

MINUTES OF MEETING HELD JANUARY 22, 2013

At a special meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held at the Boardman Township Government Center at 8299 Market Street, Boardman, Ohio 44512 on the above date at 2:00 p.m., the following members were present: Mr. Jason Loree and Mr. Michael Dockry. Those also in attendance were: Keith Rogers, Canfield Township representative, and Stephanie Landers, Administrative Assistant. The public and news media were given proper notice regarding this meeting.

RESOLUTION 13-1-22-01: Mr. Loree, acting as President pro-tem, called for nominations for President of the Board of Directors for the year 2013.

Mr. Rogers nominated Mr. Dockry as President of the Board of Directors for the year 2013.

Mr. Loree seconded the nomination of Mr. Dockry as President of the Board of Directors for the year 2013.

RESOLUTION 13-1-22-02: Mr. Loree moved that nominations for President of the Board of Directors for the year 2013 be closed.

Mr. Dockry seconded that nominations for President of the Board of Directors for the year 2013 be closed.

The President pro-tem called for votes, by name, to close nominations for President of the Board of Directors for the year 2013:

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |

The President pro-tem called for votes, by name, to declare Mr. Dockry President of the Board of Directors for 2013:

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |

RESOLUTION 13-1-22-03: The President pro-tem declared Mr. Dockry duly elected President of the Board of Directors for the year 2013.

Mr. Dockry, President, called for nominations for Vice President of the Board of Directors for the year 2013.

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Mr. Loree nominated Mr. Rogers as Vice President of the Board of Directors for the year 2013.

Mr. Dockry seconded the nomination of Mr. Rogers as the Vice President of the Board of Directors for the year 2013.

Mr. Dockry moved that nominations for Vice President of the Board of Directors for the year 2013 be closed.

Mr. Loree seconded that nominations for Vice President of the Board of Directors for the year 2013 be closed.

Mr. Dockry, President, called for votes to close nominations for Vice President of the Board of Directors for the year 2013:

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |

Mr. Dockry, President, called for votes, by name, for Mr. Rogers as the Vice President of the Board of Directors for the year 2013:

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |

RESOLUTION 13-1-22-04: Mr. Dockry, President, declared Mr. Rogers duly elected as Vice President of the Board of Directors for the year 2013.

Mr. Dockry, President, called for nominations for Secretary/Treasurer and Assistant of the Board of Directors for the year 2013.

Mr. Rogers nominated Mr. Loree as Secretary/Treasurer and Stephanie Landers as Assistant of the Board of Directors for the year 2013.

Mr. Dockry seconded the nomination of Mr. Loree as the Secretary/Treasurer and Stephanie Landers as Assistant of the Board of Directors for the year 2013.

Mr. Dockry moved that nominations for Secretary/Treasurer and Assistant of the Board of Directors for the year 2013 be closed.

Mr. Rogers seconded that nominations for Secretary/Treasurer and Assistant of the Board of Directors for the year 2013 be closed.

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Mr. Dockry, President, called for votes to close nominations for Secretary/Treasurer and Assistant of the Board of Directors for the year 2013:

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |

Mr. Dockry, President, called for votes, by name, for Mr. Loree as the Secretary/Treasurer and Ms. Landers as Assistant of the Board of Directors for the year 2013:

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |

RESOLUTION 13-1-22-05: Mr. Dockry, President, declared Mr. Loree duly elected as Secretary/Treasurer and Stephanie Landers as Assistant of the Board of Directors for the year 2013.

The meeting was called to order with all members present: Mr. Robert Dockry, President; Mr. Rogers, Vice President; and Mr. Jason Loree, Secretary/Treasurer.

RESOLUTION 13-1-22-06: Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held October 11, 2012.
Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |

RESOLUTION 13-1-22-07: Motion was made by Mr. Loree that, to provide for the current expenses and other expenditures of said Board of Trustees during the fiscal year beginning January 1, 2013 and ending December 31, 2013, the sums shown on "Exhibit A", attached hereto and incorporated herein, be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year.

Seconded by Mr. Rogers.

Motion was tabled as Exhibit A needs to be revised.

Discussion ensued regarding Canfield joining Boardman in the ERU study.

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There was no Old Business.

Under New Business, the following motion was passed:

RESOLUTION 13-1-22-08: Motion was made by Mr. Loree to adopt the Resolution in accordance with Section 121.22(F) of the Ohio Revised Code and as attached to the minutes herein, the Resolution notifying the public and news media of Regular, Special, and Emergency meetings for calendar year 2013.


Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |


RESOLUTION 13-1-22-09: Motion was made by Mr. Loree to adjourn at 2:58 p.m.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |



Michael Dockry
President



Jason Loree
Secretary/Treasurer

**ABC Water and Storm Water District
Mahoning County, Ohio**

RESOLUTION NO. 13-01-22-08

The Board of Trustees of the ABC Water and Storm Water District, Mahoning County, Ohio, met in regular session, pursuant to notice on the 22nd of January 2013 at 2:00 p.m. at the Boardman Township Government Center, 8299 Market Street, Boardman, Ohio, 44512, with the following members present: Keith Rogers, Michael Dockry, and Jason Loree.

Mr. Dockry moved to adopt the following Resolution:

BE IT RESOLVED by the Board of Trustees as follows:

1. The Board of Trustees of the ABC Water and Storm Water District, Mahoning County, Ohio, in compliance with RC 121.22(F), hereby the following method whereby any person may determine the date, time and place of regular meetings and the date, time, place and purposes of special meetings of the Board, and whereby the news media may be notified of the date, time, place, and purposes of special and emergency meetings of the Board.
 - a. **Regular Meetings:** Until further notice, regular meetings of the Board will be held on 3/6, 4/3, 5/1, 6/5, 7/3, 8/7, 9/4, 10/2, 11/6 and 12/4 at 1:00 a.m./p.m. for 2013. Unless otherwise provided, all meetings will be held at 8299 Market Street, Boardman, Ohio, 44512. The Secretary shall give notice of regular meetings by posting a notice on the Boardman Township website, the Boardman Township bulletin board, and through notification of the media. Statements of the date, time, and place of all regular meetings shall be posted by the Secretary not later than one week prior to all said meetings. If the date, time, or location of a regular meeting is changed, notice of the change shall be posted as provided in this section at least one day prior to the meeting.
 - b. **Special and Emergency Meetings:** Special meetings of the Board will be held at the call of the Board. The call for a special meeting shall specify the date, time, location and purposes of the meeting. Unless otherwise provided, special meetings will be held at the same location as regular meetings. The Secretary shall give notice of the date, time, location and purposes of the special meetings other than an emergency meeting by posting in the same location(s) as provided for posting notice of regular meetings. Notice shall be posted as far in advance of the meeting as practicable, but not less than twenty-four hours prior to the meeting. If there is sufficient time to provide twenty-four hours' notice, the Secretary shall give notice of an emergency meeting in the same manner as notice of a non-emergency special meeting. Otherwise, notice of an emergency meeting is not required, except as provided in Section c. below.
 - c. **Notice To News Media of Special and Emergency Meetings:** News media who have requested notice of special meetings shall be individually notified by the Secretary of the date, time, location and purposes of any such meeting at least twenty-four hours in advance of the meeting. If the meeting is an emergency meeting, the member or members calling it shall immediately notify the media who have requested notification of the date, time, location, and purposes of the meeting.

- d. **Notice of Meetings to Discuss Particular Business:** The Secretary shall give reasonable advance notice of any regular or special meeting at which a particular type of public business is to be discussed, to any person who has requested such notice. If time permits, such notice shall be by mail. Otherwise, telephone or email notice shall be given. A request for notice shall be in writing, shall state the requestor's name, address, telephone number, email address, and the nature of the public business in which the requestor has a particular interest and desires notice. In addition, the requestor shall furnish the Secretary with a supply of stamped, self-addressed envelopes for mailing notice. Any such request shall remain in force for three (3) months.
- e. **Special Notice Required by Law:** When a particular form or method of notice is required by statute for a public hearing or meeting of the Board, notice of the hearing or meeting shall be given in the form and manner prescribed by statute, in addition to notice otherwise required under this Resolution.


2. That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were passed in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Loree moved to second the motion.

Roll Call:

| | Aye | Nay |
|-----------------------|--------------|------------|
| Keith Rogers | <u> x </u> | _____ |
| Jason Loree | <u> x </u> | _____ |
| Michael Dockry | <u> ✓ </u> | _____ |


Adopted this 22nd day of January 22, 2013.



Michael Dockry, President




Keith Rogers, Vice President



Jason Loree, Secretary/Treasurer

Attest:



Jason Loree, Secretary/Treasurer
Board of Trustees

MINUTES OF MEETING HELD MARCH 6, 2013

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held at the Boardman Township Government Center at 8299 Market Street, Boardman, Ohio 44512 on the above date at 1:00 p.m., the following members were present: Mr. Jason Loree, Mr. Keith Rogers, and Mr. Michael Dockry. Those also in attendance were: Stephanie Landers, Administrative Assistant. The public and news media were given proper notice regarding this meeting.

RESOLUTION 13-3-06-01: Motion was made by Mr. Dockry to approve the Minutes of the Special Meeting held January 22, 2013.
Seconded by Mr. Loree.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |

RESOLUTION 13-3-06-02: Motion was made by Mr. Dockry to approve the Errors and Omissions insurance coverage as attached to these minutes from Governmental Underwriters of America for a total cost of \$1,649.00 for one year of coverage from 3/1/2013 to 3/1/2014.
Seconded by Mr. Loree.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |

RESOLUTION 13-3-06-03: Motion was made by Mr. Loree to adopt the Resolution attached to the minutes herein, accepting the application from Canfield 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 Canfield Township not presently included in the District as originally established by Court action on November 30, 2009.
Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |

MINUTES OF MEETING HELD MARCH 6, 2013

RESOLUTION 13-3-06-04: Motion was made by Mr. Loree to adopt the Reimbursement Agreement between Boardman Township, Canfield Township, and ABC Water and Storm Water District as attached to these minutes.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |

RESOLUTION 13-3-06-05: Motion was made by Mr. Loree to approve the resolution for Boardman Township and Canfield Township to obtain engineering services from its engineering firm, CDM Smith, to assist in developing an equitable method of calculating fees needed to distribute the costs of ABC water resource projects, as attached to these minutes.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |

There was no Old Business.

