

**CITY OF KENT**  
**SUSTAINABILITY COMMISSION**  
**NOVEMBER 30, 2012**

**Recommendations to Council Regarding Unconventional Drilling Practices with City Limits**

Be advised that the permitting of horizontally fractured wells and hazardous waste injection wells (collectively referred to as “unconventional drilling”, hereafter) is governed solely by the Ohio Department of Natural Resources. No municipality shall impose more restrictive measures than ODNR.

Establish background levels for the City water supply and develop recommended target analyte list for concerned citizens who have wells, that includes, at minimum:

Volatile Organic Compounds by USEPA Method 8260B;

Arsenic, Iron, Chromium, Aluminum, Potassium by USEPA Method 6010;

Gross Alpha/Beta Radiation by USEPA Method 900.0;

Uranium, Radon by USEPA Methods 908.0 and 903.1, respectively

Glycol Ethers by USEPA Method 8015M;

Oil and Grease by USEPA Method 1664;

Chloride, Sulfates by USEPA Method 4500;

Continue the use of the Pavement Condition Index because it allows for the City to negotiate, in good faith, elevated Maintenance Bonding requirements (which may deter drillers) per ODNR regulations.

Promote clean drilling practices. For example, offer a 30% reduction in roadway Maintenance Bonding if closed loop drilling practices and engineered surface water impoundments are used.

Ascertain Kent State University’s position regarding unconventional drilling on University owned properties.

Direct the Sustainability Commission to monitor production reports, lease, and permit activity as published by ODNR on a weekly basis with the intent of notifying City Council and citizens if unconventional drilling activities are imminent in the vicinity of Kent.

Refrain from considering “Community Bill of Rights” measures until the outcome of the lawsuit(s) between the City of Mansfield and Drilling Companies is known.

Be advised that the city could withhold mineral rights for properties they currently own in any future transactions that might result in unconventional drilling practices being employed on said properties.

**SUMMARY REPORT**  
**Sustainability Commission Meeting**  
**June 26, 2012**

**Meeting called to order** at 5:38 pm by Chair Dan Schweitzer.

**Roll Call:** Caroline Arnold, Daniel Schweitzer, Theodore Newman  
**ABSENT:** John Gwinn

**Staff:** Suzanne Robertson, Executive Assistant to the City Manager

**Review of Meeting Summary Report of May 10, 2011:** Mr. Schweitzer made a motion to approve the summary report from May. The motion was seconded by Ms. Arnold and was approved by a 3-0 vote.

**Public Comment**

**Colleen Unroe, 1484 Carriage Hill Dr., Hudson:** Ms. Unroe was the first to speak at the meeting. She briefly discussed her family background in Kent and followed with her involvement in Frack Free Ohio. Ms. Unroe further discussed the “community bill of rights” and what other communities like Mansfield, Ohio have been doing to regulate fracking. Lastly, Ms. Unroe stated the importance of getting the public more informed about fracking.

**Lee Brooker, 814 Hudson Rd.:** Mr. Brooker stated that the City of Kent has the opportunity to set a precedent despite if fracking happens here or not.

**David Badagnani, 712 Hickory Mills Cr.:** Mr. Badagnani stressed the importance of the long term responsibilities of the drilling companies and the regulation of their testing procedures. He continued to state that he thought it would be useful for the City of Kent to talk to other cities about their experiences and regulations.

**OLD BUSINESS**

None

**NEW BUSINESS**

The discussion of fracking began with the question of how much the City is really able to regulate fracking. Ms. Arnold stated that water testing should be required prior to any fracking taking place. Mr. Schweitzer followed by stating that there could be benefits to fracking, but the health and safety of the community must be preserved. The discussion then turned to accountability and the status of state regulations in Ohio.

**Pg. 2**

**Sustainability Commission Meeting Summary  
June 26, 2012**

Ms. Arnold asked for consensus on points to be used for further discussion and research. There was general agreement on the following points for the Sustainability Commission to use in planning options for the City of Kent as they relate to the following:

- 1) Developing a plan/strategy to control and manage shale gas drilling;
- 2) Developing a forum to educate the public.

The City has limited authority to regulate oil and gas drilling. The Ohio Department of Natural Resource regulates oil and gas drilling, and municipalities cannot enforce more restrictive regulations. However, the City should consider other options. They may want develop a plan that considers:

- 1) Who is the liaison with Drilling and Pipeline Companies?
- 2) Water usage/source
- 3) Roadway (road use maintenance agreements)
- 4) Safety (noise, fire, security)
- 5) Groundwater Protection/Sensitive Area
- 6) Waste Disposal
- 7) Reclamations Requirement
- 8) Local statutory power
  - a. can levy their own fees and taxes on drillers operating within their boundaries
  - b. refuse to accept brine
  - c. pass their own severance taxes for removal of natural resources
  - d. Fines for violating a regulation

**OTHER BUSINESS**

None

**NEXT MEETING:**

August 14, 2012 at 5:30 p.m.

**ADJOURNMENT:** Mr. Schweitzer made a motion to adjourn the meeting. The motion was seconded by Ms. Arnold and was approved by a 3-0 vote. The meeting was adjourned at 6:51 pm.

**SUMMARY REPORT**  
**Sustainability Commission Meeting**  
**August 14, 2012**

**Meeting called to order** at 5:31 pm by Acting Chair Caroline Arnold.

**Roll Call:** Caroline Arnold, John Gwinn, Theodore Newman  
**ABSENT:** Daniel Schweitzer

**Staff:** Suzanne Robertson, Executive Assistant to the City Manager

**Review of Meeting Summary Report of June 26, 2012:** Ms. Arnold made a motion to approve the summary report from June. The motion was seconded by Mr. Newman and was approved by a 3-0 vote.

**Public Comment**

**Ellen Carvill-Ziemer, 905 Vine St.:** Ms. Carvill-Ziemer was the first to speak at the meeting. She spoke about the importance of the education of possible regulations and the many experts that are researching municipal regulations. She continued by discussing the use of these experts to inform the Commission in addition to citizen forums.

**Colleen Unroe, 1484 Carriage Hill Dr., Hudson:** Ms. Unroe agreed that there are many great expert resources including those from groups such as the Buckeye Forest Council, Ohio Citizen Action, and No Frack Ohio Coalition. She also specified that there are many local presentations concerning the affects of fracking, like a talk about the health problems associated with fracking at the Randolph Community Center. Ms. Unroe finished by stating that an effective first step may be to figure out what can be done locally.

**Tyson McKinney, 7454 Andover Way, Hudson:** Mr. McKinney began by discussing the work to get the public involved and educated, where he spoke of his experiences with going door to door. He then continued to state that sometimes an effective method of education is to give the public little bits of data at a time so they have the necessary information to make informed decisions.

**Erik Zemljic, 254 W. Elm St.:** Mr. Zemljic referred to the cost vs. benefit model when discussing the idea of using public forums. He suggested looking further into the availability of resources at Kent State University.

**OLD BUSINESS**

The discussion of fracking began with Ms. Arnold giving a summary of what has been discussed among the Commission so far. She then began questioning where all the wells are located in Kent and if there are any active wells, specifically on property owned by Kent State University and the Kent Local School District. She went on to state that Kent has not had any previous issues with fracking, but she questioned if that is also the case in the surrounding townships. Ms. Arnold recognized that it is important to protect our award winning water using watershed protection areas.

The Commission then began discussions on gathering more information about fracking. They discussed the concerns related with public forums. Mr. Gwinn stated that in order for a forum to be productive a strict agenda would need to be set. They further discussed the difficulty of educating the public on issues such as fracking. The Commission concluded the meeting with the task of gathering more resources and information about the role municipalities can take to regulate fracking, reinvestigate that information at the next meeting, and then a follow up meeting to review information and receive presentations from experts.

**NEW BUSINESS**

None

**OTHER BUSINESS**

None

**NEXT MEETING:**

August 28, 2012 at 5:30 p.m.

**ADJOURNMENT:** Ms. Arnold made a motion to adjourn the meeting. The motion was seconded by Mr. Newman and was approved by a 3-0 vote. The meeting was adjourned at 6:52 pm.

**SUMMARY REPORT**  
**Sustainability Commission Meeting**  
**August 28, 2012**

**Meeting called to order** at 5:34 pm by Chair Daniel Schweitzer.

**Roll Call:** Caroline Arnold, John Gwinn, Theodore Newman, Daniel Schweitzer, Erik Zemljic

**Staff:** Suzanne Robertson, Executive Assistant to the City Manager,  
Bob Brown, Water Reclamation Facility Manager

**Review of Meeting Summary Report of August 14, 2012:** Ms. Arnold made a motion to approve the summary report from August. The motion was seconded by Mr. Newman and was approved with 3-0-2, with Mr. Zemljic and Mr. Schweitzer abstaining.

**Public Comment**

**Evin Carvill-Ziemer, 905 Vine St.:** Ms. Carvill-Ziemer was the first to speak at the meeting. She began by recapping a couple emails that were sent to the Commission with information on a possible oil and gas lease in the City. She expressed her concerns about air pollution and its location near schools and downtown. Ms. Carvill-Ziemer stated that legal advice should be sought from other cities like Mansfield and Yellow Springs who have created fracking legislation. Lastly, Ms. Carvill-Ziemer argued that citizens' fears of air pollution and spills are justified by looking at other cities where fracking has occurred.

**Colleen Unroe, 1484 Carriage Hill Dr., Hudson:** Ms. Unroe agreed that we need to further explore our legal options and resources because she believes there are many choices available to municipalities. She continued to explain that she thinks it is important to look at the City of Mansfield as an example. Ms. Unroe then stated that a possible option would be to ban fracking on any City owned property. She believes the City needs to be active now because fracking is a current issue.

**Karl Liske, 452 Sunrise Blvd.:** Mr. Liske explained that those impacted need to have input and there should be checks and balances in place. He stated that citizen input into the issue is crucial. Mr. Liske continued to state that it is hard for government and regulators to understand the issue when they are not directly affected. Lastly, he stated that a viable option for the City to consider may be to use zoning as a restriction.

**OLD BUSINESS**

The discussion of fracking began with Mr. Schweitzer giving a summary of what has been discussed among the Commission so far and gave an update on the presentation he gave to Council in July. He then continued to share some information he had gathered concerning road access and the City's road fees. The Commission continued to discuss several options for municipalities and the legality of each of those issues. Some of the items discussed included roadway access, water regulations, air quality control, noise permitting, and zoning. The Commission then questioned if fracking will even become a serious problem in Kent. Ms. Arnold explained that citizens were concerned about Mosquito Lake in the City of Warren, but there have been no serious implications there that she is aware of. Mr. Schweitzer believes the City already has regulations in place that is keeping companies from having interest in Kent, such as road fees. Mr. Zemljic then questioned if we could contact company representatives to see if they even have interest in Kent.

At the end of the meeting the Commission agreed they should continue to research the legal questions concerning some of the options the City might have to regulate fracking in Kent. Additionally, the Commission decided it would be helpful to continue their research on air quality controls, road access assessments, noise restrictions, and zoning regulations as it is associated to fracking within Kent. Lastly, they also agreed to look further into the Wellhead Protection Areas within the City and the monitoring of City owned wells.

**NEW BUSINESS**

None

**OTHER BUSINESS**

None

**NEXT MEETING:**

September 11, 2012 at 5:30 p.m.

**ADJOURNMENT:** Mr. Schweitzer made a motion to adjourn the meeting. The motion was seconded by Ms. Arnold and was approved by a 5-0 vote. The meeting was adjourned at 7:11 pm.

**SUMMARY REPORT**  
**Sustainability Commission Meeting**  
**September 11, 2012**

**Meeting called to order at 5:33 pm by Chair Daniel Schweitzer.**

**Roll Call:** John Gwinn, Theodore Newman, Daniel Schweitzer, Erik Zemljic  
**ABSENT:** Caroline Arnold

**Staff:** Suzanne Robertson, Executive Assistant to the City Manager,  
Bob Brown, Water Reclamation Facility Manager

**Review of Meeting Summary Report of August 28, 2012:** Mr. Schweitzer made a motion to approve the summary report from August. The motion was seconded by Mr. Newman and was approved with 4-0.

**Public Comment**

**Paulette Thurman, 1112 Delores Dr.:** Ms. Thurman explained that she is a member of Frack Free Kent and was one of the members that attended the first discussion at Council concerning fracking. She was interested in checking the current status of the issue with the Commission.

