

## MINUTES OF MEETING HELD FEBRUARY 23, 2010

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

Mr. Dockry, acting as Chair pro-tem, called for nominations for Chair of the Board of Trustees for the year 2010.

Mr. Loree nominated Mr. Bienko as Chair of the Board of Trustees for the year 2010.

Mr. Dockry seconded the nomination of Mr. Bienko as Chair of the Board of Trustees for the year 2010.

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

**RESOLUTION 10-02-23-01:** Mr. Loree, Chair pro-tem, declared Mr. Bienko duly elected Chair of the Board of Trustees for the year 2010.

Mr. Bienko, Chair, nominated Mr. Loree as Vice Chair and Stephanie Landers as Secretary of the Board of Trustees for the year 2010.

Mr. Dockry seconded the nomination of Mr. Loree as the Vice Chair and Ms. Landers as Secretary of the Board of Trustees for the year 2010.

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

**RESOLUTION 10-02-23-02:** Mr. Bienko, Chair, declared Mr. Loree duly elected as Vice-Chair of the Board of Trustees and Ms. Landers as Secretary of the Board of Trustees for the year 2010.

**RESOLUTION 10-02-23-03:** Mr. Bienko revised the Vice-Chair and Secretary motion and moved that Mr. Dockry is Vice Chair and Mr. Loree is Secretary with Ms. Landers as Mr. Loree's assistant.

Mr. Dockry seconded the motion.

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

## MINUTES OF MEETING HELD FEBRUARY 23, 2010

Mr. John Albers and Mr. Eric Luckage from Albers and Albers explained the contents of the notebooks they distributed to the Board and gave an overview of ORC 6119. In addition, they explained that funding of the Board can be accomplished three ways: all three entities can provide seed money; a loan can be drawn up using funds from the Ohio Water Development Authority but then a Planning Assessment would have to take place; and / or a fee can be initiated in the storm water district. In this case, a loan can be taken from OWDA with the proceeds of that loan being repaid from the fee. Discussion ensued regarding the amount of the fee and its collection; the authority that the Board has in regards to projects, easements, etc.; pay for official meetings; and using outside accounting, legal and engineering firms.

The scope of the District's functions and discussions with other political subdivisions was also discussed. Each trustee is planning to go back to their respective Boards and request a priority list of projects. This list will allow the ABC Water and Storm Water District Board to start to prioritize projects that are needed throughout the Austintown, Boardman, and Canfield region.

Discussion then ensued regarding insurance and the selection of a bank depository along with the scheduling of future meetings and the public records law.

**RESOLUTION 10-02-23-04:** Mr. Dockry moved that the next special meeting of the Board take place on Wednesday, March 31, 2010, at 1:00 p.m. at Boardman Township's Meeting Room.

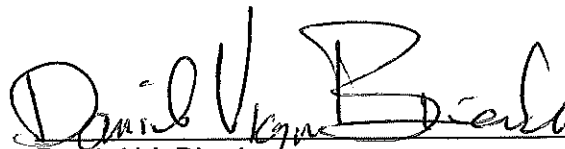
Seconded by Mr. Bienko.

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

**RESOLUTION 10-02-23-05:** Motion was made by Mr. Dockry to adjourn at 3:10 p.m.

Seconded by Mr. Loree.

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

  
Daniel V. Bienko  
President

  
Jason Loree  
Secretary

**MINUTES OF MEETING HELD MARCH 31, 2010**

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

**RESOLUTION 10-03-31-01:** Motion was made by Mr. Bienko to rescind Resolution #10-02-23-01 and duly elect Mr. Bienko as President of the Board of Trustees for 2010.

Seconded by Mr. Dockry.

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

**RESOLUTION 10-03-31-02:** Motion was made by Mr. Bienko to approve the Minutes of the Special Meeting held February 23, 2010.

Seconded by Mr. Dockry.

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

**RESOLUTION 10-03-31-03:** Motion was made by Mr. Bienko 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.

Seconded by Mr. Dockry.

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

**RESOLUTION 10-03-31-04:** Motion was made by Mr. Bienko to adopt the House Bill 9 Resolution, as attached to the minutes herein, the amended various provisions of Ohio's Public Records Act.

Seconded by Mr. Dockry.

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

**MINUTES OF MEETING HELD MARCH 31, 2010**

**RESOLUTION 10-03-31-05:** Motion was made by Mr. Bienko to adopt the by-laws for ABC Water and Storm Water District as attached herein to the minutes.