Under New Business, the following motion was passed:

RESOLUTION 13-3-06-06: Motion was made by Mr. Loree to adjourn at 1:42 p.m.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |



Michael Dockry
President



Jason Loree
Secretary/Treasurer

RESOLUTION NO. 13-03-0603

ABC Water and Storm Water District
Mahoning County, Ohio

The Board of Trustees of the ABC Water and Storm Water District, Mahoning County, Ohio met in regular session, pursuant to notice, on the 6th day of March 2013 at 1:00 p.m. at the Canfield Township Government Center, ~~8299 Market Street~~, Canfield, Ohio 44512, ⁴⁴⁵¹² with the following members present: Michael Dockry, Jason Loree, and Keith Rogers. ^{at South Broad Street}

Mr. Loree moved the adoption of the following Resolution:

BE IT RESOLVED by the Board of Trustees as follows:

WHEREAS, pursuant to Ohio Revised Code Section 6119.05, the Canfield Township Board of Trustees has submitted an application (hereinafter, the "Application") to the ABC Water and Storm Water District (hereinafter, the "District") to include within the territory of the District all remaining unincorporated territory in Canfield Township not presently included in the District as originally established by Court action on November 30, 2009 (hereinafter, the "Territory"); and,

WHEREAS, Canfield Township's Application is based on the *Engineering Study in Support of the Canfield Township Application to the ABC Water and Storm Water District to Include within the District All Territory Within Canfield Township Which Was Not in the Boundaries of the District When Originally Organized on November 30 2009* (the "Feasibility Study"), which was completed by the engineering firm of MS Consultants, Inc. and established the feasibility of including said Territory within the District; and,

WHEREAS, the Canfield Township Board of Trustees, based upon the conclusions of said Feasibility Study, determined in said Application that including said Territory within the District is necessary and conducive to the public health, safety, convenience, or welfare, and that it is practical and feasible for said Territory to be included within the District; now, therefore,

BE IT RESOLVED by the Board of Trustees of the ABC Water and Storm Water District:

1. That, pursuant to Ohio Revised Code Section 6119.05, the Board of Trustees of the ABC Water and Storm Water District hereby approves the application of the Board of Trustees of Canfield Township in Mahoning County, Ohio, attached hereto as "**Exhibit 1**" and incorporated herein, to include within the District all of the Territory described in said Application.
2. That said Territory, consisting of all of the unincorporated territory of Canfield Township, and further described in said Application and the exhibits attached thereto, is now a part of and included within the borders of the ABC Water and Storm Water District.

3. That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Rogers moved to second the above.

Michael Dockry AYE

Jason Loree AYE

Keith Rogers AYE

Adopted the 6th day of March, 2013.



Michael Dockry



Jason Loree



Keith Rogers

Attest:


Secretary, Board of Trustees

RESOLUTION NO. 13-03-06-04

ABC Water and Storm Water District
Mahoning County, Ohio

The Board of Trustees of the ABC Water and Storm Water District (the "District"), Mahoning County, Ohio met in regular session, pursuant to notice, on the 6th day of March 2013 at 1:00 p.m. at the Boardman Township Government Center, 8299 Market Street, Boardman, Ohio 44512, with the following members present: Michael Dockry, Jason Loree and Keith Rogers.

Mr. Loree moved the adoption of the following Resolution:

BE IT RESOLVED by the Board of Trustees of the ABC Water and Storm Water District:

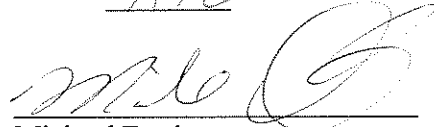
1. That the District Board of Trustees hereby accepts and approves *Task Order No. 1 to the Master Services Agreement* between CDM Smith and the District, for engineering services related to developing an equitable method of distributing the costs of ABC water resource projects in the District, which Task Order is attached hereto as "**Exhibit A**", in an amount not to exceed sixty-eight thousand eight hundred seventy-five dollars (\$68,875.00), and further authorizes Michael Dockry, as President of the Board, to execute the same.
2. That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

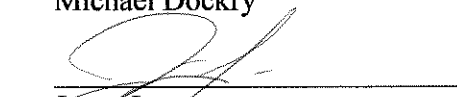
Mr. Rogers moved to second the above.


As to the above, vote resulting as follows:

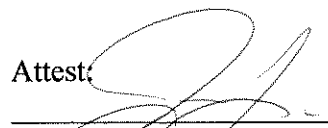
| | |
|----------------|------------|
| Michael Dockry | <u>AYE</u> |
| Jason Loree | <u>AYE</u> |
| Keith Rogers | <u>AYE</u> |

Adopted the 6th day of March, 2013.


Michael Dockry


Jason Loree


Keith Rogers

Attest: 
Secretary, Board of Trustees

RESOLUTION NO. 13-03-06-05

ABC Water and Storm Water District
Mahoning County, Ohio

The Board of Trustees of the ABC Water and Storm Water District (the "District"), Mahoning County, Ohio met in regular session, pursuant to notice, on the 6th day of March 2013 at 1:00 p.m. at the Boardman Township Government Center, 8299 Market Street, Boardman, Ohio 44512, with the following members present: Michael Dockry, Jason Loree and Keith Rogers.

Mr. Loree moved the adoption of the following Resolution:

WHEREAS, the ABC Water and Storm Water District (the "District") was established to perform, among other things, various water resource projects related to storm water drainage, disposal and management in Austintown, Boardman and Canfield under the authority provided by Chapter 6119 of the Ohio Revised Code; and,

WHEREAS, the District Board has found it necessary to obtain engineering services from its engineering firm, CDM Smith, to assist in developing an equitable method of calculating fees needed to distribute the costs of ABC water resource projects in Boardman and Canfield Townships; and,

WHEREAS, CDM Smith has submitted Task Order No. 1, attached hereto as "**Exhibit A**", for said engineering services, pursuant to the Master Services Agreement with CDM Smith, which Task Order states that the cost for same is not to exceed sixty-eight thousand eight hundred seventy-five dollars (\$68,875.00); and,

WHEREAS, the District does not currently have revenue with which to pay for such engineering services; and,

WHEREAS, Boardman Township is willing to lend the District seventy-five percent (75%) of said engineering services (\$51,656.25), based on CDM Smith's calculation of the proportion of the combined study of Boardman and Canfield Townships that is attributable to Boardman Township, based on the number of parcels, land use, building areas, buildings and the 2010 census; and,

WHEREAS, Canfield Township is willing to lend ABC the remaining twenty-five percent (25%) of the cost of said engineering services (\$17,218.75) under a separate agreement; and,

WHEREAS, the intention is that ABC will repay such loans to Boardman and Canfield at such time as ABC is in receipt of adequate funds generated by its own operations and funding source; and,

WHEREAS, the District and Boardman and Canfield Townships are authorized to enter into a Reimbursement Agreement to formalize the terms of such financing arrangement pursuant to Ohio Revised Code Sections 505.705, 6119.06(Q) and 9.482(B); now, therefore,

BE IT RESOLVED by the Board of Trustees of the ABC Water and Storm Water District:

1. That the Board of Trustees hereby approves the Reimbursement Agreement between Boardman Township and ABC Water and Storm Water District, attached hereto as "**Exhibit B**", including a loan to the District in an amount up to fifty one thousand six hundred fifty six dollars and twenty five cents (\$51,656.25), and further authorizes each Trustee to execute same on behalf of the Board.
2. That the Board of Trustees hereby approves the Reimbursement Agreement between Canfield Township and ABC Water and Storm Water District, attached hereto as "**Exhibit C**", including a loan to the District in an amount up to seventeen thousand two hundred eighteen dollars and seventy five cents (\$17,218.75), and further authorizes each Trustee to execute same on behalf of the Board.
3. That it is found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were passed in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Rogers moved to second the above.

As to the above, vote resulting as follows:

| | |
|----------------|------------|
| Michael Dockry | <u>Aye</u> |
| Jason Loree | <u>Aye</u> |
| Keith Rogers | <u>Aye</u> |

Adopted the 6th day of March, 2013.

[Signature]
Michael Dockry
[Signature]
Jason Loree
[Signature]
Keith Rogers

Attest:
[Signature]
Secretary, Board of Trustees

**TASK ORDER NO. 1 TO
MASTER SERVICES AGREEMENT
BETWEEN
OWNER AND ENGINEER**

This is Task Order No. 1 attached to and made part of the Master Services Agreement dated December 1, 2011, between CDM Smith Inc., formerly known as Camp Dresser & McKee Inc., (ENGINEER) and the ABC Water and Stormwater District (OWNER).

This Task Order No. 1 describes the Scope of Services, Time Schedule, Charges, and Payment Conditions for the Task Order No. 1 known as: Equivalent Residential Unit (ERU) Determination for Boardman and Canfield Townships (the "Project").

1. Scope of Services

ENGINEER shall provide for OWNER the following specific Services:

The ABC Water and Storm Water District (ABC District) was established in November 2009 to be a part of the solution to storm water management and potable water needs within the unincorporated territory of Austintown, Boardman, and Canfield Townships in Mahoning County, Ohio. The ABC District engaged CDM Smith to provide on-going, as-needed professional consulting engineering services to support implementation of its storm water program. The initial assignment identified by the ABC District for CDM Smith is to define an equitable method of distributing the cost of service to each property served by the drainage system within Boardman and Canfield Township (the Project). This will be done by determining the number of equivalent residential units (ERUs) associated with each property, commonly done by measuring the impervious area of representative residential properties and all non-residential properties. The following tasks detail the services to be provided.