**Theodore Voneida, 7487 West Lake Blvd.:** Mr. Voneida stated that he is also a member of Frack Free Kent and that he is pleased the Commission is looking into it because it is a very complex issue. He explained that he has done many studies and research on the topic of fracking. He believes that the precedence for a fracking ban in cities has been set in places like Pittsburgh and that we should follow their example. Mr. Voneida expressed his concerns for allowing fracking to happen. He said he has been to places where fracking has been allowed and the consequences are devastating. He would like to support a fracking ban in Kent and if not a ban then any measures that will stop companies from even considering fracking in Kent. Mr. Voneida explained that he understands the difficulty of a fracking ban when legislators and the Ohio Department of Natural Resources (ODNR) representative support it. He believes it is in the Commission's best interest to use other cities as an example of what has been successful in a fracking ban. He concluded by stating we need to take preventative measures to ensure fracking does not take place in Kent and if we do we may gain support from other cities.

**Evin Carvill-Ziemer, 905 Vine St.:** Ms. Carvill-Ziemer expressed her concern for water and pollution in relation to fracking and that the Commission should consider working with other surrounding communities and organizations to get the necessary equipment to perform accurate tests.



Pg. 2

**Sustainability Commission Meeting Summary  
September 11, 2012**

**OLD BUSINESS**

The discussion of fracking began with Mr. Schweitzer giving a summary of what has been discussed among the Commission so far. This discussion included possible local measures to restrict fracking in Kent and the current regulations in place that may already be assisting in keeping companies from having interest in Kent. The Commission discussed options relating to the protection of the City's water and air resources and the importance of prevention. They agreed that there are many wells already in Portage County and although they may not be able to keep fracking out of the City limits they can attempt to protect Kent. The Commission specifically discussed the monitoring and equipment necessary to properly test air quality in Kent and how it is regulated. Mr. Schweitzer expressed the importance of testing water and air resources prior to companies fracking in Kent so there is evidence if issues occur even if it is hard to prove the cause. The Commission continued by discussing the option of a fracking ban in Kent and Mr. Newman expressed his concerns with the legal consequences and costs that could result from that action. Lastly, the Commission discussed the possibility of working with other communities to be successful in regulating fracking locally.

At the end of the meeting the Commission agreed they need to formulate legal questions and seek answers. Additionally, the Commission decided they need to look further into the water and air monitoring in the City. Lastly, they also agreed to look to other cities for examples of successful local regulations. The Commission decided they should consider finalizing their recommendations to Council in the near future as well.

**NEW BUSINESS**

None

**OTHER BUSINESS**

None

**NEXT MEETING:**

October 16, 2012 at 5:30 p.m.

**ADJOURNMENT:** Mr. Schweitzer made a motion to adjourn the meeting. The motion was seconded by Mr. Newman and was approved by a 4-0 vote. The meeting was adjourned at 6:51 pm.

**SUMMARY REPORT**  
**Sustainability Commission Meeting**  
**October 16, 2012**

**Meeting called to order** at 5:36 pm by Chair Daniel Schweitzer.

**Roll Call:** Caroline Arnold, Daniel Schweitzer, Erik Zemljic  
**ABSENT:** Theodore Newman, John Gwinn

**Staff:** Suzanne Robertson, Executive Assistant to the City Manager;  
Bob Brown, Water Reclamation Facility Manager;  
Eric Gorczynski, Environmental Technician;  
Jim Silver, Law Director;  
Jennifer Barone, Development Engineer

**Review of Meeting Summary Report of September 11, 2012:** No motion was made to approve the summary since Ms. Arnold had been absent from last meeting, leaving less than a majority to vote for approval.

**Public Comment**

**Theodore Voneida, 7487 West Lake Blvd.:** Mr. Voneida thanked the Commission and Mr. Silver for answering the questions from the Commission. He explained that his main interest is in the health impacts of fracking. He will be attending a meeting concerning the health impacts of fracking at the Cleveland Museum of Natural History on October 17<sup>th</sup>. Mr. Voneida also wanted to share a statement from Dr. Robert Howarth presented to Congress in May on the health consequences of fracking. He then stated that another well written article on the health impacts of fracking was featured in the July/August edition of Sierra magazine. He expressed the importance of sticking to the facts and collecting all the data we can. Lastly, Mr. Voneida expressed the importance of Council protecting citizens from a business that needs to be regulated better.

**Paulette Thurman, 1112 Delores Dr.:** Ms. Thurman referenced two videos on the internet of what fracking has done to Pennsylvania and the importance of the Commission watching those videos. She continued to state that if it happens here we will see the same devastation in our region. Lastly, Ms. Thurman stated she was anxious to see where the Commission is in their process of evaluating fracking.

### **OLD BUSINESS**

The discussion of fracking began with Mr. Schweitzer explaining that the Commission is getting close to preparing their recommendations to Council and will be focusing on items that are within the City's control. Mr. Schweitzer continued to explain that state legislation and the Ohio Department of Natural Resources do not allow municipalities to allow or deny fracking. Mr. Silver supported this statement by saying that those with fracking concerns should be contacting legislators at the state level. The Commission stated that they understand there are many opinions concerning fracking, but there must be data to support these thoughts. Other ideas considered were incentives for safe drilling practices and the importance of groundwater protection. Mr. Silver advised the Commission that they may want to consider recommending no fracking on City owned property, especially near wellheads. The Commission agreed that each member needs to consider two or three of their top recommendations, prepare them for the next meeting, and at that time the Commission will work on finalizing their recommendations to Council.

### **NEW BUSINESS**

During the second part of the meeting Ms. Barone gave the Commission an update on an item the Planning Commission would like to refer to them. She explained that due to recent items before the Planning Commission they would like to refer the concept of green space and its possible preservation. They are looking for the Commission to research and define green space, identify possible locations of green space, and consider the possible preservation of that green space. The Commission briefly discussed some ideas related to green space and the difficulty in defining those areas. At the end of the meeting the Commission agreed to invite the Planning Commission members to a future meeting for further discussion on what they expect from the Commission.

### **OTHER BUSINESS**

None

### **NEXT MEETING:**

November 20, 2012 at 5:30 p.m.

**ADJOURNMENT:** Mr. Schweitzer made a motion to adjourn the meeting. The motion was seconded by Mr. Zemljic and was approved by a 3-0 vote. The meeting was adjourned at 6:42 pm.

**SUMMARY REPORT**  
**Sustainability Commission Meeting**  
**November 20, 2012**

**Meeting called to order** at 5:34 pm by Chair Daniel Schweitzer.

**Roll Call:** Caroline Arnold, Daniel Schweitzer, Erik Zemljic, Theodore Newman, & John Gwinn

**Staff:** Suzanne Robertson, Executive Assistant to the City Manager and Bridget Susel, Community Development Director

**Review of Meeting Summary Report of September 11, 2012 and October 16, 2012:**

Mr. Schweitzer made a motion to approve the summary report from September. The motion was seconded by Mr. Newman and was approved with 4-0-1, with Ms. Arnold abstaining.

Ms. Arnold made a motion to approve the summary report from October. The motion was seconded by Mr. Schweitzer and was approved with 3-0-2, with Mr. Newman and Mr. Gwinn abstaining.

**Public Comment**

None

**OLD BUSINESS**

The discussion of fracking began with Mr. Schweitzer referring the Commission to the list of recommendations to present to Council. The Commission agreed they should discuss the wording of each recommendation and combine any similar ideas. They began by talking about recommending the City continue to regularly test the City's water quality. All members agreed to keep this on the list of recommendations. Next, they agreed to recommend the negotiation of items like road access agreements if drilling companies agree to use clean drilling practices. Third, the Commission agreed to strike the recommendation concerning the creation of an ordinance to require public notice of any drilling in City limits based on the advice of the City Law Director that they cannot change the permitting process run by the State. Next, they agreed to recommend that the Commission could regularly check for new or existing drilling permits in the vicinity of Kent and report those findings to the City. The last recommendation the Commission concurred on was that the City could not allow drilling on any City owned property and to consider adding that to deeds for any properties they sell. The Commission concluded by briefly referring to items they had discussed previously and why they had not included them in the recommendations. They agreed that it would be best to make their final decision about the recommendations at their next meeting.

**Pg. 2**  
**Sustainability Commission Meeting Summary**  
**November 20, 2012**

**NEW BUSINESS**

None

**OTHER BUSINESS**

The Commission was reminded that the Planning Commission would be in attendance at their next meeting to discuss the preservation of green space. The Commission briefly conversed about the ways to identify green space using methods such as GIS. Lastly, they talked about other ways to guarantee an increase in green space such as reducing the number of required parking spots for commercial and high residential housing.

**NEXT MEETING:**

December 4, 2012 at 5:30 p.m.

**ADJOURNMENT:** Mr. Schweitzer made a motion to adjourn the meeting. The motion was seconded by Ms. Arnold and was approved by a 5-0 vote. The meeting was adjourned at 6:21 pm.

**SUMMARY REPORT**  
**Sustainability Commission Meeting**  
**December 4, 2012**

**Meeting called to order** at 5:38 pm by Chair Daniel Schweitzer.

**Roll Call:** Caroline Arnold, Daniel Schweitzer, Theodore Newman, & John Gwinn

**ABSENT:** Erik Zemljic

**Staff:** Suzanne Robertson, Executive Assistant to the City Manager;  
Bridget Susel, Community Development Director;  
Eric Fink, Assistant Law Director;  
Jennifer Barone, Development Engineer; and  
Bob Brown, Water Reclamation Facility Manager

**Planning Commission Members in attendance:** Anthony Catalano, John Gargan, Greg Balbierz, Melissa Long, and Peter Paino.

**Review of Meeting Summary Report of November 20, 2012:**

Ms. Arnold made a motion to approve the summary report from November. The motion was seconded by Mr. Schweitzer and was approved with 4-0 vote.

**Public Comment**

**Mary Greer, 8783 Weaver Rd., Shalersville Township:** Ms. Greer notified the Commission that she had just seen their recommendations the day before the meeting. She stated she understood they have been working on them for a long time, but wanted to share her thoughts and concerns about the recommendations. She began explaining her concerns by stating that the Law Director's job is to protect the laws of the State not citizens. Next, she said that many Portage County residents are familiar with the suggested water tests, but was glad that they were considering them. Third, Ms. Greer stated that she believes it should be advised that the Pavement Condition Index be followed very closely due to the damage the large trucks will do to the roadways. She then followed with stating that there are no clean drilling practices at all. In her fifth point she confirmed that it is easy to monitor permits and drilling online so it should be done. Next, Ms. Greer said the Commission should more strongly recommend that there are no mineral rights given for any City properties. She continued by stating that some other recommendations that should have been considered were restrictions on hazardous substance bearing trucks, suspensions and fees for spills, working more with surrounding communities, promoting more public education, and to demand for accountability from the industry. She ended by stating that it is the job of the Commission and Council to protect residents, but that the recommendations proposed are naive.

**Public Comment Continued**

**Robert Homer, 443 Tallmadge Ave.:** Mr. Homer began by giving a background about the well on the VFW property near his home. He stated that he receives royalties from the well, the company drilled the well, cleaned up, and there have been no problems or pollution from the well. He furthered to state that energy costs have lowered because of fracking and that we depend on cheap energy.

**Evin Carvill-Ziemer, 905 Vine St.:** Ms. Carvill-Ziemer stated that she hopes those that have had success with fracking continue to have good luck. She then stated that she is disappointed with the Commission's recommendations.

**George Sosebee, 8783 Weaver Rd., Shalersville Township:** Mr. Sosebee began by stating that we have no control over our own City which is evident through fracking. He continued to state that the oil and gas companies are not transparent and the reasoning for this is because the industry is no good.

**OLD BUSINESS**

**Review of Recommendations to Council on Fracking:**

Mr. Schweitzer made a motion to approve the recommendations on fracking to Council from the Commission. The motion was seconded by Ms. Arnold and was approved with 4-0 vote.

