Dockry	X	
Mr. Loree	X	
Mr. Bienko	X	

**MINUTES OF MEETING HELD JANUARY 27, 2011**

**RESOLUTION 11-1-27-03:** Motion was made by Mr. Dockry that the board maintain their current positions with Mr. Bienko as President, Mr. Dockry as Vice President, and Mr. Loree as Secretary/Treasurer.

Seconded by Mr. Loree.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>
Mr. Dockry	X	
Mr. Loree	X	
Mr. Bienko	X	

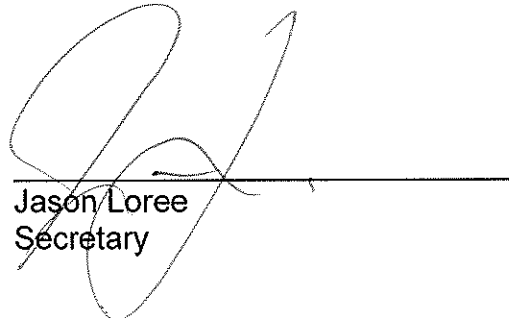
**RESOLUTION 11-1-27-04:** Motion was made by Mr. Loree to adjourn at 2:30 p.m.

Seconded by Mr. Dockry.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>
Mr. Dockry	X	
Mr. Loree	X	
Mr. Bienko	X	



\_\_\_\_\_  
Daniel V. Bienko  
President



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Jason Loree  
Secretary

## MINUTES OF MEETING HELD FEBRUARY 24, 2011

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Michael Dockry, Mr. Daniel V. Bienko, and Mr. Jason Loree. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-2-24-01:** Motion was made by Mr. Bienko to approve the Minutes of the Regular Meeting held January 27, 2011.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Dockry	X	
Mr. Loree	X	
Mr. Bienko	X	

Under Old Business, Ms. Landers updated the board regarding the website, logo contest, and letterhead. Mr. Platton updated the board regarding the Errors and Omission Insurance and reviewed the budget spreadsheet with them.

**RESOLUTION 11-2-24-02:** Motion was made by Mr. Dockry to accept the GUA Insurance proposal for \$1,550.00 commencing March 1, 2011, through February 29, 2012.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Dockry	X	
Mr. Loree	X	
Mr. Bienko	X	

Discussion ensued regarding the budget and it was agreed that Mr. Platton will provide the board with a budget spreadsheet detailing all invoices in a monthly report. In addition, the need for a chart from each township regarding its projects was discussed. The format for the next meeting was also discussed in regards to the engineering firms, along with board compensation.

**RESOLUTION 11-2-24-03:** Motion was made by Mr. Dockry for each ABC board member to be reimbursed \$50.00 for each meeting, starting with the new term.

Seconded by Mr. Loree.


Roll Call	Aye	Nay
Mr. Dockry	X	
Mr. Loree	X	
Mr. Bienko	X	

**MINUTES OF MEETING HELD FEBRUARY 24, 2011**

**RESOLUTION 11-2-24-04:** Motion was made by Mr. Dockry to adjourn at 3:15 p.m.

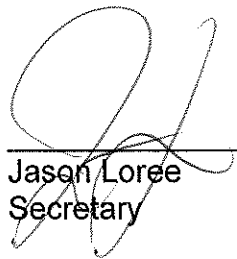
Seconded by Mr. Loree.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>
<b>Mr. Dockry</b>	<b>X</b>	
<b>Mr. Loree</b>	<b>X</b>	
<b>Mr. Bienko</b>	<b>X</b>	



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Daniel V. Bienko  
President



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Jason Loree  
Secretary

**MINUTES OF MEETING HELD MARCH 24, 2011**

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Michael Dockry and Mr. Daniel V. Bienko. Mr. Jason Loree did not attend. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-3-24-01:** Motion was made by Mr. Bienko to approve the Minutes of the Regular Meeting held February 24, 2011.  
Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Dockry	X	
Mr. Bienko	X	

Motion passes 2-0.

Discussion ensued and it was agreed that the motion regarding the percentage of expenses assigned to each township would be tabled for the next meeting.

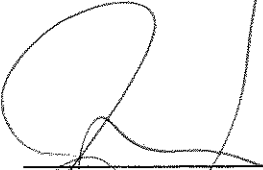
Mr. Bienko then stated that each township must send the ABC Board its project list and a meeting should be scheduled with a representative from each township to discuss those projects.

At this point the Question and Answer session began with the following engineering firms: Michael Benza and Associates; AMEC; Sands & Decker; CDM; and EMH&T.