Task 1.1: Data Collection

Purpose

Identify, obtain, and review pertinent data available for this project.

Approach

CDM Smith will meet with township and county officials identified by the ABC District to collect pertinent data and review the information relative to the project's objectives. Pertinent data and information to be provided by the ABC District include:

- Database of residential and non-residential parcels from the County Auditor's real estate files (to include land use codes, owner name, parcel address, number of dwelling units, etc., in ASCII format).
- Parcel, aerial photographs, and GIS information from the Mahoning County Auditor and/or Engineer.

The information obtained in this task will be the basis for developing a database of ERUs for each property in Boardman and Canfield Townships.

Deliverables

Minutes of project kickoff / data collection meeting.

Create Master Billing Database

Develop a master billing database and associated GIS composed of each property within Boardman and Canfield Townships, and add pertinent property characteristics drawn from parcel, planimetric, cadastral, and aerial orthophotography data available from the Mahoning County Auditor / GIS.

Approach

The CDM team will prepare a Master Billing Database and associated GIS map for every property within Boardman and Canfield Townships using the Mahoning County Auditor's GIS, parcel maps, and tax assessor data (e.g., parcel boundaries, ID, size, land use, and valuation). This GIS / database will be combined with data available from the GIS that delineates impervious surfaces within each parcel (e.g., building footprints, roadways, parking lots, etc.). The representation of impervious area will be refined as necessary to support the storm water rate structure using recent digital aerial photographs of the Townships, as described in our approach to Tasks 1.3 and 1.4. Land use codes associated with each property will be used to group properties into the following categories:

Residential

- Single family residential
- Duplex/Triplex
- Condominiums
- Multifamily residential

Nonresidential

- Commercial
- Industrial
- Institutional / Tax Exempt
- Governmental

Vacant / Unimproved

Roadway Right of Way

Agricultural

- Public
- Private

Deliverables

- Master Billing Database and GIS Map of relevant property characteristics.
- Parcel analysis summary by land use category.

Task 1.3: Define Residential Rate Base Unit and Billing Units

Purpose

Conduct a statistical evaluation of impervious area associated with residential dwelling units to define an appropriate stormwater rate structure for Boardman and Canfield Townships, a residential base unit appropriate for this rate structure, and the number of residential billing units associated with each property according to the recommended rate structure.

Approach

CDM Smith will evaluate the impervious area (e.g., rooftops, pavement, etc.) typical of residential parcels within the each residential land use category (e.g., single family, multi-family, condominium, etc.) in the following manner:

- Measure the impervious area associated with a random sample of properties within each residential land use category (typically between 500 and 1,000 dwelling units per category) directly from aerial photogrammetry available from the Mahoning County GIS
- Determine the mean, median, standard deviation, and range of measured impervious area within each residential land use classification.

One of three rate structures will emerge from this evaluation:

- An ***Equivalent Residential Unit (ERU) Rate Structure*** will be recommended if the evaluation reveals a statistically narrow range in the impervious area associated with each residential dwelling unit. In this case, the average impervious area associated with all residential dwelling units (ERU base unit) is an appropriate base unit for the storm water service fee.
- A ***Single Family Residential Unit (SFU) Rate Structure*** will be recommended if the evaluation reveals a statistical difference in the average impervious area of the various residential land use classes. In this case, the average imperviousness of a single family residential unit (SFU base unit) be used as the base unit, and each residential land use category will be billed at a rate equal to the ratio of its average impervious area to the impervious area of an SFU.
- A ***Tiered Residential Rate Structure*** will be recommended if the evaluation reveals a statistically wide range in the imperviousness of one or more residential land use categories. In this case, the statistical evaluation will be used to split the properties within the residential land use category into tiers, with each tier billed at a rate equal to the ratio of the average impervious area of all parcels within the tier to the impervious area of the SFU base unit.

Once a recommended rate structure and residential base unit is defined, the number of billing units will be determined for each residential property. Under the ERU system, each dwelling unit within the property will be assigned one billing unit. Under the SFU and tiered residential rate structures, a specific billing unit will be defined for each residential class based upon the average impervious area of the residential dwelling units within that class.

Deliverables

Provide City staff with the rate model, impervious area data, master account file, training, and support to successfully manage the funding system.

Task 1.4: Delineate Non-Residential Impervious Area

Purpose

Delineate the impervious area and define billing units for each non-residential property within Boardman and Canfield Townships.

Approach

Develop a non-residential imperviousness layer in a GIS-compatible format using aerial imagery, building footprint, and/or edge-of-pavement data available from Mahoning County. Impervious area of non-residential properties will be delineated to an accuracy of approximately +/- 300 square feet. Under the recommended rate structure, public roadway rights of way are considered part of the City's drainage system and will not be charged a storm water service fee, and thus, impervious area within these rights of way will not be digitized. Impervious surfaces polygons will then be interfaced with the parcel boundary GIS layers, and the impervious area attributed to each parcel will be defined. The imperviousness database will have all the attributes of the parcel GIS layer, the impervious area, and comments.

Deliverable

A GIS layer of non-residential impervious area polygons for each property, with the measured impervious area and calculated billing units entered into the Master Billing Database for each non-residential property will be provided.

Task 1.5: Project Administration and Coordination

Purpose

Provide overall project management and quality assurance/quality control (QA/QC) review.

Approach

This task establishes overall management of the project and develops a framework for conducting the ERU Determination to meet the requirements of the ABC District in terms of project objectives, budget, and schedule. This task will include:

- Preparation of monthly progress reports and invoices.
- Monthly progress meetings with the ABC District Board.

Deliverables

- Regular progress meetings to discuss preliminary results, to resolve key policy issues, and to make necessary policy decisions; provide meeting minutes.
- Progress reports.
- Invoices.

Time Schedule

The time periods for the performance of ENGINEER's Services are as follows: Services shall be provided within 12 weeks, pursuant from the signing date of this Task Order No. 1.

1. Compensation and Invoicing

Compensation for Services of ENGINEER described in this Task Order No. 1 will be on the following basis:

Payment to the ENGINEER for services performed under this Task Order No. 1 shall be as provided as outlined in the Master Services Agreement. Compensation shall be made on a monthly basis. Billing rates for hours incurred pursuant to this Task Order No. 1 for the principals and employees of the ENGINEER shall be in accordance with the fee schedule attached as Exhibit A, subject to the rate adjustment clause in Exhibit A. The total fee for the services under this Task Order No. 1 shall not exceed the amount in the following table without authorization in writing from the OWNER. The total fee for the services under this Task Order No. 1 is allocated as follows: Boardman Township: 75% and Canfield Township: 25%.

| Task | Estimated Labor Hours | Labor Cost | Other Direct Costs | Total Cost |
|---|------------------------------|-------------------|---------------------------|-------------------|
| 1.1 Data Collection | 30 | \$4,550 | \$100 | \$4,650 |
| 1.2. Create Master Billing Database | 32 | \$4,720 | \$200 | \$4,920 |
| 1.3. Define Residential Rate Unit and Billing Units | 223 | \$17,287 | \$200 | \$17,487 |
| 1.4. Delineate Non-residential Impervious Area | 587 | \$37,103 | \$200 | \$37,304 |
| 1.5 Project Administration and Coordination | 30 | \$4,414 | \$100 | \$4,514 |
| Total | 902 | \$68,075 | \$800 | \$68,875 |

2. Terms and Conditions

The terms and conditions of the Master Services Agreement shall apply to this Task Order No. 1 except to the extent expressly modified herein. In the event of any such modification, the modification shall be set forth below and the Article of the Agreement to be modified shall be specifically referenced. Modifications included in this Task Order No. 1 are:

No modifications are required under this Task Order No. 1.

3. Terms or Provisions in Conflict

If the provisions set forth in the Agreement are in conflict with the provisions set forth in this Task Order No. 1, the provisions of this Task Order No. 1 shall govern.

4. Elimination of Tasks

OWNER may elect, with notice given to ENGINEER, to deduct and eliminate the performance of any or all tasks or services outlined in this Task Order No. 1. Furthermore, the costs for any such task or service shall be deducted from the total sums due ENGINEER.

Acceptance of the terms of this Task Order No. 1 is acknowledged by the following authorized signatures of the parties to the Agreement:

OWNER:



03-06-2013

Michael Dockry
President, ABC District Board of Trustees

Date

ENGINEER:

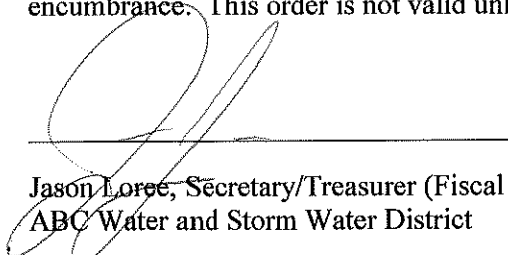


3/4/13

Edward J. St. John, P.E., BCEE
Principal
CDM Smith Inc.

Date

Fiscal Officer's Certification: It is hereby certified that the amount required to meet the obligation described herein, known as "Task Order No. 1", has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of the appropriate fund free from any previous encumbrance. This order is not valid unless signed below.



Jason Lorce, Secretary/Treasurer (Fiscal Officer)
ABC Water and Storm Water District

REIMBURSEMENT AGREEMENT

This Reimbursement Agreement (the "Agreement") is entered by and between BOARDMAN TOWNSHIP, in Mahoning County, Ohio ("Canfield") and the ABC WATER AND STORM WATER DISTRICT ("ABC"), both political subdivisions of the State of Ohio, (collectively, the "Parties") and is made pursuant to:

Resolution No. 13-2-25-07, adopted by Boardman on the 25th day of February, 2013; and,

Resolution No. 13-03-06-05, adopted by ABC on the 6th day of March, 2013.