The discussion then turned to the topic of green space. The City's Planning Commission was in attendance to discuss green space with the Sustainability Commission. Mr. Catalano began the discussion by explaining that the Planning Commission has had some difficult decisions on projects recently due to the lack of green space. He furthered to state that there is no oversight in the City to protect green space, but there should be, in order to be proactive and to protect the title of the Tree City. Ms. Arnold explained that her concern with the current Zoning Code is that it may require too many parking spaces and revisions should be considered to be more in line with the Commission's sustainability goals. Mr. Paino argued that goals for sustainability need to be established for the review of planning and zoning plans. He then stated that if the Planning Commission had more input from other boards and commissions based on their expertise it could help them make difficult decisions. Mr. Balbierz continued by stating that some of the Planning Commission's recent issues have specifically related to the preservation of wetlands and increased landscaping on plans. He continued to question what the goals of the Sustainability Commission specify. Ms. Susel then explained to both the Planning and Sustainability Commissions that she believes the process and procedures for the Planning Commission need to be reviewed and possible changes to the Zoning Code be made to preserve green space. She did not believe the Sustainability Commission was able to act as an advisory board to the Planning Commission, but she would look into this. Ms. Arnold then suggested that the Sustainability Commission had no powers or authority so it should be considered that the Commission be dropped and roll its functions into the Planning Commission. Ms. Susel ended by saying they would also look into the current status, purpose, and goals of the Sustainability Commission for the future.

**Pg. 3**  
**Sustainability Commission Meeting Summary**  
**December 4, 2012**

**NEW BUSINESS**

None

**OTHER BUSINESS**

None

**NEXT MEETING:**

TBD

**ADJOURNMENT:** Mr. Schweitzer made a motion to adjourn the meeting. The motion was seconded by Ms. Arnold and was approved by a 4-0 vote. The meeting was adjourned at 6:45 pm.



## PCSWD – ORC Reference

### 3734.52 Establishing county Solid Waste Management Districts (SWMD).

Requires the Portage County Board of County Commissioners to establish and maintain a SWMD including all of the incorporated and unincorporated territory of the county for the purposes of providing for, or causing to be provided for, the safe and sanitary management of solid wastes

### 3734.53 Contents of county Solid Waste Management Plan.

PCSWD SWMP shall be prepared in a format prescribed by the Director of the OEPA that shall cover the needs of the district for the ten-year period covered by the Plan. The Plan shall contain an inventory of sources, composition, and quantities of solid wastes generated and an inventory of all existing facilities where solid wastes are being disposed and existing solid waste collection systems for the period covered by the Plan. The Plan shall include an analysis of expenses for which the district is liable under and establish the schedule of fees to be charged. Incorporate all solid waste recycling activities that were in operation within the district on the effective date of the Plan.

### 3734.54 Preparing and submitting SWMP.

PCSWD shall prepare, adopt and submit to the Director of the OEPA for review and approval, and then implement the SWMP for Portage County. The Portage County Commissioners shall establish a PCSWD Policy Committee to prepare the SWMP.

### 3734.55 Preliminary review of draft plan.

The draft SWMP shall be sent to the Director of OEPA for preliminary review and comment. Once the Director approves the draft the Policy Committee shall seek comment on the plan from the public, adjacent counties and all municipal corporations and townships within the county. The Policy Committee may modify the draft plan based upon the comments and shall adopt or reject it by a majority vote. Within thirty days after adoption of the draft plan, the committee shall deliver a copy of it to the Board of County Commissioners and to the legislative authority of each municipal corporation and township under the jurisdiction of the District. Within 90 days the Board of County Commissioners, and the legislative authorities of a combination of municipal corporations and townships with a combined population within the county comprising at least sixty per cent of the total population of the district have approved the draft plan, provided that the municipal corporation having the largest population within the boundaries of the district approves the plan.

Once the Plan has been approved the Director of the OEPA may approve or disapprove the plan. If the Director finds that the county has failed to obtain approval of the plan within eighteen months after the applicable date prescribed for submission the Director shall prepare a plan for the county and issue an order to implement the Director's plan.



# CITY OF KENT, OHIO

---

CITY COUNCIL

## M E M O

To: MAYOR & MEMBERS OF COUNCIL  
From: LINDA M. JORDAN, CLERK *ljm*  
Date: January 31, 2013  
Subject: Solid Waste Plan Discussion

---

On Wednesday, February 6, 2013, there will be a discussion with respect to the Portage County Solid Waste Plan Update.

Attached is the Executive Summary to this plan, as provided by Council's representative, Tracy Wallach. If you would like the full Plan, please let me know.

## II. Executive Summary

**Table ES-1: General Information**

District Name: Portage County Solid Waste Management District		
District ID # (OEPA only)	Reference Year: 2009	Planning period: 2009-2030
Plan Status (underline one): <u>D</u> RD DR Approved (date) / / OI (date) / / DA		Reason for Plan Submittal (seen I.B)

Abbreviations:

D = draft, RD = ratified draft, DR = Draft revised, OI ordered to be implemented, DA = Draft Amended

**Table ES-2: District Coordinator/Office**

Person or Office Responsible for Monitoring Plan Implementation		
Name: Portage County Solid Waste Management District		
Address: 3588 Mogadore Rd.		
City: Kent	State: OH	Zip: 44240
Phone: 330/678-8808		Fax: 330/678-9405

The Portage County Solid Waste Management District is required by Section 3734.54 of the Ohio Revised Code to periodically update its solid waste management plan. The Plan Update being submitted as required by law will cover a twenty year period beginning in 2011 and ending in 2030. This Plan Update will include a description of District programs and projections for recycling and disposal, solid waste generation projections and potential new programs for the next seventeen-years. This Plan Update will identify the District's strategies for managing the District's facilities, both current and proposed new, and programs. The Plan Update will provide the explanation of how the District will achieve the statewide recycling and waste reduction goals. This Plan Update follows the Ohio EPA-DSIWM format version 3.0. There are nine major sections to the Plan format.

- Section I- The basic information about the Portage County Solid Waste Management District and actions to be taken in the event of a material change that will require an amendment to this Plan Update.
- Section II -Plan Update Executive Summary and includes a brief narrative of each of the sections in the proposed Plan Update.
- Section III- Information about activities, haulers that service the District and an inventory of the District's facilities.
- Section IV- Reference year statistics for this Plan Update as well as population data, waste generation and waste reduction estimates for the residential/commercial sector and the industrial sector.
- Section V- Information about population projections, waste generation and waste reduction for each of the planning period.

- Section VI- The District's management of facilities and programs to be used by the District during the planning period.
- Section VII- How the District will meet the state waste reduction and recycling goals.
- Section VIII- A presentation of the financial resources available to the District necessary to implement this Plan Update.
- Section IX- Proposed District rules, approved and authorized for adoption is presented by the District.

This Executive Summary provides a brief overview of each section of the Plan Update.

**A. Section I Introduction**

Section I. Introduction includes the basic information about the District, including:

- Plan Approval Date
- Counties in the District
- Planning Period Length
- Reasons for Plan Submittal
- Process to Determine a Material Change
- District Formation
- Description of Policy Committee Members
- Description of the District Board of Commissioners
- District Address and Contact Information
- Description of the Technical Advisory Council and Other Subcommittees

The Portage County Solid Waste Management District includes all incorporated and unincorporated territory within Portage County.

The Ohio EPA approved the current Solid Waste Plan on October 5, 2006. This Plan Update begins with the year 2010 and ends with the year 2030. The timeframe consists of a twenty year planning period.

The Portage County Board of Commissioners serve in a dual capacity as both County Commissioners and as the District Commissioners. The following table lists the members of the District Board of Commissioners.

<b>BOARD MEMBER</b>	<b>TITLE</b>
Kathleen Chandler	President of the Commissioners
Maureen T. Frederick	Vice President of the Commissioners
Tommie Jo Marsilio	Commissioner

The following committee members are listed in accordance with the political jurisdictions and constituents they represent:

<b>POLICY COMMITTEE MEMBER</b>	<b>TITLE</b>	<b>REPRESENTING</b>
Kathleen Chandler	President Board of Commissioners	District Board of Commissioners
Tracy Wallach	Chairman of the Policy Committee Council Member	City of Kent
Melanie Knowles	Sustainability Manager	Kent State University Industrial Representative
DuWayne Porter	Health Commissioner	Portage County Health District
Thomas Smith	Paris Township Trustee	Trustee Representative
Pat McCon	N/A	Public Representative
Dan Derreberry	N/A	Public Representative

The District did not utilize the services of outside Technical Advisory Council to prepare this Plan Update.

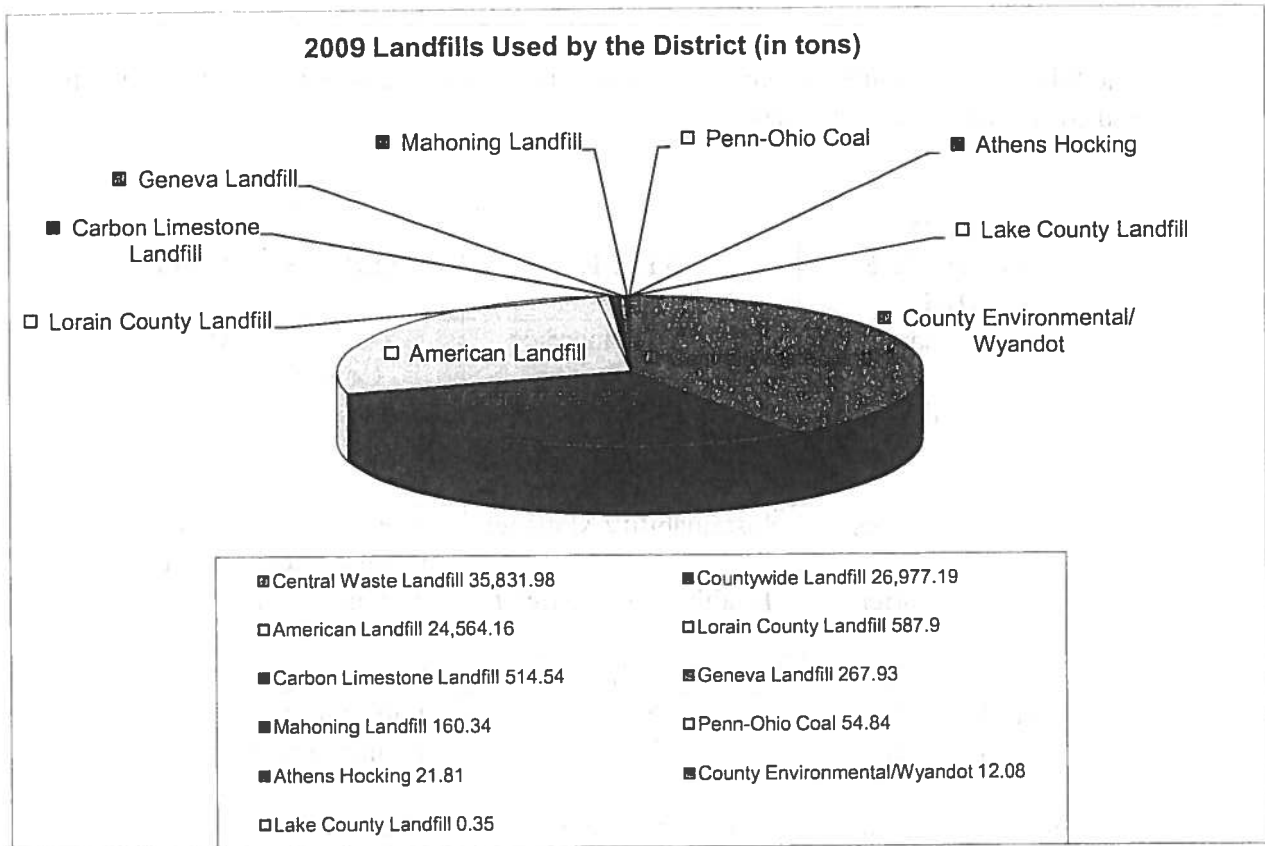
A Material Change in circumstances or any other deviation from the approved Plan Update will include changes to facility designations, flow control, changes to waste generation, a reduction in available landfill capacity, a reduction in District funding, changes to strategies for waste reduction and recycling, procedures to be followed for plan implementation or a delay in program implementation that would significantly affect the chances of achieving the District's goals. The District Policy Committee will evaluate the Plan Update on an annual basis to determine if a material change has occurred.

**B. Section III – Inventories**

Section III provides an inventory of facilities, programs and activities during the reference year of the Plan Update. The reference year for the Plan Update is 2009.