Seconded by Mr. Dockry.

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

**RESOLUTION 10-03-31-06:** Motion was made by Mr. Bienko to appoint the law firm of Albers & Albers as legal counsel for the ABC Water and Storm Water District as attached to the minutes herein.

Seconded by Mr. Dockry.

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

Under Old Business, the chart was reviewed and approved for use with updates to be made, as needed. Errors and Omissions Insurance was discussed and tabled for the next meeting. The Bank Depository was also discussed briefly and tabled for the next meeting.

Under New Business, the following resolutions were adopted:

**RESOLUTION 10-03-31-07:** Motion was made by Mr. Bienko to adopt the mission statement attached herein to these minutes.

Seconded by Mr. Dockry.

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

**RESOLUTION 10-03-31-08:** Motion was made by Mr. Bienko to adopt the Rules and Common Language record as attached herein to the minutes.

Seconded by Mr. Dockry.

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

**MINUTES OF MEETING HELD MARCH 31, 2010**

Mr. Bienko stated that he has sent an email to Mr. Justin Rogers of Mill Creek Park to discuss the goals of Mill Creek Park.

Discussion ensued regarding various funding options and the defining purpose of this Board. This discussion will be continued at the next meeting.

**RESOLUTION 10-03-31-10:** Motion was made by Mr. Bienko to adjourn into Executive Session at 2:32 p.m. for purposes of discussing **Personnel** (employment).  
Seconded by Mr. Dockry.

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

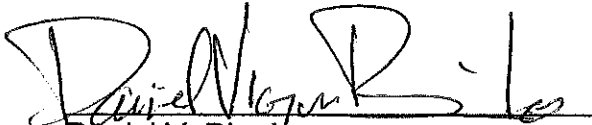
**RESOLUTION 10-03-31-11:** Motion was made by Mr. Bienko to adjourn Executive Session at 3:32 p.m. and return to Open Session.  
Seconded by Mr. Dockry.

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

No formal business was conducted by the Board from executive session.

**RESOLUTION 10-03-31-12:** Motion was made by Mr. Bienko to adjourn at 3:33 p.m.  
Seconded by Mr. Dockry.

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

  
Daniel V. Bienko  
President

  
Jason Loree  
Secretary

## MINUTES OF MEETING HELD MAY 27, 2010

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

**RESOLUTION 10-05-27-01:** Motion was made by Mr. Bienko to approve the Minutes of the Special Meeting held March 31, 2010.  
Seconded by Mr. Dockry.

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

Under Old Business, Mr. Gary Diorio of ms consultants made a presentation on the process Poland Township used to assess a fee for impervious surface per lot. Discussion ensued. Mr. Bienko asked Mr. Diorio to provide the Board with a comprehensive list of engineering services needed to assess the lots.

Mr. Eric Luckage of Albers and Albers explained the legislation being introduced to prohibit a district from imposing any fee that is not directly related to a project. Per Mr. Bienko's request, Mr. Luckage will compose a letter opposing this legislation. The Board can then forward it to the appropriate parties.

Membership in the Coalition of Ohio Regional Districts (CORD) was discussed. It was decided that due to this year's membership fee being waived, the Board would review this issue again in 2011.

Discussion ensued and it was decided that Mr. Dockry would compose a letter that Mr. Loree and Mr. Bienko can review at the next meeting regarding the county extending their storm water infrastructure to carry enough water for the 50-year and 100-year projections. This will be an agenda item for the next meeting in June.

Mr. Loree will follow up on Errors and Omissions insurance for the next meeting.

Discussion took place regarding the Bank Depository. Mr. Luckage stated that he has provided a sample resolution and notice related to the Public Depository process.

Mr. Loree stated that he is waiting on an opinion from the Prosecutor's Office regarding staff additions.

**MINUTES OF MEETING HELD MAY 27, 2010**

**RESOLUTION 10-05-27-02:** Motion was made by Mr. Dockry to approve the letterhead as attached to the minutes herein.

Seconded by Mr. Loree.

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

Mr. Luckage will provide a letter to the Board that encompasses the mission statement, chart, and process for each township on how to present projects to the Board.

Each township will continue to investigate water line ownership as they see fit.

**RESOLUTION 10-05-27-03:** Motion was made by Mr. Bienko to adjourn into executive session at 2:48 p.m. for the purposes of Personnel (employment).

Seconded by Mr. Loree.