WHEREAS, ABC is a public body governed by chapter 6119 of the Ohio Revised Code and established to perform, among other things, various water resource projects related to storm water disposal and management in Boardman Township ("Boardman") and Canfield Township ("Canfield") which is also located in Mahoning County, Ohio; and,

WHEREAS, ABC now wishes to procure certain engineering services from its engineering firm, CDM Smith, which services relate to developing an equitable method of distributing the costs of ABC water resource projects and which services will involve a calculation of the number of equivalent residential units ("ERUs") associated with each property in Boardman and Canfield and such calculation will be determined using the commonly used method of measuring the impervious area of representative residential properties and all non-residential properties; and,

WHEREAS, said engineering services are pursuant to a Master Services Agreement between CDM Smith and ABC and said services are further described in "Task Order No. 1", which is attached hereto as "Exhibit A"; and,

WHEREAS, the costs for said engineering services covering both Boardman and Canfield are not to exceed sixty-eight thousand eight hundred seventy-five dollars (\$68,875.00); and,

WHEREAS, Boardman wishes to lend to ABC sums sufficient for ABC to pay seventy five percent (75%) of costs for said engineering services (\$51,656.25), in accordance with the terms stated herein, and with the intention that ABC will repay such loan to Boardman at such time as ABC is in receipt of adequate funds generated by its own operations and funding source; and,

WHEREAS, the remaining twenty five percent (25%) of the costs of said engineering services (\$17,218.75) are to be lent by Canfield to ABC pursuant to a separate reimbursement agreement between ABC and Canfield.

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to Ohio Revised Code Sections 505.705, 6119.06(Q) and 9.482(B).

NOW, THEREFORE, in consideration of the mutual promises and covenants each to the other made, and in consideration of other good and valuable consideration, Boardman and ABC do hereby promise, covenant and agree that:

SECTION 6. NOTICES:

- a. Any notice to be given by the Parties to each other in relation to or in accordance with the provisions hereof shall be deemed to have been given, in the case of Boardman, if delivered to the President of the Board of Trustees of ABC and, in the case of ABC, if delivered to the Chairman of the Board of Trustees of Boardman; but any Party may change such designation by delivery of such a written notice to the other.

SECTION 7. NO THIRD-PARTY; SUCCESSION AND ASSIGNMENT:

- a. This Agreement shall be binding upon and inure to the sole benefit of the Parties and any successors and permitted assigns of Parties and nothing herein shall be construed as giving any rights or benefits hereunder to anyone other than Boardman and ABC. Any officer, official, board, committee or other entity that hereafter, by operation of law, succeeds to the powers and duties of those designated herein, shall be deemed to be included in the applicable designation.
- b. Either Party may assign all or a portion of its rights under this Agreement, provided that any such assignment shall be subject to the consent of the other Party.

SECTION 8. SUBORDINATION:

- a. This Agreement shall, in all respects, be subject to the provisions of any indenture of mortgage, trust agreement, trust indenture agreement, bond agreement, loan agreement, resolution, voted tax or bond issue, or other financing document or agreement, which may be entered into by ABC to authorize or secure bonds, notes or other financing to pay the costs, or a portion thereof, of constructing, extending, or otherwise improving its water or storm water systems. Additionally, nothing herein shall be construed so as to limit the authority of ABC under Chapter 6119 of the Ohio Revised Code, including, but not limited to, the right of ABC to levy taxes and assessments, charges, fees, etc. as ABC deems necessary or appropriate

SECTION 9. ENFORCEABILITY:


- a. If any portion of this Agreement proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other portion of this Agreement unless it clearly appears that such other portion is wholly or necessarily dependent for its operation upon the portions so held invalid or unconstitutional.

SECTION 10. WAIVER OF BREACH:

- a. The waiver by any Party of a breach or violation of any provision of this Agreement shall not operate or be construed to be a waiver of any subsequent breach thereof.

Fiscal Officer's Certification

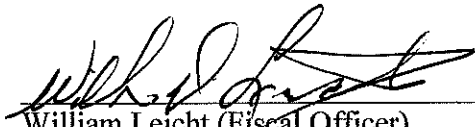
It is hereby certified that the amount required to meet the obligation of fifty one thousand six hundred fifty six dollars and twenty-five cents (\$51,656.25).described herein has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of the appropriate fund free from any previous encumbrance. This order is not valid unless signed below.



Jason Lorie, Treasurer (Fiscal Officer)
ABC Water and Storm Water District

Fiscal Officer's Certification

It is hereby certified that the amount required to meet the obligation of fifty one thousand six hundred fifty six dollars and twenty-five cents (\$51,656.25).described herein has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of the appropriate fund free from any previous encumbrance. This order is not valid unless signed below.



William Leicht (Fiscal Officer)
Boardman Township

RESOLUTION NO. 2013-02-12-43

Canfield Township
Mahoning County, Ohio

The Board of Trustees of Canfield Township, Mahoning County, Ohio met in regular session, pursuant to notice, on the 12th day of FEBRUARY, 2013 at 7:00 p.m. at 21 S. Broad Street, Canfield Township, Ohio, with the following members present: Anthony Bettile, Marie Cartwright, and Stephen Maszczak.

Ms. Cartwright moved the adoption of the following Resolution, which was seconded by Mr. Bettile

WHEREAS, ABC Water and Storm Water District (hereinafter "District") was established to perform, among other things, various water resource projects related to storm water disposal and management in Austintown, Boardman and Canfield Townships under the authority provided by Chapter 6119 of the Ohio Revised Code; and,

WHEREAS, the District has found it necessary to obtain engineering services from its engineering firm, CDM Smith, to assist in developing an equitable method of calculating fees needed to distribute the costs of such ABC water resource projects; and,

WHEREAS, CDM Smith has submitted Task Order # No. 1, attached hereto as "Exhibit A", for said engineering services pursuant to the Master Services Agreement with CDM Smith which states that the cost for same is not to exceed sixty-eight thousand eight hundred seventy-five dollars (\$68,875.00); and,

WHEREAS, the District does not currently have revenue with which to pay for such engineering services, and;

WHEREAS, Canfield Township will lend to ABC a portion of the amount needed to pay the costs for such engineering services, and with the intention that ABC will repay such loans at such time as ABC is in receipt of adequate funds generated by its own operations and funding source; and,

WHEREAS, Canfield Township is willing to lend ABC twenty-five percent (25%) of the cost of said engineering services (\$17,218.75), based on CDM Smith's calculation of the proportion of the combined study of Boardman and Canfield Townships that is attributable to Canfield Township, based on the number of parcels, land use, building areas, buildings and the 2010 census; and,

WHEREAS, Boardman Township is willing to lend the District the remaining seventy-five percent (75%) of said engineering services (\$51,656.25) under a separate agreement; and,

WHEREAS, the District and the Board are authorized to enter into a Reimbursement Agreement to formalize the terms of such financing arrangement pursuant to Ohio Revised Code Sections 505.705, 6119.06(Q) and 9.482 (B); now, therefore,

BE IT RESOLVED by the Board of Trustees of Canfield Township:

1. That the Board of Trustees hereby approves the Reimbursement Agreement between Canfield Township and ABC Water and Storm Water District (the "District"), attached hereto as "Exhibit B", including a loan to the District in an amount up to seventeen thousand two hundred eighteen dollars and seventy-five cents (\$17,218.75), and further authorizes Keith Rogers to execute same on behalf of the Board.
2. That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board of Trustees and of any of its committees resulting in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

As to the above, vote resulting as follows:

Adopted the 12th day of FEBRUARY, 2013.



Anthony Bettile, Trustee

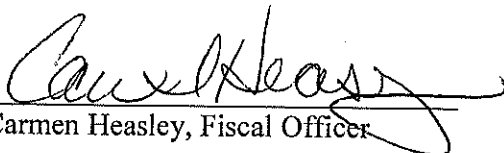


Marie Cartwright, Trustee



Stephen Maszczak, Trustee

Attest:



Carmen Heasley, Fiscal Officer

Exhibit C

REIMBURSEMENT AGREEMENT

This Reimbursement Agreement (the "Agreement") is entered by and between CANFIELD TOWNSHIP, in Mahoning County, Ohio ("Canfield") and the ABC WATER AND STORM WATER DISTRICT ("ABC"), both political subdivisions of the State of Ohio, (collectively, the "Parties") and is made pursuant to:

Resolution No. ²⁰¹³⁻⁰²⁻¹²⁻¹³ _____, adopted by Canfield on the 12th day of FEBRUARY, 2013; and,

Resolution No. ^{B-03-06-05} _____, adopted by ABC on the 6th day of MARCH, 2013.

WHEREAS, ABC is a public body governed by chapter 6119 of the Ohio Revised Code and established to perform, among other things, various water resource projects related to storm water disposal and management in Canfield Township ("Canfield") and Boardman Township ("Boardman"), which is also located in Mahoning County, Ohio; and,

WHEREAS, ABC now wishes to procure certain engineering services from its engineering firm, CDM Smith, which services relate to developing an equitable method of distributing the costs of ABC water resource projects and which services will involve a calculation of the number of equivalent residential units ("ERUs") associated with each property in Canfield and Boardman and such calculation will be determined using the commonly used method of measuring the impervious area of representative residential properties and all non-residential properties; and,

WHEREAS, said engineering services are pursuant to a Master Services Agreement between CDM Smith and ABC and said services are further described in "Task Order No. 1", which is attached hereto as "Exhibit A"; and,

WHEREAS, the costs for said engineering services covering both Canfield and Boardman are not to exceed sixty-eight thousand eight hundred seventy-five dollars (\$68,875.00); and,

WHEREAS, Canfield wishes to lend to ABC sums sufficient for ABC to pay twenty five percent (25%) of the costs of said engineering services (\$17,218.75), in accordance with the terms stated herein, and with the intention that ABC will repay such loan to Canfield at such time as ABC is in receipt of adequate funds generated by its own operations and funding source; and,

WHEREAS, the remaining seventy five percent (75%) of costs for said engineering services (\$51,656.25) are to be lent by Boardman to ABC pursuant to a separate reimbursement agreement between ABC and Boardman.