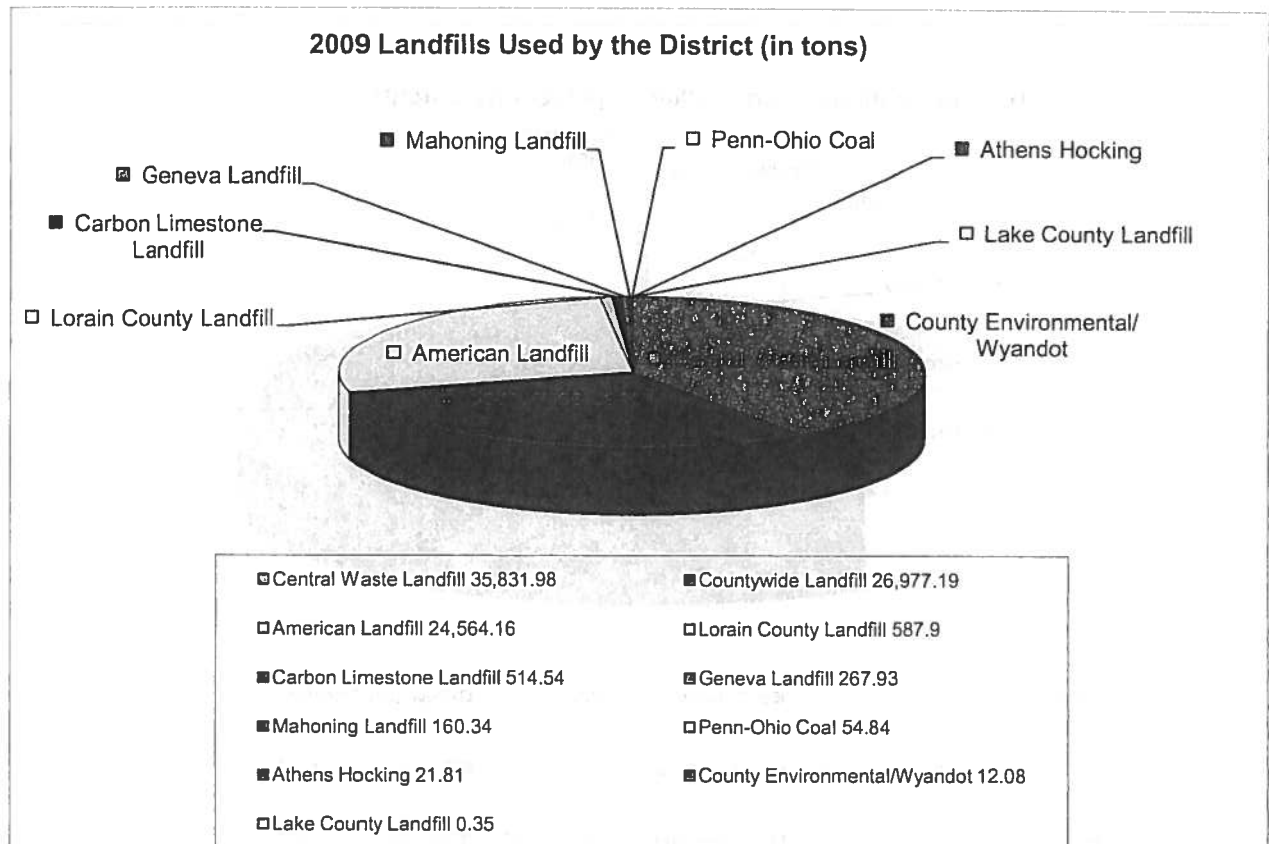
**1. Existing Solid Waste Landfills**

The collected Municipal Solid Waste collected in the Portage County Solid Waste Management District was transported to 11 area landfills that provided the required capacity for disposal. Approximately 132,231.24 tons of residential,



commercial, asbestos, exempt, CD/D and industrial waste was disposed in these landfills.

Disposal of solid waste in landfills was the primary method used to manage the District's waste stream. A Regional Capacity Analysis was performed to determine if sufficient capacity exists in the area landfills for the next nineteen years. The Regional Capacity Analysis is presented in Section VI.

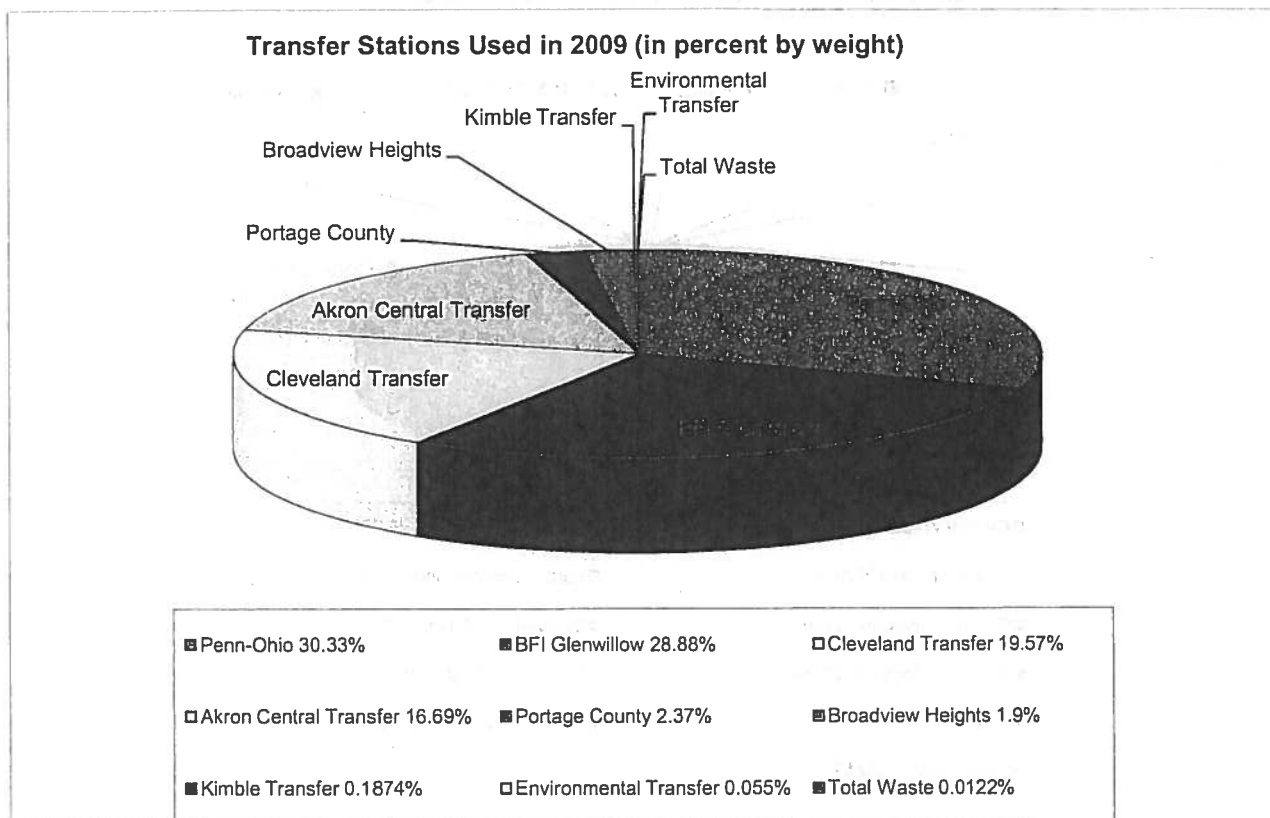


## 2. Existing Incinerators and Resource Recovery Facilities

The Portage County Solid Waste Management District does not have any incinerators or resource recovery facilities within the District. These types of facilities do not exist within a distance that makes them economically feasible for haulers to transport waste to these facilities.

## 3. Existing Transfer Facilities

The Portage County Solid Waste District owns and operates a licensed transfer station that currently serves as the District's Recycling Center. The District disposed approximately 1,024.25 tons of waste annually from the recycling efforts. This amount represents 0.77% of the total solid waste generated in 2009. The District may re-open the transfer station and flow control all solid waste generated in the District to this facility.



Nine transfer stations not in the District processed 43,238.12 tons of solid waste during 2009. The graph above depicts the amount of solid waste generated in the District that was first transported to a transfer station prior to final disposal at a landfill.

#### 4. Existing Recycling and Household Hazardous Waste Collection Activities

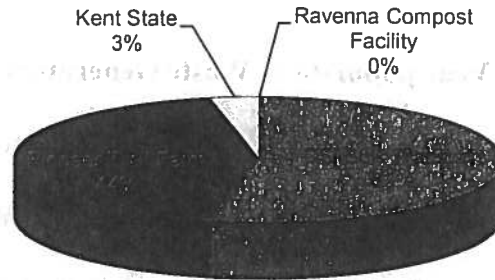
The Portage County Solid Waste Management District provides recycling services to all of the residences within the County. This service is either provided by a curbside or drop off location service. In 2009, the District's Recycling Center processed over 11,700 tons of materials that were sold to the secondary materials market. The recyclables are currently removed using primarily manual sorting at stations on a fiber line and a commingle line. The District separates corrugated cardboard, newspaper, mixed paper, glass (into 3 colors), tin, aluminum and PETE and HDPE plastic.

The District has 15 drop off locations that service communities that choose not to utilize a curbside service. The drop offs accept the same materials as the curbside service with the addition of 3-7 plastics.

In 2009, due to economic conditions, the District chose not to continue the acceptance of paint, pesticides, light bulbs and chemicals. The Household Hazardous Waste Program was ended and placed under evaluation to determine how to continue to serve the residents at a more economical cost.



### 2009 Yard Waste Facilities Used by the District (in tons)



■ DSI Bulk Transport 5,037   ■ Pioneer Trail Farm 4,143   □ Kent State 307   □ Ravenna Compost Facility 0

Within Portage County, several scrap dealers collect and process both ferrous and non-ferrous metals. Scrap dealers from surrounding counties accept the same materials from both commercial and industrial accounts in Portage County.

#### 5. Existing Composting/Yard Waste Management Facilities

The Portage County Solid Waste Management District does not operate a composting or yard waste site. Both municipal and commercial sites service the District. The graph above illustrates the yard waste/compost data for 2009.

#### 6. Existing Open Dumps and Waste Tire Dumps

There are no open dumps or waste tire sites in the District.

#### 7. Ash, Foundry Sand and Slag Disposal Sites

Currently there are no foundry sand/slag disposal sites within the District.

#### 8. Map of Facilities and Sites

A map of facilities and site locations has been included in Section III. A larger map is in Appendix E.

## **9. Existing Collection Systems-Haulers**

There were an unknown number of private sector haulers and no public sector haulers that provided Municipal Solid Waste collection service to the District in 2009. The District could not determine the numbers of haulers due to the Portage County Health Department losing its ability to register haulers. The District proposes to register haulers in this Plan Update.

## **C. Section IV-Reference Year population, Waste Generation and Waste Reduction**

Section IV presents statistics and programs operating in the reference year 2009.

### **1. Reference Year Population and Residential/Commercial Waste Generation**

In 2009, the population of Portage County was estimated at 157,530. This figure was obtained from the U.S. Census Bureau. The residential and commercial sectors of the County generated 132,264 tons of waste and 183,370.68 tons of recyclables. The average County resident generates an average of 11.09 pounds of waste per day based upon the residential/commercial waste generation figures.

### **2. Industrial Waste Generation**

The District sends an annual survey to all commercial and industrial entities within Portage County. A total of 13 responses were received out of 150 surveys mailed.

### **3. Exempt Waste**

Exempt waste is defined as construction and demolition debris that is not solid waste. In 2009, Portage County generated 16,971.52 tons of exempted waste.