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

**RESOLUTION 10-05-27-04:** Motion was made by Mr. Loree to adjourn Executive Session at 3:12 p.m. and return to Open Session.

Seconded by Mr. Dockry.

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

No formal business was conducted by the Board from executive session.

**RESOLUTION 10-05-27-05:** Motion was made by Mr. Loree to adjourn at 3:15 p.m.

Seconded by Mr. Dockry.

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

MINUTES OF MEETING HELD MAY 27, 2010



Daniel V. Bienko  
President



---

Jason Loree  
Secretary



## MINUTES OF MEETING HELD JUNE 24, 2010

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

Motion was made by Mr. Bienko to approve the Minutes of the Regular Meeting held May 27, 2010.

Seconded by Mr. Dockry.

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

Under Old Business, Ms. Landers updated the Board regarding the Errors and Omissions Insurance. This insurance will be provided through OTARMA and will take effect as soon as possible.

The Bank Depository was also discussed. At this time, no further action will be taken.

The letter opposing the fee legislation is also on hold at this time due to pending issues at the legislation level.

Mr. Luckage will continue to work on the letter to be sent to the Townships regarding the mission statement, completion of the chart, and process to include the rest of each township in the ABC District.

Mr. Diorio could not attend the meeting so the Assessment of Property will be discussed at the next meeting in August.

Discussion ensued regarding the County storm water infrastructure letter.

Discussion ensued regarding Mr. Bienko's request to discuss with the County Engineer improving the design criteria/standards to fifty year specifications.

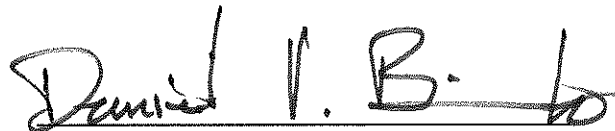
Regarding the use of administrative and financial services, these contracts will be sent to Atty. Finamore for review.

Mr. Luckage stated that the Board needs to continue to think about a billing system and part of this process needs to include keeping an accurate accounting of the money paid to the ABC Water & Storm Water district so that those costs can be reimbursed to each Township.

**MINUTES OF MEETING HELD JUNE 24, 2010**

Motion was made by Mr. Bienko to adjourn at 2:17 p.m.  
Seconded by Mr. Dockry.

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

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

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

**MINUTES OF MEETING HELD SEPTEMBER 23, 2010**

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

Motion was made by Mr. Dockry to approve the Minutes of the Regular Meeting held June 24, 2010.

Seconded by Mr. Bienko.

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

The Errors and Omissions insurance quote was discussed and it was decided that any action on it would be postponed at this time. In addition, another quote will be secured.

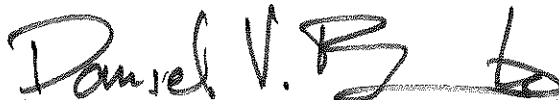
Under Old Business, discussion ensued regarding advertising an RFQ for an engineer. In addition, a lengthy discussion ensued regarding how ERUs will be determined and how projects will be paid for.

Mr. Diorio could not attend the meeting so the Assessment of Property will be discussed at the next meeting in October.

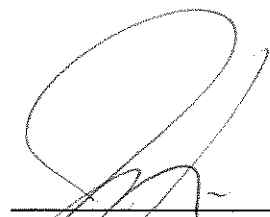
Regarding administrative and financial services, these will be discussed once more information is received.

Motion was made by Mr. Loree to adjourn at 2:36 p.m.  
Seconded by Mr. Dockry.

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



Daniel V. Bienko  
President



---

Jason Loree  
Secretary

## MINUTES OF MEETING HELD OCTOBER 28, 2010

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

**RESOLUTION 10-10-28-01:** Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held September 23, 2010.

Seconded by Mr. Dockry.

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

Under Old Business, discussion ensued regarding the Request for Qualifications for an engineering firm.

**RESOLUTION 10-10-28-02:** Motion was made by Mr. Loree to approve the Request for Qualifications for a consulting engineer as attached to the meeting minutes and authorize that the shorter summary of the Request for Qualifications, also attached, be published one time in a paper of general circulation.

Seconded by Mr. Dockry.

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

In addition, the Errors and Omissions insurance was discussed. Two proposals have been submitted and they will be reviewed.

Lastly, Mr. Diorio could not attend the meeting so the Assessment of Property will be discussed at the next meeting in November.

Under New Business, discussion ensued regarding supplying water to the residents of the district.