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to Ohio Revised Code Sections 505.705, 6119.06(Q) and 9.482(B).

NOW, THEREFORE, in consideration of the mutual promises and covenants each to the other made, and in consideration of other good and valuable consideration, Canfield and ABC do hereby promise, covenant and agree that:

SECTION 1. GENERAL AGREEMENT:

- a. Canfield will loan to ABC the sum of seventeen thousand two hundred eighteen dollars and seventy-five cents (\$17,218.75).
- b. Said funds shall be deposited with ABC on or before _____, 2013.

SECTION 2. REPAYMENT SOURCE AND DUE DATE:

- a. From revenue collected by ABC through a storm water service fee (the "Fee"), which is expected to be charged of property owners within Canfield, or otherwise, ABC will reimburse Canfield the sum of seventeen thousand two hundred eighteen dollars and seventy-five cents (\$17,218.75), and will do so within five (5) years following ABC's initial receipt of funds derived from said Fee (the "Due Date"), or such other schedule as the Parties may subsequently agree to in writing. Said sum may be repaid in one or more installments at the option of ABC.

SECTION 3. REPAYMENT CONDITIONS:

- a. For the purposes of making said reimbursement, ABC hereby pledges only that portion of revenue from the Fee which is available after paying all other monthly ABC obligations and which is necessary to reimburse said amount by the Due Date.
- b. If the Fee is not implemented, or if, after paying all other monthly obligations of ABC, the revenue collected by the Fee is insufficient to reimburse Canfield said amount by the Due Date, ABC agrees to notify Canfield of said fact as soon as possible, and Canfield shall agree to extend the Due Date to a mutually satisfactory date or to forgive said debt, taking into account the amount of revenue regularly received by ABC from the Fee.

SECTION 4. RECORDS MAINTENANCE:

- a. For all sums so advanced by Canfield to ABC, ABC shall keep and maintain a ledger, or other accounting mechanism, which accurately records in its official records all sums so advanced by Canfield to ABC. ABC shall be obligated to account for how said sums so advanced have been utilized and/or expended by ABC. At any time, Canfield may request and shall receive within thirty (30) days, an accounting from ABC as to how advanced funds have been utilized.

SECTION 5. EFFECTIVE DATE AND TERM:

- a. This Agreement shall be effective upon the last date of the execution of the same by the Parties and shall continue in full force and effect unless rescinded by action of Canfield and ABC, and shall be subject to amendments or supplements when required by the provisions hereof or when found to be necessary because of changes in laws or regulations or otherwise.

SECTION 6. NOTICES:

- a. Any notice to be given by the Parties to each other in relation to or in accordance with the provisions hereof shall be deemed to have been given, in the case of Canfield, if delivered to the President of the Board of Trustees of ABC and, in the case of ABC, if delivered to the Chairman of the Board of Trustees of Canfield; but any Party may change such designation by delivery of such a written notice to the other.

SECTION 7. NO THIRD-PARTY; SUCCESSION AND ASSIGNMENT:

- a. This Agreement shall be binding upon and inure to the sole benefit of the Parties and any successors and permitted assigns of Parties and nothing herein shall be construed as giving any rights or benefits hereunder to anyone other than Canfield and ABC. Any officer, official, board, committee or other entity that hereafter, by operation of law, succeeds to the powers and duties of those designated herein, shall be deemed to be included in the applicable designation.
- b. Either Party may assign all or a portion of its rights under this Agreement, provided that any such assignment shall be subject to the consent of the other Party.

SECTION 8. SUBORDINATION:

- a. This Agreement shall, in all respects, be subject to the provisions of any indenture of mortgage, trust agreement, trust indenture agreement, bond agreement, loan agreement, resolution, voted tax or bond issue, or other financing document or agreement, which may be entered into by ABC to authorize or secure bonds, notes or other financing to pay the costs, or a portion thereof, of constructing, extending, or otherwise improving its water or storm water systems. Additionally, nothing herein shall be construed so as to limit the authority of ABC under Chapter 6119 of the Ohio Revised Code, including, but not limited to, the right of ABC to levy taxes and assessments, charges, fees, etc. as ABC deems necessary or appropriate

SECTION 9. ENFORCEABILITY:

- a. If any portion of this Agreement proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other portion of this Agreement unless it clearly appears that such other portion is wholly or necessarily dependent for its operation upon the portions so held invalid or unconstitutional.

SECTION 10. WAIVER OF BREACH:

- a. The waiver by any Party of a breach or violation of any provision of this Agreement shall not operate or be construed to be a waiver of any subsequent breach thereof.

SECTION 11. ENTIRE AGREEMENT MODIFICATION:

- a. This Agreement contains the entire agreement of the Parties. It may not be modified orally, but only by agreement in writing signed by both Parties.

SECTION 12. GOVERNING LAW:

- a. The provisions of this Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

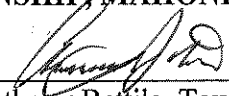
SECTION 13. NO PERSONAL LIABILITY:

- a. The obligations contained herein are those of the Parties themselves, and nothing herein shall be construed as creating any personal liability on the part of any board member, officer or agent of any public body which is a Party hereto.

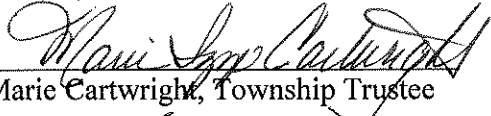
IN WITNESS WHEREOF, this Agreement shall become effective as between the Parties on the last date of execution by the Parties, as written below.

The Parties hereto have set their hands on the respective days written below.


CANFIELD TOWNSHIP, MAHONING COUNTY, OHIO



Anthony Bettile, Township Trustee



Marie Cartwright, Township Trustee



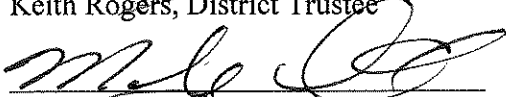
Stephen Maszczak, Township Trustee

Date: 2/12/2013


ABC WATER AND STORM WATER DISTRICT



Keith Rogers, District Trustee



Michael Dockry, District Trustee

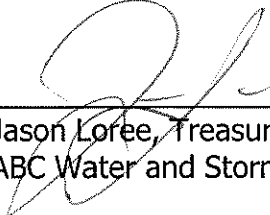


Jason Lorie, District Trustee

Date: 03-06-2013

Fiscal Officer's Certification

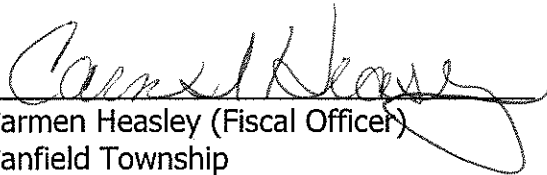
It is hereby certified that the amount required to meet the obligation of seventeen thousand two hundred eighteen dollars and seventy-five cents (\$17,218.75) described herein has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of the appropriate fund free from any previous encumbrance. This order is not valid unless signed below



Jason Loree, Treasurer (Fiscal Officer)
ABC Water and Storm Water District

Fiscal Officer's Certification

It is hereby certified that the amount required to meet the obligation of seventeen thousand two hundred eighteen dollars and seventy-five cents (\$17,218.75) described herein has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of the appropriate fund free from any previous encumbrance. This order is not valid unless signed below



Carmen Heasley (Fiscal Officer)
Canfield Township

RESOLUTION NO. 13-2-25-07

Boardman Township
Mahoning County, Ohio

The Board of Trustees of Boardman Township, Mahoning County, Ohio met in regular session, pursuant to notice, on the 25th day of February, 2013 at 5:30 p.m. at the Boardman Township Government Center, 8299 Market Street, Boardman, Ohio 44512, with the following members present: Brad Calhoun, Tom Costello, and Larry Moliterno.

Mr. Calhoun moved the adoption of the following Resolution, which was seconded by Mr. Costello:

WHEREAS, ABC Water and Storm Water District (hereinafter "District") was established to perform, among other things, various water resource projects related to storm water disposal and management in Austintown, Boardman and Canfield Townships under the authority provided by Chapter 6119 of the Ohio Revised Code; and,

WHEREAS, the District has found it necessary to obtain engineering services from its engineering firm, CDM Smith, to assist in developing an equitable method of calculating fees needed to distribute the costs of such ABC water resource projects; and,

WHEREAS, CDM Smith has submitted Task Order # No. 1, attached hereto as "Exhibit A", for said engineering services pursuant to the Master Services Agreement with CDM Smith which states that the cost for same is not to exceed sixty-eight thousand eight hundred seventy-five dollars (\$68,875.00); and,

WHEREAS, the District does not currently have revenue with which to pay for such engineering services, and;

WHEREAS, Boardman Township will lend to ABC a portion of the amount needed to pay the costs for such engineering services, and with the intention that ABC will repay such loans at such time as ABC is in receipt of adequate funds generated by its own operations and funding source; and,

WHEREAS, Boardman Township is willing to lend the District seventy-five percent (75%) of said engineering services (\$51,656.25), based on CDM Smith's calculation of the proportion of the combined study of Boardman and Canfield Townships that is attributable to Boardman Township, based on the number of parcels, land use, building areas, buildings and the 2010 census; and,

WHEREAS, Canfield Township is willing to lend ABC the remaining twenty-five percent (25%) of the cost of said engineering services (\$17,218.75) under a separate agreement; and,

WHEREAS, the District and the Board are authorized to enter into a Reimbursement Agreement to formalize the terms of such financing arrangement pursuant to Ohio Revised Code Sections 505.705, 6119.06(Q) and 9.482 (B); now, therefore,

ENGINEERING STUDY
IN SUPPORT OF THE CANFIELD TOWNSHIP APPLICATION TO
THE ABC WATER AND STORM WATER DISTRICT TO
INCLUDE WITHIN THE DISTRICT ALL TERRITORY WITHIN
CANFIELD TOWNSHIP WHICH WAS NOT IN THE
BOUNDARIES OF THE DISTRICT WHEN ORIGINALLY
ORGANIZED ON NOVEMBER 30, 2009

FOR

CANFIELD TOWNSHIP TRUSTEES

Anthony Bettile
Marie Cartwright
Martha Zarlenga

and

THE ABC WATER AND STORM WATER DISTRICT TRUSTEES:

MR. DANIEL V. BIENKO
MR. JASON LOREE
MR. MICHAEL DOCKRY

BY:

ms consultants, inc.
ARCHITECTS, ENGINEERS, PLANNERS
333 EAST FEDERAL STREET
YOUNGSTOWN, OH 44503

October 2011

**ENGINEERING STUDY
IN SUPPORT OF THE CANFIELD TOWNSHIP APPLICATION TO THE ABC WATER
AND STORM WATER DISTRICT TO INCLUDE WITHIN THE DISTRICT ALL
TERRITORY WITHIN CANFIELD TOWNSHIP WHICH WAS NOT IN THE
BOUNDARIES OF THE DISTRICT WHEN ORIGINALLY ORGANIZED ON
NOVEMBER 30, 2009**

PURPOSE:

It is the desire and intent that all of the unincorporated territory in Canfield Township (hereinafter, the "Canfield Township Inclusion Area") be added to the ABC Water and Storm Water District per the Application of the Board of Trustees of Canfield Township. Such Territory is described and delineated in the map attached hereto as Exhibit A. This Engineering study was performed to determine the feasibility of including such territory within the boundaries of the ABC Water and Storm Water District.