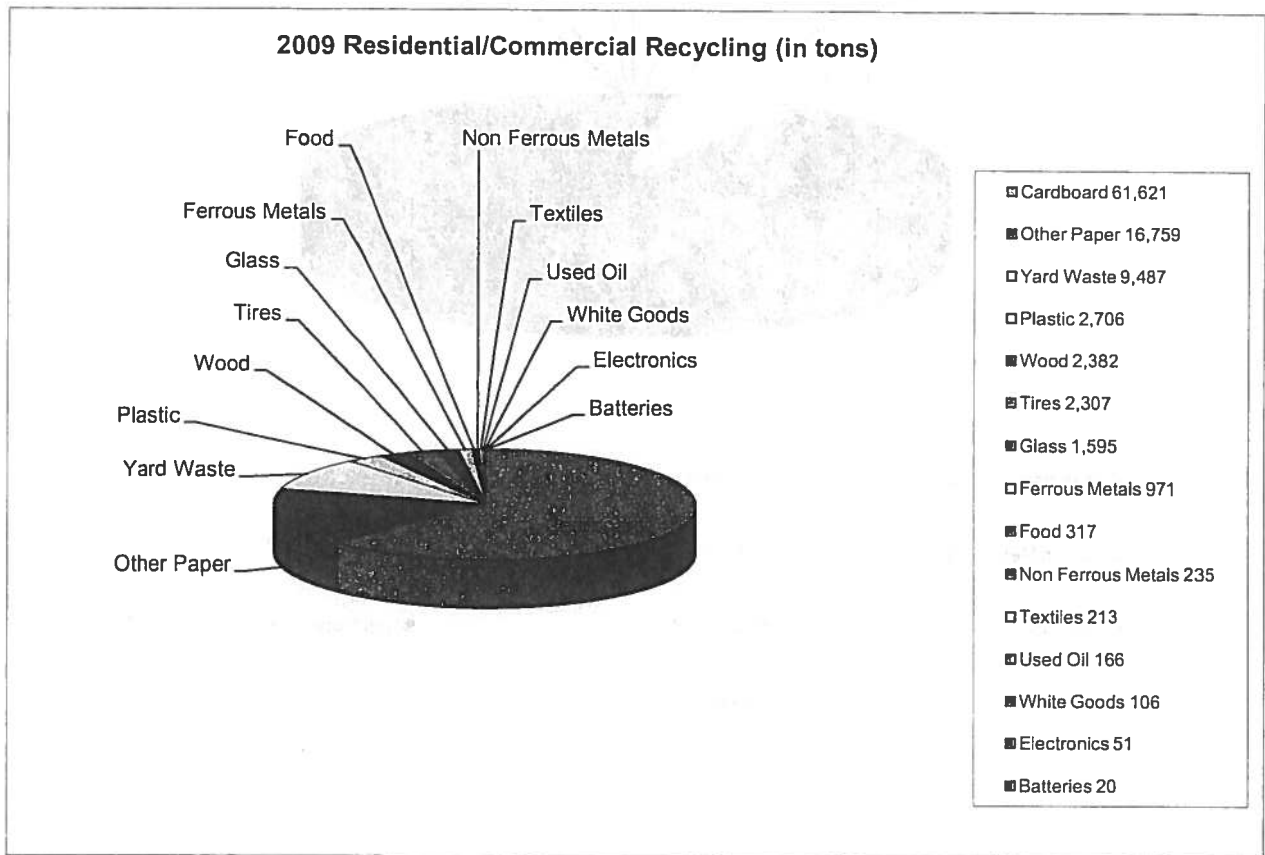
### **4. Total Waste Generation**

Table IV-4 Reference Year Total Waste Generation for the District, presents the total volumes of waste generated within the District. Using Ohio EPA data, the total volume of waste generated by the various sectors total 315,535 tons. This total included 203,602 tons from the Residential/Commercial sector, including 98,912 tons of recycling, 84,359 tons from the Industrial Sector, including 84,359 tons of recycling, and 19,292 tons of Exempted waste. This equates to average of 11.09 pounds per person per day of generated waste within the District.

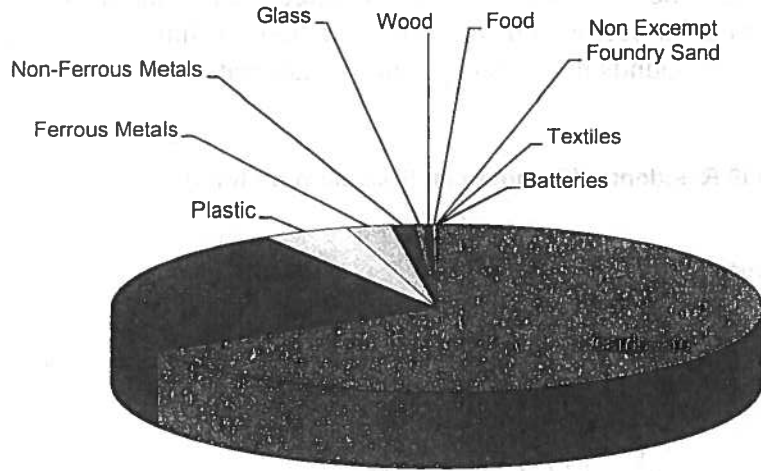
### **5. Reference Year Waste Reduction**

In 2009, the District recycled a total of 98,912.07 tons of residential/commercial material. The total included materials recycled by the residential/commercial sector 89,425.07 tons, compost facilities 9,487 tons and source reduction solid waste. The industrial sector recycled a total of 84,359 tons of materials in 2009.

The two graphs below portray the tonnages of materials recycled by the residential/commercial sector and the industrial base within the District. In 2009, data indicates that 11.09 pounds per person per day of generated waste within the District.



**2009 Industrial Waste Recycling (in tons)**



■ Cardboard 55,973	■ Other Paper 20,931	□ Plastic 3,650
□ Ferrous Metals 1,879	■ Non-Ferrous Metals 1,013	■ Glass 373
■ Wood 335	□ Food 148	■ Non Exempt Foundry Sand 30
■ Textiles 25	□ Batteries 1	

**6. Existing Waste Reduction/Recycling Activities for Residential/Commercial and Industrial Sector**

**RESIDENTIAL/COMMERCIAL RECYCLING PROGRAMS**

The District has established the following programs to increase recycling rates in Portage County.

- Recycling Center in Brimfield Township
- Fifteen (15) drop off locations in the County
- Lead Acid Battery Collection
- Community Clean up programs
- Appliance Collection
- Electronics Recycling
- Shredding program for sensitive documents

## **RESIDENTIAL/COMMERCIAL/INDUSTRIAL MARKET DEVELOPMENT PROGRAMS**

The Portage County Solid Waste Management District has begun the collection of 3-7 plastics at the drop off locations throughout the County. Currently two businesses that install new natural gas lines are now recycling the left over plastic parts from their work through the District. The District would like to expand this program to other areas of the residential/commercial and industrial sectors. However, the expansion of the program will depend upon the District's budget.

## **RESIDENTIAL/COMMERCIAL GRANT PROGRAMS**

The Portage County Solid Waste Management District received grant funding from the Ohio Department of Natural Resources in 2010 for the purchase of equipment. In 2009, the District received a grant from the Ohio Department of Natural Resources for the purchase of a new tow motor.

## **RESIDENTIAL/COMMERCIAL SECTOR EDUCATION AND AWARENESS PROGRAMS**

Education and community outreach programs utilized by the District in 2009 included the following:

- Recycling Center tours
- County Fair Booth for public awareness
- Speaker Bureau for civic groups, college students and schools
- Informational flyer and brochures
- District website
- West Branch State Park annual clean up
- Annual garden pot round up in conjunction with area nurseries

## **OTHER PROGRAMS**

The District utilized the following programs in 2009.

- Commercial/Industrial Survey
- Health Department Funding

### **7. Total Waste Generation: Historical Trends Plus Waste Reduction**

Prior to 2008, the District did not send out any questionnaires to determine the level of commercial and industrial recycling in Portage County. The surveys are now sent out on an annual basis. The data base for total waste reduction and a true understanding of waste disposal and recycling is now being developed through the surveys.

### **8. Reconciliation of Waste Reduction**

The District is using both historical trends and data from 2009 to determine the waste generated in Portage County. In 2009, the District generated 315,501.82 tons of waste.

This amount includes recycling and the waste disposal from all sectors. The residential/commercial sector generated 203,602 tons for an average of 7.16 pounds per person. The industrial sector generated 8,249.36 tons of waste for an average of 0.052 pounds per person.

## **9. Waste Composition**

The waste generated from the residential/commercial sector totaled 203,602 tons in 2009. The largest component was 104,690 of Municipal Solid Waste (MSW). This sector recycled a total of 98,912.07 tons of recyclables. The largest volume of material recycled during 2009 was cardboard (OCC) at 61,621.19 tons followed by other paper, which is comprised of office paper, newspaper and hard mix, at 16,759.27 tons. A total of 9,487 tons of yard waste was recycled in the District.

The industrial waste sector generated a total of 92,641 tons of material in 2009. A total of 8,382 tons was placed in landfills while a total of 84,359 tons of materials were recycled by this sector. A total of 55,972.97 tons of cardboard was recycled, while 20,931.13 tons of other paper was recycled by the County industrial sector.

## **D. Section V-Planning Period Projections and Strategies**

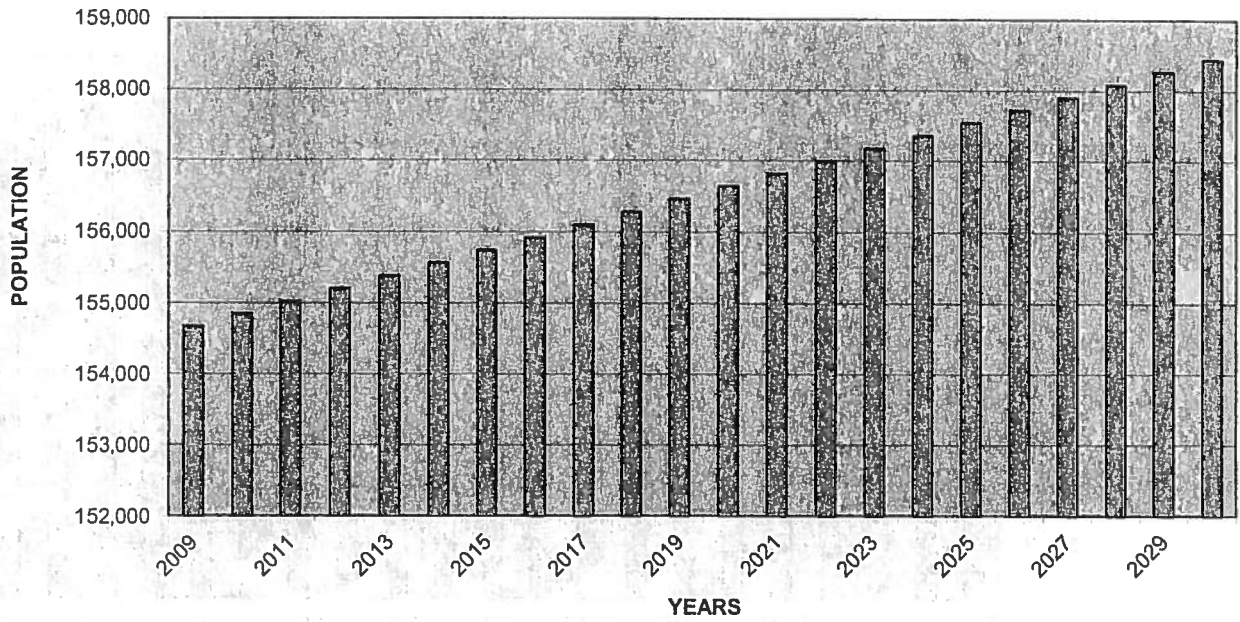
### **1. Planning Period**

Section V contains the projections for population, waste generation and recycling for the planning period (2009 to 2030). The District will address changes to existing programs and details about new programs.

### **2. Population Projections**

The population growth in Portage County is projected at a rate of 0.3% during the next 17 years. The following graph depicts the anticipated growth in population during the planning period.