**RESOLUTION 11-3-24-02:** Motion was made by Mr. Bienko to adjourn at 3:48 p.m.  
Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Dockry	X	
Mr. Bienko	X	

Motion passes 2-0.

  
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Daniel V. Bienko  
President  
\_\_\_\_\_  
Jason Loree  
Secretary

## MINUTES OF MEETING HELD MAY 26, 2011

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Michael Dockry, Mr. Jason Loree, and Mr. Daniel V. Bienko. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-5-26-01:** Motion was made by Mr. Dockry to approve the Minutes of the Regular Meeting held March 24, 2011.  
Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**RESOLUTION 11-5-26-02:** Motion was made by Mr. Dockry to approve the membership invoice for the Coalition of Ohio Regional Districts (CORD) for a total of \$150.00 for the calendar year of 2011.  
Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**RESOLUTION 11-5-26-03:** Motion was made by Mr. Dockry to approve the proper sharing of ABC Board costs on a population determined percentage divided over each township, with the percentage breakdown being Austintown at 43% (based on a population of 36,722) ; Boardman at 47% (based on a population of 40,899); and Canfield at 10% (based on a population of 8,649).  
Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

Under Old Business, the following motions were passed:

**RESOLUTION 11-5-26-04:** Motion was made by Mr. Dockry to find that CDM was the highest ranking firm for storm water and to enter into negotiations for a fee structure, scope of work, and other terms and conditions.  
Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**MINUTES OF MEETING HELD MAY 26, 2011**

**RESOLUTION 11-5-26-05:** Motion was made by Mr. Dockry to find that Sands & Decker was the highest ranking firm for potable water and to enter into negotiations for a fee structure, scope of work, and other terms and conditions.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

There was no New Business.

**RESOLUTION 11-5-26-06:** Motion was made by Mr. Dockry to adjourn into Executive Session at 2:58 p.m. for purposes of discussing **Pending Litigation** (Water Contract) with the ABC Water & Storm Water District's lawyer.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**RESOLUTION 11-5-26-07:** Motion was made by Mr. Dockry to adjourn Executive Session at 3:38 p.m. and return to Open Session.

Seconded by Mr. Bienko.


Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

There was no formal action taken by the Board in Open Session from Executive Session.

**RESOLUTION 11-5-26-08:** Motion was made by Mr. Dockry to adjourn at 3:39 p.m.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

  
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Jason Loree  
Secretary

  
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Daniel V. Bienko  
President

## MINUTES OF MEETING HELD JUNE 23, 2011

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Jason Loree and Mr. Daniel V. Bienko. Mr. Dockry did not attend the meeting. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-6-23-01:** Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held May 26, 2011.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Bienko	X	

**RESOLUTION 11-6-23-02:** Motion was made by Mr. Loree to adopt the Resolution attached to these minutes amending the petition to change criteria for eligibility of board appointment such that the appointment of each Township's representative on the Board may be either a resident of that respective Township or on an owner of real property with the District as the District territory is defined at the time of the appointment.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Bienko	X	

Under Old Business, discussion ensued on the township territory status.

There was no New Business.

**RESOLUTION 11-6-23-03:** Motion was made by Mr. Loree to adjourn into Executive Session at 2:07 p.m. for purposes of discussing **Pending Litigation** (Water Contract) with the ABC Water & Storm Water District's lawyer.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Bienko	X	

**RESOLUTION 11-6-23-04:** Motion was made by Mr. Loree to revoke Resolution #11-6-23-02.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Bienko	X	



MINUTES OF MEETING HELD JUNE 23, 2011

**RESOLUTION 11-6-23-05:** Motion was made by Mr. Loree to adjourn Executive Session at 3:36 p.m. and return to Open Session.  
Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Bienko	X	

The following motions were passed by the Board in Open Session from Executive Session:

**RESOLUTION 11-6-23-06:** Motion was made by Mr. Loree to adopt the Resolution attached to these minutes amending the petition to change criteria for eligibility of board appointment such that the appointment of each Township's representative on the Board may be either a resident of that respective Township or on an owner of real property within the that respective Township.  
Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Bienko	X	

**RESOLUTION 11-6-23-07:** Motion was made by Mr. Loree to adjourn at 3:57 p.m.  
Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Bienko	X	

  
Daniel V. Bienko  
President

  
Jason Loree  
Secretary

**MINUTES OF MEETING HELD AUGUST 3, 2011**

At a special meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Jason Loree and Mr. Michael Dockry. Mr. Bienko did not attend the meeting. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-8-3-01:** Motion was made by Mr. Loree to approve the Professional Engineering Services Agreement for the ABC Water and Storm Water District from Sands Decker CPS, LLC, as attached to these minutes.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	

**RESOLUTION 11-8-3-02:** Motion was made by Mr. Loree to approve the Engineering Task Order between ABC Water and Storm Water District and Sands Decker CPS, LLC, for "Professional Engineering Services", as attached to these minutes.


Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	

**RESOLUTION 11-8-3-03:** Motion was made by Mr. Loree to adjourn at 1:10 p.m.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	

  
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Michael Dockry  
President Pro Tem

  
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Jason Loree  
Secretary

## MINUTES OF MEETING HELD SEPTEMBER 22, 2011

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Jason Loree, Mr. Michael Dockry, and Mr. Daniel V. Bienko. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-9-22-01:** Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held June 23, 2011.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**RESOLUTION 11-9-22-02:** Motion was made by Mr. Loree to approve the Minutes of the Special Meeting held August 3, 2011.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**RESOLUTION 11-9-22-03:** Motion was made by Mr. Bienko to adopt the Resolution attached to the minutes herein, accepting the application from Austintown Township to the ABC Water and Storm Water District to include within the territory of the ABC Water and Storm Water District all remaining unincorporated territory in Austintown Township not presently included in the District as originally established by Court action on November 30, 2009.

Seconded by Mr. Loree.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**RESOLUTION 11-9-22-04:** Motion was made by Mr. Bienko to adopt the Resolution attached to the minutes herein, accepting the application from Boardman Township to the ABC Water and Storm Water District to include within the territory of the ABC Water and Storm Water District all remaining unincorporated territory in Boardman Township not presently included in the District as originally established by Court action on November 30, 2009.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**MINUTES OF MEETING HELD SEPTEMBER 22, 2011**

**RESOLUTION 11-9-22-05:** Motion was made by Mr. Bienko to modify Resolution # 11-05-26-03 and return to the original ABC Board reimbursement rate of 33 1/3% for each township for expenses incurred to begin October 1, 2011.

Seconded by Mr. Loree.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko		X

**Motion passes 2-1.**

Under Old Business, discussion ensued regarding the CDM Water Contract and copies of the CDM agreement were distributed for final review. In addition, it was discussed that the Canfield Township Administrator will work on the inclusion of the Canfield territory. Lastly, Mr. Luckage will send a letter regarding the water supply.


Under New Business, Mr. Bienko reminded each township that the ABC Board needs a list of their storm water projects so the Board can begin reviewing them.

**RESOLUTION 11-9-22-06:** Motion was made by Mr. Loree to adjourn at 2:56 p.m.

Seconded by Mr. Bienko.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

  
\_\_\_\_\_  
Daniel V. Bienko  
President

  
\_\_\_\_\_  
Jason Loree  
Secretary

**MINUTES OF MEETING HELD OCTOBER 27, 2011**

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held on the above date at 1:00 p.m., the following members were present: Mr. Jason Loree, Mr. Michael Dockry, and Mr. Daniel V. Bienko. The public and news media were given proper notice regarding this meeting.

**RESOLUTION 11-10-27-01:** Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held September 22, 2011.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

**RESOLUTION 11-10-27-02:** Motion was made by Mr. Dockry to approve and authorize the CDM contract as attached to these minutes and have Mr. Bienko sign it.

Seconded by Mr. Loree.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

Under Old Business, the water supply issue was discussed. Mr. Bienko revisited the issue of Canfield reimbursing the ABC Board for 10% of its expenses. Mr. Platton is to do an extensive accounting and review of all expenses billed to Canfield from 2006 to the present.

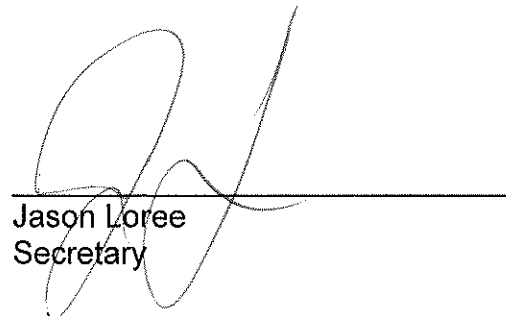
There was no New Business.

**RESOLUTION 11-10-27-03:** Motion was made by Mr. Bienko to adjourn at 2:26 p.m.

Seconded by Mr. Dockry.

Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

  
\_\_\_\_\_  
Daniel V. Bienko  
President

  
\_\_\_\_\_  
Jason Loree  
Secretary