BACKGROUND:

After evaluating, for over one year, the potable water and storm water needs within Canfield Township, the Board of Trustees of the ABC Water and Storm Water District and the Board of Trustees of Canfield Township have determined that there exists multiple storm water problems within the Township and that in order to help finance such projects, it may be necessary to establish a Storm Water Utility for all properties of Canfield Township to generate revenues through fees to design and construct necessary priority projects to control and / or eliminate storm water flooding. Such Utility concept was discussed and contemplated in the District's Plan for the Operation of the District (the "Plan") approved by the Mahoning County Court of Common Pleas on November 30, 2009.

Further causing the necessity for the addition of territory is the Federal Clean Water Act (CWA), which requires certain political entities to implement storm water management programs within prescribed time frames. In this case, the establishment of the ABC Storm Water Utility may assist Mahoning County in meeting the requirements of the Ohio Environmental Protection Agency to address storm water quantity issues and storm water quality requirements in Canfield Township. The fees collected by the District may also help fund those CWA-related expenses of Canfield Township and the District.

The revenues generated by a Storm Water Utility from the properties in Canfield Township would only be used to fund, in full or part, projects approved by the ABC Water and Storm Water District which are either within Canfield Township or which benefit Canfield Township, Federal Clean Water Act-related expenses of Canfield Township and the District,

administrative costs, and for reimbursement of monies advanced by Canfield Township to the District.

A Storm Water Utility established by the ABC Water and Storm Water District could formulate a means to organize, operate, and manage the utility. It could establish and provide for the collection of storm water fees and provide for the calculation and implementation of applicable rates and delineate all things necessary for the full implementation of a Storm Water Utility.

Further causing the necessity for the addition of territory is the ongoing need for the acquisition of alternate water services within and without the territory of the District.

In 2009, Austintown, Boardman and Canfield Townships, all located in Mahoning County, Ohio, petitioned the Court of Common Pleas of Mahoning County to establish the ABC Water and Storm Water District. In furtherance of such petition, they submitted the Plan for the Operation of the District (the "Plan") to serve the District, as well as other territories in the three Townships. Only certain Canfield Township territory was originally included within the boundaries of the ABC District upon its organization on November 30, 2009. This study is to evaluate the addition of the Canfield Township Inclusion Area within the territory of the ABC District. The addition of such territory was discussed and contemplated in the original Plan and approved by the Court the same day. According to the Plan, only the "Phase 1" areas are included in the original District. The Plan also contemplated the addition of "Phase 2" territory, and potentially all other territory within the Township, after the formation of the District and after a further evaluation of needs within the Townships was performed. According to the Plan, specific water improvements were contemplated and discussed for both Phase 1 and Phase 2 areas, and, following further evaluation of needs, the provision of services throughout the Township were also contemplated. As expected in the Plan, a number of storm water issues have now been identified within the Township. Phase 1, Phase 2 and the full Canfield Township Inclusion Area are all depicted in the map attached hereto as "Exhibit A".

CRITERIA:

Under the Ohio Revised Code, that territory in Canfield Township which is not presently in the District (the "Canfield Township Inclusion Area"), may be added to the District if Canfield Township files an application with the District setting forth a general description of the territory it desires to have included within the District, the necessity for the inclusion of such territory within the District, that it will be conducive to the public health, safety, convenience, or welfare to do so, and that it will be practical and feasible for such territory to be included within the District.

DISCUSSION:

Canfield Township is making application to the ABC District, pursuant to R.C. 6119.05, to include within the ABC District the Plan's Phase 2 territory and all other properties of the unincorporated Township (the Canfield Township Inclusion Area). The Canfield Township Inclusion Area includes all properties within the unincorporated area of Canfield Township, Township 1, Range 3, of the Connecticut Western Reserve excepting those properties which lie within the corporate limits of the City of Canfield on the date of this study and which are not presently included within the boundaries of the District approved by the Court on November 30, 2009. The Canfield Township Inclusion Area is depicted on the attached "Exhibit A".

The three Townships have invested substantial sums of money and devoted substantial time to establishing the District, and continue to expend substantial sums of money to support the District financially in its effort to provide needed services within the Townships.

The ABC District has been established and functioning as a regional water and storm water district for almost two years and is being administered by an appointed Board of Trustees. The District Board has devoted substantial time, money and effort in furtherance of achieving service projects in Canfield Township (and Austintown and Boardman) including the hiring of the engineering firm of Sands, Decker CPS for potable water needs and is also, at the time of this Study, in contract negotiations with the engineering firm, CDM Inc., for storm water needs.

The District was established to serve any areas within Austintown, Boardman and Canfield Townships which the District deems necessary or which the Township Trustees of those Townships request. The District is ready to provide such services, and has worked steadily toward that goal since its inception.

The Canfield Township Inclusion Area is not currently serviced, for storm water purposes, by any other entity, and, to our knowledge, no other entity currently has plans to provide such services.

The District Board of Trustees has also worked diligently to achieve service contracts to obtain water services from neighboring entities.

The District Board of Trustees feels as though it is the entity most ready, willing and able to provide storm water services in Canfield Township and is willing to provide potable water services within Canfield Township if necessary.

For economic and legal reasons, the District will be better able to achieve the goal of providing needed services if it includes the Canfield Township

Inclusion Area. This includes the potential for levying charges and fees on residents and businesses, as well as levying special assessments, to achieve the financing of projects. Additionally, including the Canfield Township Inclusion Area improves economies of scale for determining and funding construction projects. Also, including the Canfield Township Inclusion Area enables the District to achieve the acquisition of lands and easements, by eminent domain, if necessary, which enables the District to plan for future projects, and achieve funding for the same, to a much greater degree.

Also, the Canfield Township Trustees have experienced continuous instances of limited or lack of finances to address the overall scope of the storm water problems in the Township and storm water management program required by the Federal Clean Water Act. Canfield Township has experienced significant storm events over the last ten years. These events have exceeded the capacity of the existing public collection system, causing significant amounts of flooding to occur in Canfield Township. The District was created, in part, to help implement a plan to address any other storm water issues and the requirements of the CWA. Because of its narrow purpose of addressing storm water issues and potable water issues, the ABC District is the preferred entity to focus on providing for the effective management and financing of a storm water collection system within Canfield Township and for addressing the requirements of the CWA. All residents of a Township are benefitted through compliance with the CWA and the implementation of a Storm Water Utility which manages storm water issues. Individual storm water projects are, ultimately, all connected to a larger, community-wide storm water system. A proper and functional storm water system helps to protect and preserve property, property values and the health of all of the Township's residents. Thus, the establishment of a Storm Water Utility is necessary for the continuing health, safety, convenience and welfare of all of the citizens of Canfield Township, including the Canfield Township Inclusion Area.

As discussed in the Plan, typically such utilities include a storm water fee on all properties with impervious surface. The rates are typically based on 1) the classification of the property being charged (residential or non-residential), 2) the contribution of the property to runoff into the storm water system, and 3) the amount of impervious area contained on the property. All properties having impervious area are typically assigned an Equivalent Residential Unit (ERU) or a multiple thereof.

Typically, a Storm Water Utility fee is established for each ERU. The base rate could be calculated to ensure adequate revenues could be generated for the ABC District to fund the expenditures of storm water management projects and to provide the operation, maintenance, and capital improvements of the storm water system that is the responsibility

of Canfield Township or the District, and other purposes as described herein. It is also possible that other financing options such as assessments and loans and grants could be implemented.

In addition, the District Board of Trustees will, on an ongoing basis, need to make a final determination of necessity and feasibility of any project to be undertaken by the District within such territory.

CONCLUSION:

Including within the ABC District all of that territory of unincorporated Canfield Township which is not currently within the ABC District (the Canfield Township Inclusion Area) is necessary and conducive to the public health, safety, convenience, or welfare by providing an effective way to fund a Storm Water Utility to address storm water quantity issues and storm water quality requirements in Canfield Township that meets the requirements of the Ohio Environmental Protection Agency and the Federal CWA. Inclusion of such territory within the ABC District is also conducive to the public health, safety, convenience, or welfare by furthering efforts to develop and provide an alternative potable water supply for residents of the Township and the District, if needed.

For all of the foregoing reasons, the inclusion of the Canfield Township Inclusion Area within the boundaries of the ABC Water and Storm Water District (thereby including within the District all of the unincorporated territory of Canfield Township) is also practical and feasible and in furtherance of the purposes of the District.