### POPULATION PROJECTIONS 2009 TO 2030

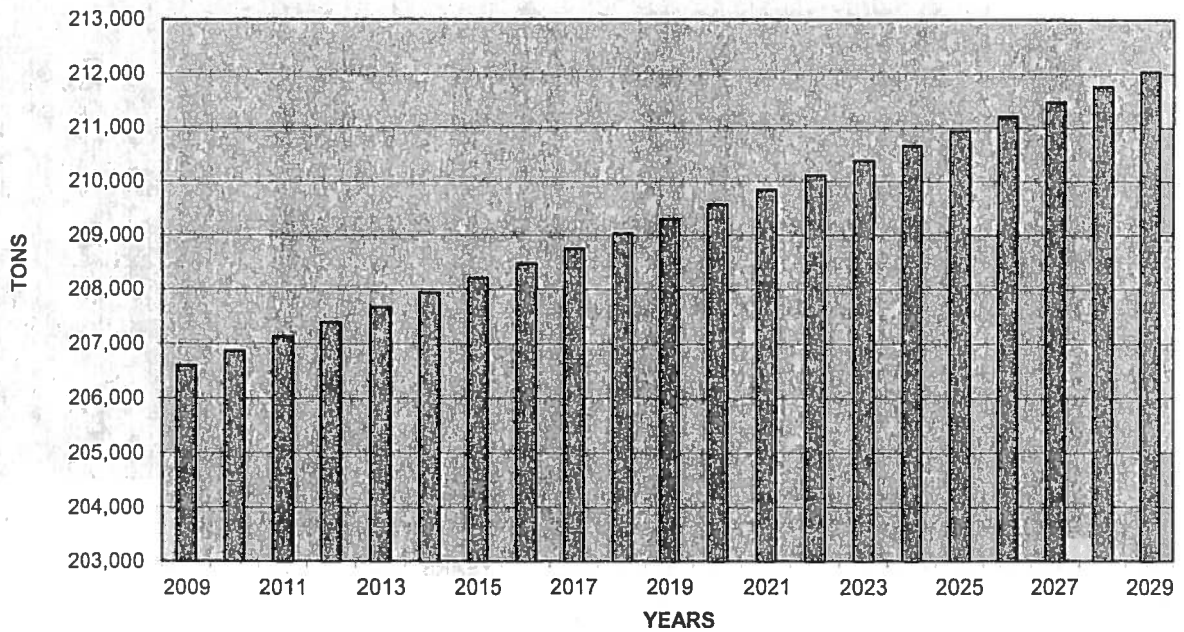


### 3. Waste Generation Projections

#### Residential/Commercial Sector

The total waste generated by this sector was 203,602 tons in 2009. The amount of waste generated by this sector is projected to increase during the planning period. The following graph illustrates the projected growth of waste generated by the Residential/Commercial sector.

### 2009-2030 RESIDENTIAL/COMMERCIAL WASTE PROJECTIONS

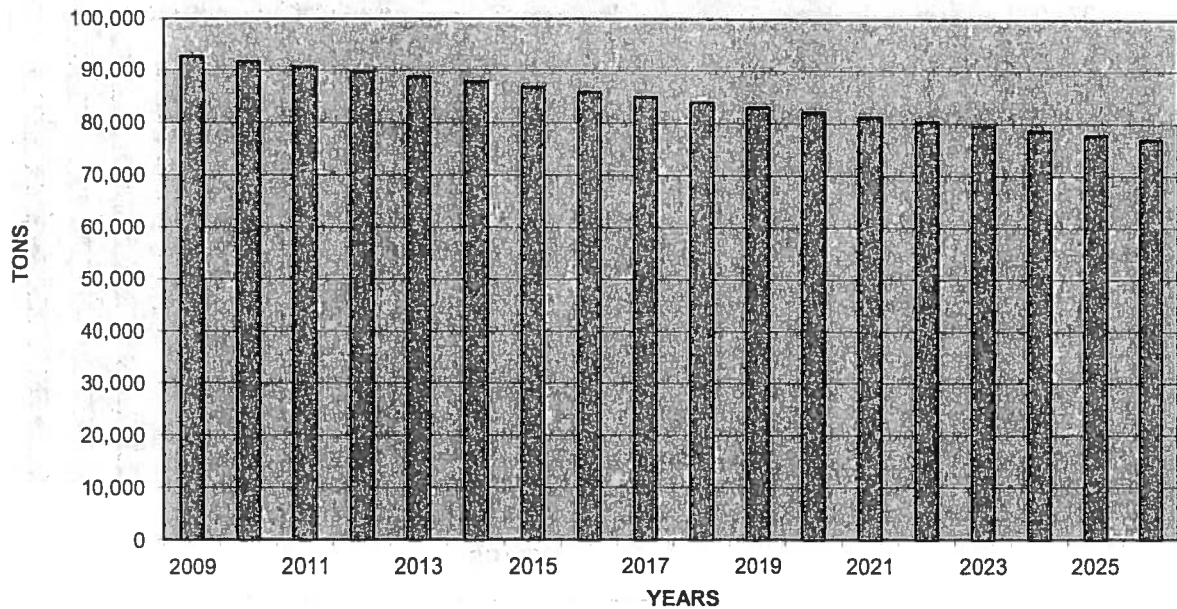


### Industrial Sector

This sector of waste generation is expected to decrease to the loss of the area industrial base. Industrial employment is projected to decline during the planning period. These projections are based upon information supplied by the Ohio Department of Jobs and Family Services Job Outlook for the Akron area.



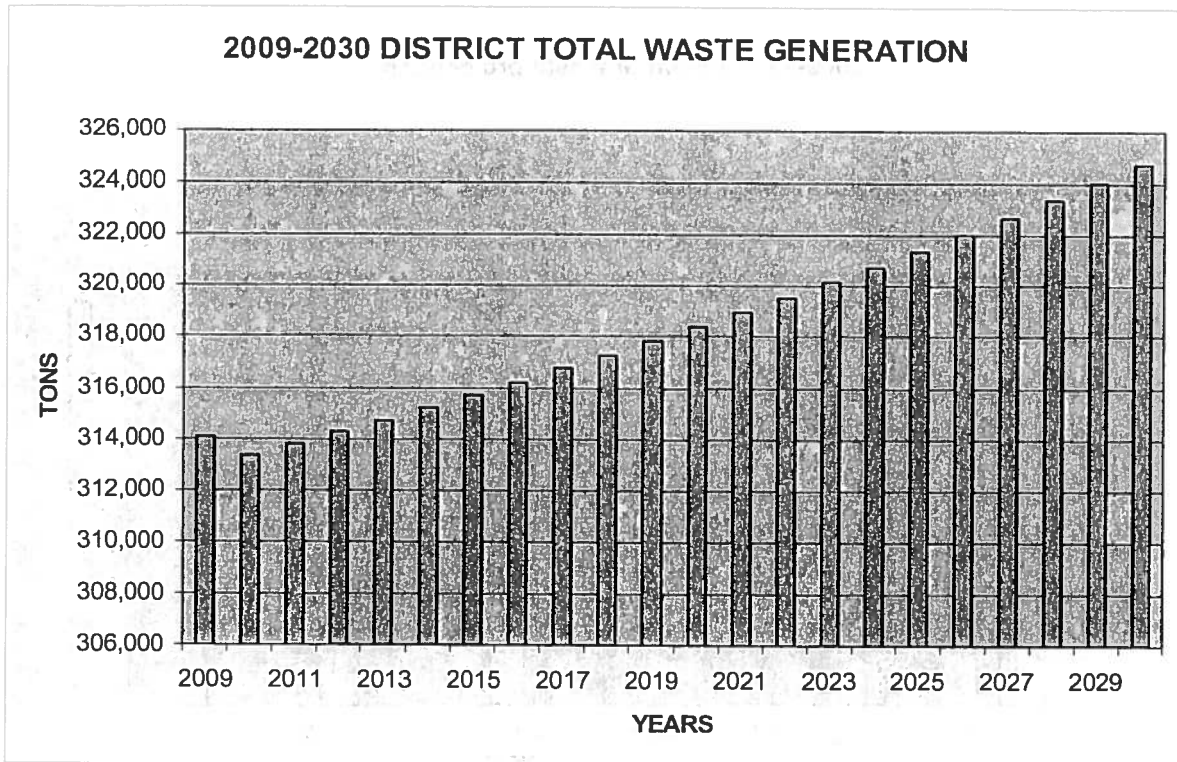
2009-2026 Industrial Waste projections



### Total Waste Generation

In 2009, the District had a total of 315,233.31 tons of waste was generated in Portage County from all sectors. The breakdown of this data shows that 196,073.05 tons from the residential/commercial sector and 102,188.74 tons from the industrial sector. A total of 16,971.52 tons of exempt waste was generated within the District.

The following graph illustrates the total volume of waste projected to be generated during the planning period from all sectors.



**4. Projections for Waste Stream Composition**

The District does not foresee any significant changes in the composition of the waste stream with the exception of newspaper. The trend of newspaper indicates a downward trend in the collection of news due to the smaller number of pages being printed and a movement to on line reading. Economic conditions can affect the amount of waste generated from major plant closure to less purchasing by consumers to increases in purchasing due to an improved economy.

**5. Waste Reduction and Recycling Strategies through the Planning Period**

The Portage County Solid Waste Management District will continue to develop strategies to reduce the amount of materials being placed in area landfills while directing these materials toward beneficial reuse. It is the District’s goal to comply with the goals established in the 2010 State Plan Update.

**Residential/Commercial Waste Reduction/Recycling and Education Strategies**

The District’s residential/commercial waste reduction strategies are outlined in Section 5. The District is projecting an increase of residential/commercial waste by 1.23% during the planning period. The reasons for the reduction are as follows:

- Continued education programs for the residential sector of the County
- Continued negotiations for entities that warrant the conversion from drop off locations to curbside service where population density warrants this strategy.

- Continued annual surveys sent to Commercial and Industrial entities within the County
- Population growth through the Plan Period Update
- The District's education program for the commercial and industrial sectors

The District's goal is to increase residential/commercial recycling from 98,912.07 tons in 2009 to 125,000 tons in 2027.

### **Residential/Commercial Recycling and Collection Programs**

The following programs will continue during the Plan Update period, these will be discussed in further detail in Section IV.

- PCRP 1 District Recycling Center
- PCRP 2 Curbside Residential Collection
- PCRP 3 Drop off locations throughout the County
- PCRP 4 Lead Acid Battery Collection
- PCRP 5 Scrap Tire Collection Events
- PCRP 6 Appliance Collection
- PCRP 7 Electronics Recycling
- PCRP 8 Household Hazardous Waste Management
- PCRP 9 Collection of Waste oil
- PCRP 10 Continuing to supply collection containers at special events

The following programs will be implemented during the Planning Period

- PCRP 11 CFL Collection and Disposal

### **Residential/Commercial/Industrial Grant Programs**

The District will continue to pursue grant funding from a number of sources during the Plan Period. These sources include the ODNR, Ohio Department of Development, USDA, etc.

- PCGP 1 ODNR Community Development grants and other sources

### **Residential/Commercial Education and Awareness Programs**

The District will continue to offer education and awareness programs to schools, civic groups and commercial entities as part of this program.

- PCEP 1 Education and Awareness Program

This program will be discussed in more detail in Section V.

## **Other Programs**

The following programs will continue during the Planning Period.

- PCOP 1 Health Department Funding
- PCOP 2 Equipment Replacement
- PCOP 3 Commercial/Industrial Surveys

These programs will be discussed further in Section V.

## **Other Facilities**

- Portage County Solid Waste Management District Transfer Station
- New Recycling Center

## **Industrial/Commercial Waste Reduction/Recycling and Education Strategies**

In 2009, the District's industrial amenities recycled 84,358.61 tons of materials. The District is anticipating a decline at an annual rate of 1.09%. This rate mirrors the projected annual decrease in industrial employment by the Ohio Department of Jobs and Family Services.

The following program will continue during the Plan Period.