**RESOLUTION 10-10-28-03:** Motion was made by Mr. Loree to adjourn into executive session at 2:09 p.m. for the purposes of Personnel (employment and compensation).

Seconded by Mr. Bienko.

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

**MINUTES OF MEETING HELD OCTOBER 28, 2010**

**RESOLUTION 10-10-28-04:** Motion was made by Mr. Loree to adjourn Executive Session at 3:05 p.m. and return to Open Session.  
Seconded by Mr. Dockry.

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

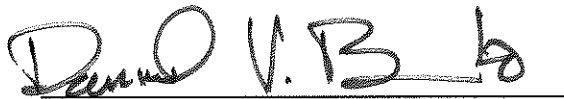
The following official business was conducted by the Board from executive session:


**RESOLUTION 10-10-28-05:** Motion was made by Mr. Dockry to enter into an agreement between ABC Water & Storm Water District and Boardman Township for Fiscal and Administrative Services as attached to these minutes.  
Seconded by Mr. Bienko.

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

**RESOLUTION 10-10-28-06:** Motion was made by Mr. Loree to adjourn at 3:05 p.m.  
Seconded by Mr. Dockry.

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

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

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

## MINUTES OF MEETING HELD NOVEMBER 18, 2010

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

**RESOLUTION 10-11-18-01:** Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held October 28, 2010.

Seconded by Mr. Dockry.

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

**RESOLUTION 10-11-18-02:** 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 2011.

Seconded by Mr. Dockry.

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

Under Old Business, discussion ensued regarding the ERU study.

In addition, the process for opening and reviewing the Requests for Qualifications for an engineering firm was reviewed. Ms. Landers will open and distribute to the Board the RFQs on Friday, December 10. The Board will then review and rank the proposals.

The status of adding territory to the ABC Water & Storm Water district is still in process as is the Errors and Omissions insurance.

Under New Business, Board compensation was discussed with this matter tabled for further discussion at the next meeting.

**RESOLUTION 10-11-18-03:** Motion was made by Mr. Dockry to approve and correct the rates for the Fiscal and Administrative Services contract to \$34 per hour for Administrative services and \$38 per hour for Fiscal Services, per the contract as attached to these minutes.

Seconded by Mr. Loree.

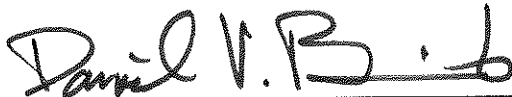
Roll Call	Aye	Nay
Mr. Loree	X	
Mr. Dockry	X	
Mr. Bienko	X	

MINUTES OF MEETING HELD NOVEMBER 18, 2010

**RESOLUTION 10-11-18-04:** Motion was made by Mr. Loree to adjourn at 2:25 p.m.

Seconded by Mr. Dockry.

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



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



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

**MINUTES OF MEETING HELD DECEMBER 16, 2010**

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

**RESOLUTION 10-12-16-01:** Motion was made by Mr. Loree to approve the Minutes of the Regular Meeting held November 18, 2010.  
Seconded by Mr. Bienko.

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

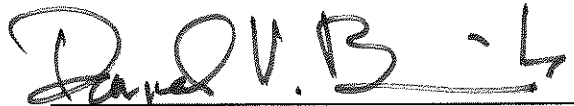
Under Old Business, Mr. Loree stated that eight bids were received for the Request for Qualifications for Engineering Firms. The firms who bid are: Michael Benza & Associates, Dallis Dawson and Associates, CDM, Lennon, Smith, Souleret Engineering, AMEC, W.E. Stilson Consulting Group, EMH&T, and Sands Decker with Buckeye Civil Division. The board will now score the proposals and present the top three bidders at their next board meeting on January 27, 2011, with consideration being given to inviting the top three bidders in for an interview.

In addition, a discussion regarding board compensation ensued with it being tabled for the next meeting. A discussion then ensued regarding the Errors and Omissions insurance. Mr. George Platton will produce for the board a condensed explanation of the insurance coverage packages that have been presented. Lastly, the status of adding territory to the ABC Water & Storm Water district is still in process.


Under New Business, discussion ensued regarding the creation of a website and ordering business cards and letterhead.

**RESOLUTION 10-12-16-02:** Motion was made by Mr. Loree to adjourn at 1:47 p.m.  
Seconded by Mr. Bienko

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



Daniel V. Bienko  
President



Jason Loree  
Secretary