Therefore, to fulfill its mission as outlined and approved by the Court in the Plan of Operations, as well as authorized under Chapter 6119 of the Ohio Revised Code, it is hereby found and determined that the addition of the Canfield Township Inclusion Area is necessary, that it will be practical and feasible to add such Territory to the District, and that it will be conducive to the public health, safety, convenience or welfare of the District or the Canfield Township Inclusion Area being added.

RECOMMENDATION: It is recommended that the Canfield Township Inclusion Area be included in the ABC Water and Storm Water District.

RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

Held on February 14, 2012 at 7:00 P.M.

was determined that the road already has heavy semi truck traffic. The Board accepted the Recycling Report as presented.

ABC WATER DISTRICT: Chairman Cartwright noted that there is no ABC Water report, noting that the next meeting is next Thursday. Ms. Cartwright reported that all Canfield Township Trustees did meet with Trustees from Austintown & Boardman, as well as the ABC Water Board, January 26, at Boardman Township to review and discuss the purpose and function of the ABC Water District and Canfield Township's need for an inclusion study.

ADMINISTRATOR ROAD SUPERINTENDENT REPORT: Chairman Cartwright requested comments on the Administrator/Road Superintendent report. Mr. Bettile asked for the progress of the crack sealant program. Mr. Rogers reported that the list is in the process of being finalized and must be to the county by the end of February. A priority street list for paving was discussed. The contract for mowing the park must go out for bid per the prosecutor's office, because they are generally one year contracts. There was some discussion to make these two year contracts. The Chairman accepted the report as presented.

CARDINAL COMMENTS: Ms. Cartwright reported that the personnel committee for the Fire District met on Tuesday, February 7th to interview candidates for a full time fire fighter's position. Recommendations will be presented at the next meeting.

FISCAL OFFICERS REPORT: Chairman Cartwright called on the Fiscal Officer, Carmen I. Heasley. Ms. Heasley provided the Board with detailed information on two adjustments that were needed on two blanket certificates to free up funds for the First Energy Grant. Warrants, electronic payments, vouchers and charges were reviewed.

Additionally the Fiscal Officer asked for authorization to request in writing the advance of the 1st half property tax collection as sufficient taxes are collected, as provided by ORC321.34. Fiscal Officer suggested advertising for contractors for nuisance property cleanup.

UNFINISHED BUSINESS RESOLUTION 2012-02-14-27 ABC WATER DISTRICT INCLUSION

The Board of Trustees of Canfield Township, Mahoning County, Ohio met in regular session, pursuant to notice, on the 14th day of February, 2012 at 7 p.m. at Township Hall 21 South Broad Street, Canfield Township, Ohio, with the following members present:

- Anthony Bettile
- Marie Izzo Cartwright
- Stephen Maszczak

Re: Application to the ABC Water and Storm Water District for Inclusion Within the District of all of the Unincorporated Territory of Canfield Township

Mr. Maszczak moved and the Motion was seconded by Ms. Cartwright as follows:

WHEREAS, the territory of Canfield Township, Mahoning County, Ohio is not wholly included within the ABC Water and Storm Water District (hereinafter, "District"); and

RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Held on February 14, 2012 at 7:00 P.M.

WHEREAS, the Trustees of Canfield Township have found that certain territory, which is described in the "Exhibit A" attached hereto and incorporated herein, in Canfield Township is among the territory not currently within the District; and

WHEREAS, the ENGINEERING STUDY IN SUPPORT OF THE CANFIELD TOWNSHIP APPLICATION TO THE ABC WATER AND STORM WATER DISTRICT TO INCLUDE WITHIN THE DISTRICT ALL TERRITORY WITHIN CANFIELD TOWNSHIP WHICH WAS NOT IN THE BOUNDARIES OF THE DISTRICT WHEN ORIGINALLY ORGANIZED ON NOVEMBER 30, 2009, dated October 2011, which is "Exhibit 1" attached hereto and incorporated herein, was completed to, determine the feasibility of the inclusion of said territory within the District; and

WHEREAS, the Trustees of Canfield Township, pursuant to Ohio Revised Code Section 6119.05, desire to make application to the District for inclusion within the District of all remaining unincorporated Township territory not presently included in the District and as further described in "Exhibit A"; now, therefore,

BE IT RESOLVED by the Board of Trustees of Canfield Township, Mahoning County, Ohio:

1. That the Board hereby makes application to the ABC Water and Storm Water District (the "District") to include within the territory of the District all remaining unincorporated Township territory not presently included in the District as originally established, all as further described in "Exhibit 1" and its "Exhibit A", both attached hereto and incorporated herein.
2. That the Board, basing their decision upon the conclusions of the ENGINEERING STUDY IN SUPPORT OF THE CANFIELD TOWNSHIP APPLICATION TO THE ABC WATER AND STORM WATER DISTRICT TO INCLUDE WITHIN THE DISTRICT ALL TERRITORY WITHIN CANFIELD TOWNSHIP WHICH WAS NOT IN THE BOUNDARIES OF THE DISTRICT WHEN ORIGINALLY ORGANIZED ON NOVEMBER 30, 2009, dated October 2011 and attached hereto as "Exhibit 1", hereby declares that the inclusion of said territory, as described in "Exhibit 1" and its "Exhibit A", within the District to be necessary and conducive to the public health, safety, convenience, or welfare, and that it is practical and feasible for such territory to be included within the District.
3. That the Board hereby authorizes the submission of this Resolution, with "Exhibit 1" and its "Exhibit A", to the District as a complete application for inclusion of said territory within the District, and further authorizes Township staff to take any additional action or to execute any additional documents subsequently deemed necessary to complete such application to the District for inclusion of said territory within the District and to effectuate the inclusion of said territory in the District.

That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board of Trustees and of any of its committees resulting in such formal action,

RECORD OF PROCEEDINGS

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MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

Held on February 14, 2012 at 7:00 P.M.

were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio. Roll call: Mr. Maszczak, yes; Mr. Bettile, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2012-02-14-28

Website

Mr. Bettile moved to replace RESOLUTION 2010-05-11-112 Website with the following to hire Tyler Clark Consulting, LLC to develop creative ideas for the Township website including appearance, layout and colors encompassing two creative designs for review, two rounds of revisions to designs leading to approval of its look and feel. Concept delivery will be within 2-3 weeks with the total design effort taking 4-5 weeks and not to exceed \$2,200. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Maszczak noted that the site should be as user friendly as possible. Ms. Cartwright stated that this is the design part of it and the next step will be the functionality. Mr. Bettile asked if the Fiscal Officer needs anything further in this resolution. Ms. Heasley responded that she needs information on this vendor in order to produce a purchase order for the next meeting. Roll call: Mr. Maszczak, yes; Mr. Bettile, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2012-02-14-29

Retro-Reflective Street Signs

Mr. Bettile moved to approve the purchase of the Federal mandated retro-reflective street signs per the stated specifications for the southwest and northwest quadrants at a cost of \$2,670.00 plus \$1,000 for mounting hardware for a total of \$3,670.00. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that she would like to amend this resolution because we did get an updated figure and apologized that it wasn't included, but the total will not exceed \$2,670.00. Mr. Rogers stated that it depends on the signs selected. Pictures were provided by Mr. Rogers. Size of letters and price was discussed. Mr. Bettile moved to amend his Resolution not to exceed \$2,800.00 including mounting hardware and seconded by Mr. Maszczak. Roll call: Mr. Maszczak, yes; Mr. Bettile, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

NEW BUSINESS

RESOLUTION 2012-02-14-30

Purchase Orders

Mr. Maszczak moved to approve the adjustments to two purchase orders PO 3-2012 from \$15,000.00 to \$8,000.00 & PO 39-2012 from \$40,000.00 to \$35,000.00 to unencumbered funds to cover the replacements of lights through the First Energy Grant Project in the total amount of \$12,000.00. The Motion was seconded by Mr. Bettile. Roll call: Mr. Maszczak, yes; Mr. Bettile, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2012-02-14-31

Purchase Orders

Mr. Bettile moved to amend Resolution #2011-11-22-214 to move forward with Winkle Electric for a total of \$7,177.02 and Rafath Electric for a total of \$9,805.00 for a final total of \$16,982.02. That will increase the original Resolution by an additional \$2,828.49. The Motion was seconded by Ms. Cartwright. Roll call: Mr. Maszczak, yes; Mr. Bettile, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION NO. 2012-02-14-27

Canfield Township
Mahoning County, Ohio

The Board of Trustees of Canfield Township, Mahoning County, Ohio met in regular session, pursuant to notice, on the 14th day of February, 2012 at 7 p.m. at Township Hall 21 South Broad Street, Canfield Township, Ohio, with the following members present:

Anthony Bettile
Marie Izzo Cartwright
Stephen Maszczak

Re: Application to the ABC Water and Storm Water District for Inclusion Within the District of all of the Unincorporated Territory of Canfield Township

Stephen Maszczak made a motion, which was seconded by Marie Izzo Cartwright

WHEREAS, the territory of Canfield Township, Mahoning County, Ohio is not wholly included within the ABC Water and Storm Water District (hereinafter, "District"); and

WHEREAS, the Trustees of Canfield Township have found that certain territory, which is described in the "Exhibit A" attached hereto and incorporated herein, in Canfield Township is among the territory not currently within the District; and

WHEREAS, the ENGINEERING STUDY IN SUPPORT OF THE CANFIELD TOWNSHIP APPLICATION TO THE ABC WATER AND STORM WATER DISTRICT TO INCLUDE WITHIN THE DISTRICT ALL TERRITORY WITHIN CANFIELD TOWNSHIP WHICH WAS NOT IN THE BOUNDARIES OF THE DISTRICT WHEN ORIGINALLY ORGANIZED ON NOVEMBER 30, 2009, dated October 2011, which is "Exhibit 1" attached hereto and incorporated herein, was completed to, determine the feasibility of the inclusion of said territory within the District; and

WHEREAS, the Trustees of Canfield Township, pursuant to Ohio Revised Code Section 6119.05, desire to make application to the District for inclusion within the District of all remaining unincorporated Township territory not presently included in the District and as further described in "Exhibit A"; now, therefore,


BE IT RESOLVED by the Board of Trustees of Canfield Township, Mahoning County, Ohio:

1. That the Board hereby makes application to the ABC Water and Storm Water District (the "District") to include within the territory of the District all remaining unincorporated Township territory not presently included in the District as originally established, all as further described in "Exhibit 1" and its "Exhibit A", both attached hereto and incorporated herein.