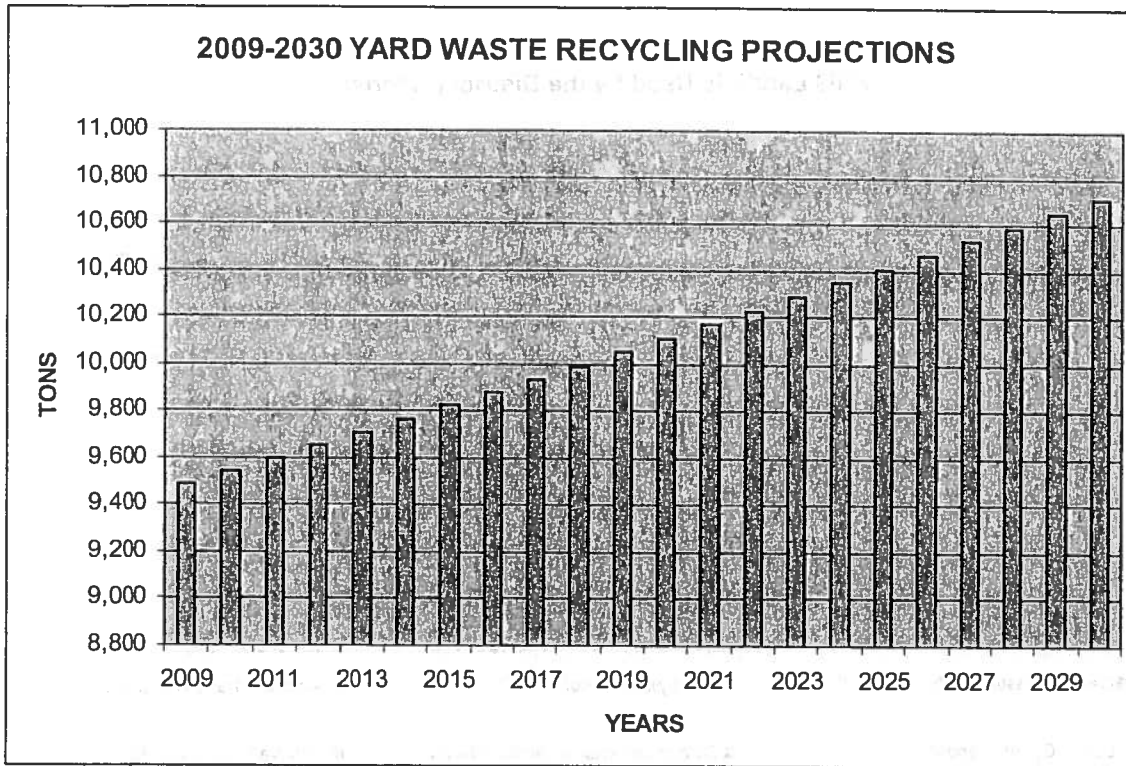
- PCIP 1 Industrial Sector Assistance

## **E. Section VI Methods of Management: Facilities and Programs to be Used**

Section VI presents the District's methods for managing the solid waste generated in the County. The District will include discussions on management methods, siting strategies and the demonstration of capacity for the planning period.

### **1. District Methods for Management of Solid Waste**

The following graphs illustrate the projected residential/commercial landfill disposal, industrial landfill disposal and yard waste forecast for these sectors during the planning period.



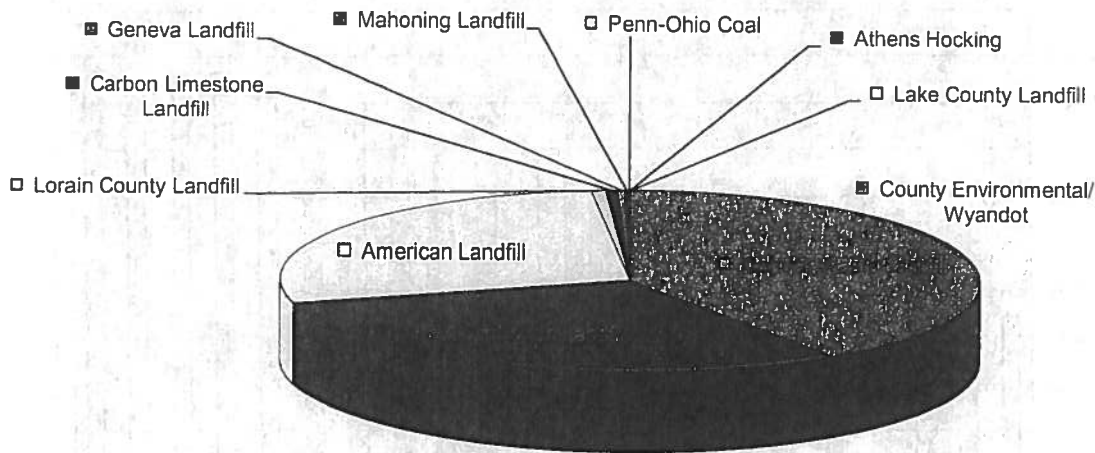
## 2. Demonstration of Access to Capacity

During 2009, the District's 132, 231.24 tons of waste was managed by 10 area landfills and 9 transfer stations. This total encompasses all residential, commercial, industrial and exempt waste. The District does not have any open landfills.

### Regional Capacity Analysis

The District has analyzed the existing capacity of the area landfills to ensure that sufficient capacity is available to accept the MSW generated within Portage County. The analysis shows that landfills have sufficient permitted capacity to accept the MSW during the planning period. The following graph illustrates the annual distribution of MSW between the area landfills.

**2009 Landfills Used by the District (in tons)**



■ Central Waste Landfill 35,831.98	■ Countywide Landfill 26,977.19	□ American Landfill 24,564.16
□ Lorain County Landfill 587.9	■ Carbon Limestone Landfill 514.54	■ Geneva Landfill 267.93
■ Mahoning Landfill 160.34	□ Penn-Ohio Coal 54.84	■ Athens Hocking 21.81
■ County Environmental/Wyandot 12.08	□ Lake County Landfill 0.35	

The Portage County Solid Waste Management District signed a two (2) year agreement with Republic Waste Services to accept all of the waste generated from the Recycling Center. Private haulers transport MSW and industrial waste to area landfills or transfer stations of their choosing provide service for the remainder of the County

The District has a projected need to dispose of an average of 298,270 tons or 596,540 cubic yards annually during the planning period. The District's MSW and industrial generation will require a capacity of 5,070,588 tons or 10,141,176 cubic yards of available space during the nineteen (19) year planning period. If a 2:1 ratio for compaction is utilized, the District's MSW requires a total 5,070,588 cubic yards of air space for the planning period.

LANDFILLS WITH SUFFICIENT CAPACITY		
LANDFILL	REMAINING CAPACITY CUBIC YARDS	YEARS REMAINING
Carbon Limestone	28,576,239	25.8
American Landfill	84,605,983	73.8
CountyWide Landfill	44,453,075	37.7
Kimble Sanitary Landfill	42,390,273	77.4
TOTALS	200,025,570	214.7

Using the aforementioned calculations, and the remaining area landfill capacity, the District has demonstrated the access to landfill capacity has been achieved for the planning period.

### 3. Schedule for Facilities and Programs: New, Expansions and Closure Calculations

Table VI-5, Implementation Schedule for Facilities, Strategies, Programs and Activities: Dates and Description, presents descriptions and dates of operation for each facility, program or activity presented in this plan update.

The current programs, curbside recycling, drop off recycling, lead acid battery recycling, the District's Recycling Center, scrap tire collection events, electronics recycling, waste oil collection appliance collection and other programs are presented in Table VI-5. The programs are discussed in detail in Sections IV and V.

### 4. Identification and Designation of Facilities

The programs and designated facilities listed in Tables VI-4A through I-4E are planned to provide waste management services throughout the planning period. Table VI-6 indicates the current facility designation used by the District.

### 5. Authorization Statement to Designate

The Board of District Commissioners is authorized to establish facility designations in accordance with Section 343.014 of the Ohio Revised Code. The facility designation will be established and governed by the applicable district rules.

Table VI-6, "Facilities and Current Designations" specifies the facilities where solid waste generated within the District or transported into the District will be taken to for disposal, transfer resource recovery or recycling. Pursuant to Sections 343.01 and 343.013 of the ORC, the designate the Portage County Solid Waste Management District Transfer Station and other facilities listed in Table VI-6. A resolution designating these facilities is included in Appendix I.

## COMPLIANCE PROGRAM

The following compliance program is adopted to guarantee compliance with the District's designation of facilities.

1. This plan requires that all solid waste generated within the District must be collected, transported and disposed of using one of the two following options:
  - A. All solid waste must be collected, transported and delivered to the Portage County Solid Waste Management District Transfer Station or to any transfer station or landfill that is a District designated facility prior to disposal in any Ohio landfill; or
  - B. Solid waste generated within the District may be collected, transported and delivered directly to any out-of-state solid waste management facility.
2. The District will actively seek to confirm that each hauler is transporting and delivering all solid waste collected within the District's boundaries to the District's Transfer Station or to an out-of-state solid waste management facility.
3. To promote to all haulers to voluntarily comply with this plan, the District will actively seek to ensure that the Transfer Station is being operated at optimum efficiency that may result in lower tipping fees charged to all users of the Portage County Transfer Station. If this option is determined by the District Board of Commissioners as being in the best interests of the citizens of Portage County.

### **6. Waiver Process for the Use of Undesignated Facilities**

The Portage County Solid Waste Management District's waiver process is discussed in detail in both scope and context in Section VI.

### **7. Siting Strategy for Facilities**

The District's siting strategy is discussed in detail in Section VI.

### **8. Contingencies for Capacity Assurance and Authority Program Implementation**

The Portage County Solid Waste Management District has identified several solid waste disposal facilities that are available to manage the District's MSW. Currently, the District has a contract with Countywide Landfill to accept the MSW from the District's Recycling Center.

During the twenty years of the District's Plan Update, the recyclables and solid waste market will fluctuate. The District will continue the practice of not signing any long-term agreement for the sale of recyclables. However, the District will sign contracts for the acceptance of the MSW from the Transfer Station with owners of an area landfill.



**F. Section VII-Measurement of Progress Toward Waste Reduction Goals**

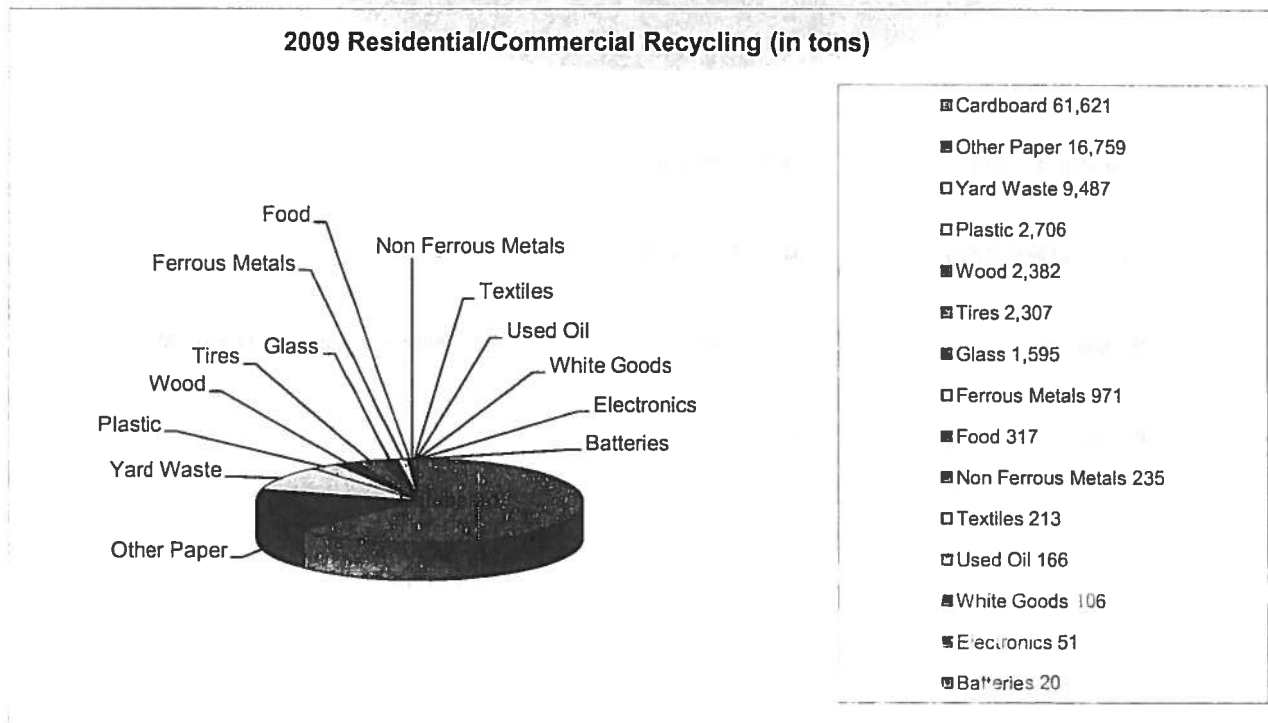
**Compliance with Goal #1**

The District currently is in compliance with Goal #1 which is Access. The District is required to demonstrate access in excess of 90% of Portage County residents live within a certain radius of recycling opportunities. The District will continue to pursue opportunities to convert drop off locations into curbside recycling where population figures warrant.