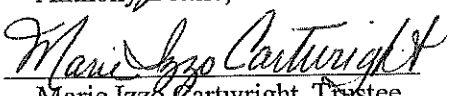
- 2. That the Board, basing their decision upon the conclusions of the ENGINEERING STUDY IN SUPPORT OF THE CANFIELD TOWNSHIP APPLICATION TO THE ABC WATER AND STORM WATER DISTRICT TO INCLUDE WITHIN THE DISTRICT ALL TERRITORY WITHIN CANFIELD TOWNSHIP WHICH WAS NOT IN THE BOUNDARIES OF THE DISTRICT WHEN ORIGINALLY ORGANIZED ON NOVEMBER 30, 2009, dated October 2011 and attached hereto as "Exhibit 1", hereby declares that the inclusion of said territory, as described in "Exhibit 1" and its "Exhibit A", within the District to be necessary and conducive to the public health, safety, convenience, or welfare, and that it is practical and feasible for such territory to be included within the District.
- 3. That the Board hereby authorizes the submission of this Resolution, with "Exhibit 1" and its "Exhibit A", to the District as a complete application for inclusion of said territory within the District, and further authorizes Township staff to take any additional action or to execute any additional documents subsequently deemed necessary to complete such application to the District for inclusion of said territory within the District and to effectuate the inclusion of said territory in the District.
- 4. That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board of Trustees and of any of its committees resulting in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

As to the above, vote resulting as follows:
Anthony Bettile, Yes; Marie Izzo Cartwright, Yes; Stephen Maszczak, Yes

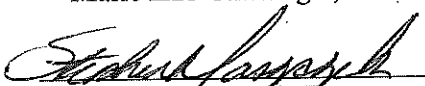
Adopted the 14th day of February, 2012.




Anthony Bettile, Trustee



Marie Izzo Cartwright, Trustee



Stephen Maszczak, Trustee

Attest:


Carmen Heasley, Fiscal Officer

MINUTES OF MEETING HELD APRIL 3, 2013

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held at the Boardman Township Government Center at 8299 Market Street, Boardman, Ohio 44512 on the above date at 1:00 p.m., the following members were present: Mr. Jason Loree, Mr. Keith Rogers, and Mr. Michael Dockry. Those also in attendance were: Stephanie Landers and Atty. Eric Luckage. Mr. Dan Bienko and Ms. Susan Tebben, *Vindicator* reporter attended from the public. The public and news media were given proper notice regarding this meeting.

RESOLUTION 13-4-03-01: Motion was made by Mr. Dockry to approve the Minutes of the Special Meeting held March 6, 2013.
Seconded by Mr. Loree.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |


CDM Smith presented their plan regarding the ERU Determination for Boardman and Canfield townships.

There was no Old Business.


There was no New Business.

RESOLUTION 13-4-03-02: Motion was made by Mr. Loree to adjourn at 2:23A p.m.
Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |



Michael Dockry
President



Jason Loree
Secretary/Treasurer

MINUTES OF MEETING HELD JUNE 5, 2013

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held at the Boardman Township Government Center at 8299 Market Street, Boardman, Ohio 44512 on the above date at 2:30 p.m., the following members were present: Mr. Jason Loree and Mr. Keith Rogers. Mr. Michael Dockry did not attend the meeting. Those also in attendance were: Stephanie Landers and Atty. Eric Luckage. The public and news media were given proper notice regarding this meeting.

RESOLUTION 13-6-05-01: Motion was made by Mr. Rogers to approve the Minutes of the Special Meeting held April 3, 2013.

Seconded by Mr. Loree.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |

RESOLUTION 13-6-05-02: Motion was made by Mr. Rogers to allow CDM Smith to extend their deadline to August 1, 2013 for the ERU Determination study for Boardman and Canfield.

Seconded by Mr. Loree.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Loree | X | |
| Mr. Rogers | X | |

Discussion ensued with regard to the setup of the District once the ERU Determination study is complete.


There was no Old Business.

There was no New Business.

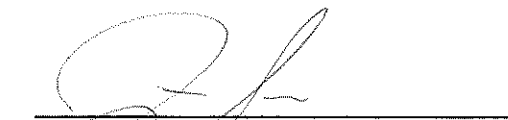
RESOLUTION 13-6-05-03: Motion was made by Mr. Loree to adjourn at 3:42 p.m.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|-------------------|------------|------------|
| Mr. Rogers | X | |
| Mr. Loree | X | |



Michael Dockry
President



Jason Loree
Secretary/Treasurer

MINUTES OF MEETING HELD JULY 9, 2013

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held at the Boardman Township Government Center at 8299 Market Street, Boardman, Ohio 44512 on the above date at 1:30 p.m., the following members were present: Mr. Jason Loree, Mr. Keith Roger, and Mr. Michael Dockry. Stephanie Landers was also in attendance. The public and news media were given proper notice regarding this meeting.

RESOLUTION 13-7-09-01: Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held June 5, 2013.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |

RESOLUTION 13-7-09-02: Motion was made by Mr. Loree to adopt the 2014 ABC Water and Storm Water District preliminary budget, as attached to these minutes.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Loree | X | |
| Mr. Rogers | X | |
| Mr. Dockry | X | |


There was no Old Business.

There was no New Business.


RESOLUTION 13-6-05-03: Motion was made by Mr. Rogers to adjourn at 1:47 p.m.

Seconded by Mr. Loree.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Rogers | X | |
| Mr. Loree | X | |
| Mr. Dockry | X | |



Michael Dockry
President



Jason Loree
Secretary/Treasurer

MINUTES OF MEETING HELD NOVEMBER 6, 2013

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held at the Boardman Township Government Center at 8299 Market Street, Boardman, Ohio 44512 on the above date at 1:00 p.m., the following members were present: Mr. Jason Loree, Mr. Keith Rogers, and Mr. Eric Luckage. Mr. Michael Dockry and Stephanie Landers were not in attendance. The public and news media were given proper notice regarding this meeting.

RESOLUTION 13-11-06-01: Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held July 9, 2013.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Loree | X | |
| Mr. Rogers | X | |

RESOLUTION 13-11-06-02: Motion was made by Mr. Loree to approve the renewal of the CORD membership for one year at a rate of \$900.00.

Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Loree | X | |
| Mr. Rogers | X | |

There was no Old Business.

Under New Business, discussion ensued regarding joining the Amicus Brief in support of the Ohio Supreme Court Jurisdiction in the appeal of the Northeast Ohio Regional Sewer District vs. Bath Township, et al.

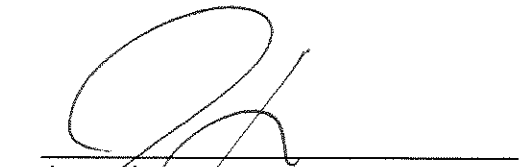
RESOLUTION 13-11-06-03: Motion was made by Mr. Rogers to adjourn at 1:54 p.m.

Seconded by Mr. Loree.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Rogers | X | |
| Mr. Loree | X | |



Michael Dockry
President



Jason Loree
Secretary/Treasurer

MINUTES OF MEETING HELD DECEMBER 4, 2013

At a regular meeting of the Board of Trustees of the ABC Water & Storm Water District, Mahoning County, Ohio, held at the Boardman Township Government Center at 8299 Market Street, Boardman, Ohio 44512 on the above date at 1:00 p.m., the following members were present: Mr. Keith Rogers and Mr. Michael Dockry. Mr. Loree was not present at the meeting. Mr. Eric Luckage, Mr. Larry Wilson, and Ms. Stephanie Landers were also in attendance. The public and news media were given proper notice regarding this meeting.

RESOLUTION 13-12-04-01: Motion was made by Mr. Dockry to approve the Minutes of the Regular Meeting held November 6, 2013.
Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Rogers | X | |
| Mr. Dockry | X | |

RESOLUTION 13-12-04-02: Motion was made by Mr. Dockry to ratify the verbal authorization given to the District's attorney to include the ABC District as a named Amici Curiae, with the Coalition of Ohio Regional Districts (CORD) and the Deerfield Regional Storm Water District, in the Amicus Brief in support of the Ohio Supreme Court Jurisdiction in the appeal of the Northeast Ohio Regional Sewer District vs. Bath Township, et al.
Seconded by Mr. Rogers.

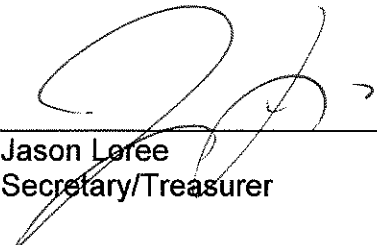
| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Rogers | X | |
| Mr. Dockry | X | |

Under Old Business, the CDM proposal review is put on hold until we have further information with regards to the Northeast Ohio Regional Sewer District vs. Bath Township, et al. case.

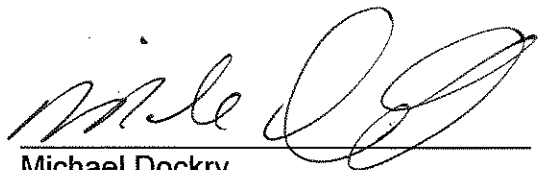
There was no New Business.

RESOLUTION 13-12-04-03: Motion was made by Mr. Dockry to adjourn at 1:42 p.m.
Seconded by Mr. Rogers.

| Roll Call | Aye | Nay |
|------------|-----|-----|
| Mr. Rogers | X | |
| Mr. Dockry | X | |



Jason Loree
Secretary/Treasurer



Michael Dockry
President