**Targets for Reduction and Recycling**

**A. Residential and Commercial Sectors**

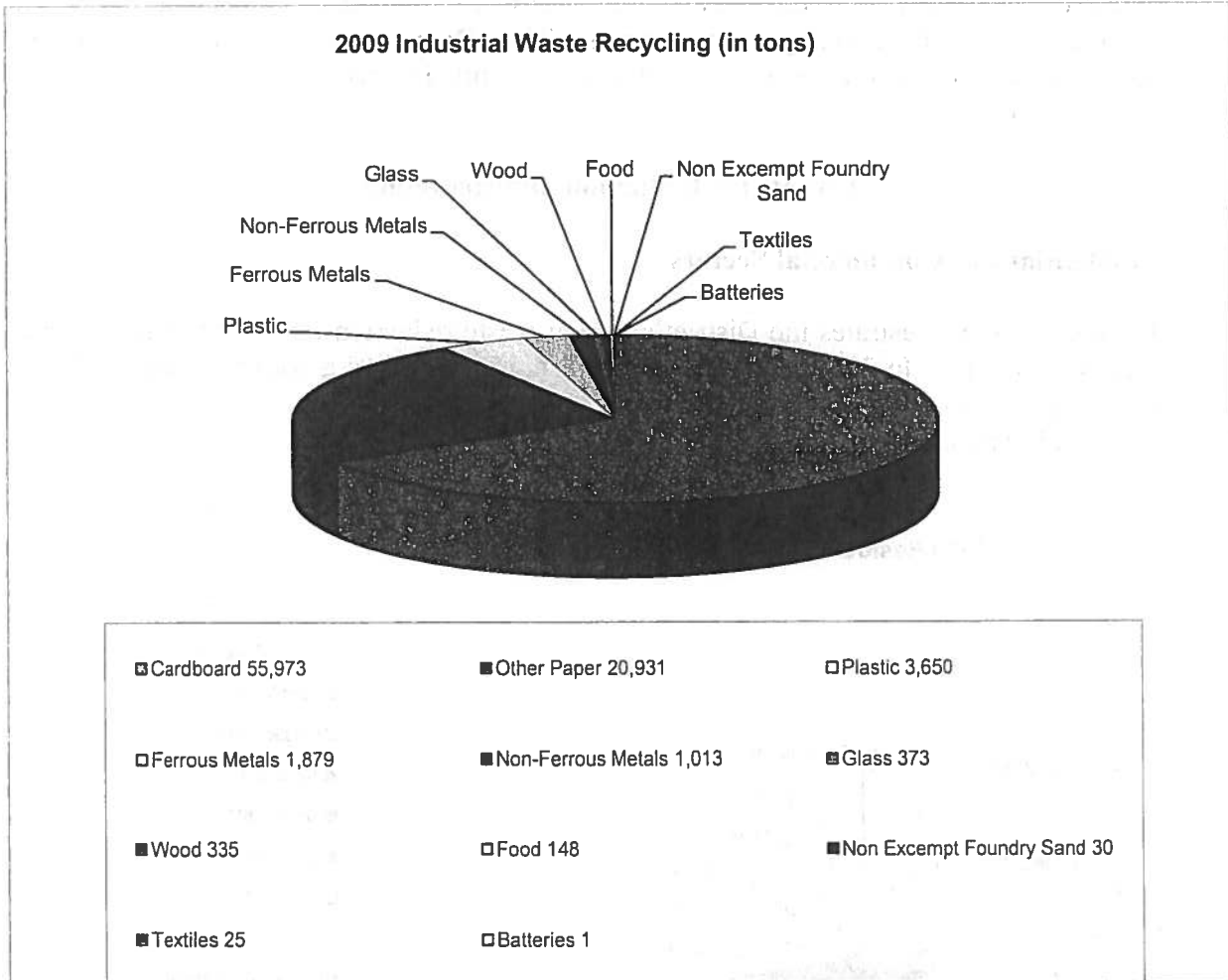
The chart below illustrates the District’s annual waste reduction rates for residential and commercial waste. In 2009 the reference year, the District had a reduction rate of 50%. The District is projecting this rate to climb to 65% during the planning period.



**B. Industrial Sector**

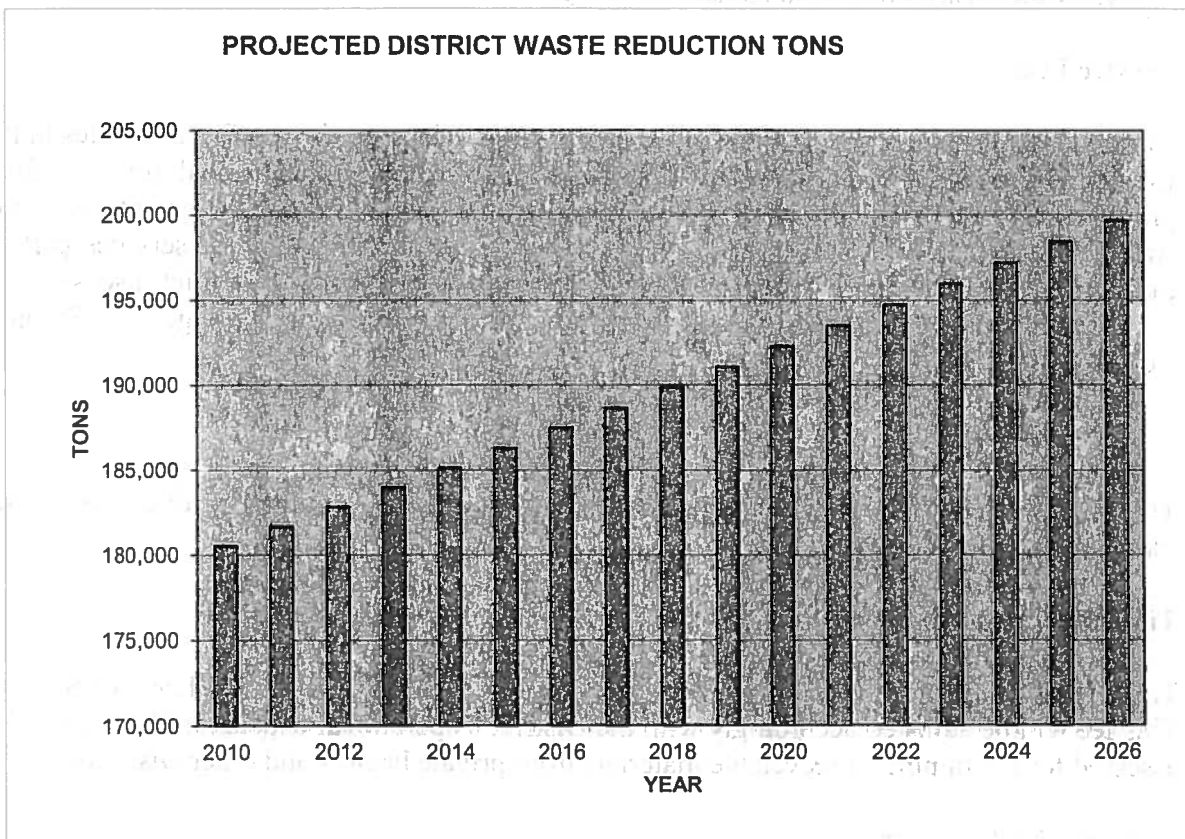
The chart below represents the District’s industrial waste reduction figures from the reference year of 2009 to the end of the planning period. The District is targeting this sector as well to increase recycling of materials. While the industrial base of Northeast continues to decline, it is the belief of the District that the recycling rate for this sector can be increased with proper

education and opportunities to divert more non-traditional materials from the area landfills. The subsequent graph illustrates the District's goals for industrial recycling within the County.



**C. Total District**

The chart below illustrates the projected total District wide recycling rate for the planning period. In 2009, the District demonstrated a reduction rate of 58%. The District believes that by pursuing an aggressive plan to convert drop off locations to curbside recycling, converting to single stream MRF, diverting non-traditional materials from the industrial base and assisting the commercial and industrial sectors with recycling this rate can increase to 65% by the end of the planning period. The graph below illustrates the projected District wide recycling rate through the planning period by year.



## **G. Section VIII-Cost of Financing Plan Implementation**

### **A. Funding Mechanisms**

#### **Sale of Recyclables**

The District's MRF currently generates about 33% of the funding required to meet various expenses incurred during normal operations. The District anticipates the amount received from the sale of recyclables to increase with the conversion to single stream recycling. Currently the District uses dual stream recycling.

#### **Service Fees**

Currently the District provides curbside and drop off services for the municipal entities in the County. The District currently receives approximately 33% of its annual revenue from providing this service. The District has expanded into public/private agreements with the waste haulers that service Portage County. In one agreement, the District services part of Summit County providing recycling services as a subcontractor. The District also services both commercial and industrial entities with recycling services in Portage and Summit Counties.

#### **Generation Fee**

The District does not foresee a change in the generation fee during the next five years of the Plan Update.

#### **Tip Fees**

The District will investigate the charging of a tip fee of \$10-40/ton at the Transfer Station. This fee will be adjusted accordingly with the District's operational expenses. The fee will be assessed for the tipping of recyclable materials from private haulers and other Districts.

#### **Commercial Accounts**

The District currently services over 180 commercial accounts for the collection of recyclables. The District anticipates expanding this service during the Plan Update period.

## **2. Cost of Plan Implementation**

The District currently has no operating solid waste facility in the District and consequently relies upon four sources of income: Generation Fees, Sales of Recyclables, Curbside Collection Billing, and Grants. A spreadsheet is provided that outlines a Department budget including projected income, recycling processing volumes, and programming funding levels for the twenty year program period. This section also includes a Funding Priority Protocol to be used as a guidance tool for future programming funding analysis. As a contingency, the

District anticipates accumulating a fund balance to be used during times of depressed recycling markets.

### **3. Funds Allocated from ORC 3734.57 (B), ORC 3734.572 and ORC 3734.573**

### **4. Contingent Funding**

In this Plan Update, the District will be establishing a Contingency Fund to ensure that in the event of the collapse of the sale of recyclables market, a major equipment failure or another source of revenue has a dramatic decline for an extended period of time. The District anticipates establishing a fund balance of \$1,500,000.

### **5. Summary of Revenues and Expenses**

Table VIII-8 presents a summary of District Revenues and Expenditures and the annual costs for the programs the District will carry out during the planning period. The District's expenditures are also illustrated for the planning period.

Due to the recent economic conditions and the volatility of the recyclables markets, the District Board of Commissioners and Policy Committee have determined that a reserve fund be established with a minimum of \$1,500,000. The reserve fund will allow the District to have sufficient funds to continue to provide services during an interruption of revenue or an unexpected expense.

The District will at this time reserve the right to adjust funding levels of programs due to cost and revenue constraints during the planning period.

## **A. Section IX-District Rules**

### **1. Existing Rules**

The District recapitulates existing rules that are currently being utilized at the time of the reference year. During the planning period, the District may exercise its rights under ORC 3734.53(C) to adopt rules under subsection (G) of Section 341.01 of the ORC after the adoption of this plan update. During the planning period, conditions or situations may present themselves that will require the District to exercise these rights.

### **2. Proposed New Rules**

The District will exercise the right to flow control all MSW generated in the District to the Transfer Station at 3588 Mogadore Road, Kent, Ohio 44240, if the District Board of Commissioners determines this option to be in the best interests of the residents of Portage County. However, this option would only be exercised in the event that all of the landfills in Northeast Ohio would close, making the private hauler transportation expense a hardship to the residents of Portage County.

## Definitions

**“Applicant”** means a person proposing to construct or modify a solid waste facility that requires a determination by the Portage County Solid Waste Management District Board of Commissioners that a proposal to construct or modify a solid waste facility complies with the Solid Waste District Plan; or a person requesting a waiver by the Board from application of a rule adopted by the Board or from the obligation to deliver solid waste generated with the District to a designated solid waste facility.

**“Board”** and **“Board of Directors of the District”** means the Portage County Solid Waste Management District Board of Commissioners in Portage County, Ohio acting in its capacity as the Board of Commissioners of the District.

**“Charitable Organization”** means any tax-exempt religious, educational, veterans, fraternal, sporting, service, nonprofit medical, volunteer rescue service, volunteer firefighters, senior citizens historic railroad education, youth athletic, amateur athletic, or youth athletic park organization as such terms are defined in Revised Code Chapter 2915. An organization is tax-exempt if the organization has received from the Internal Revenue Service a determination letter that currently is in effect stating that the organization is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3), 501(c)(4), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code.

**“Designated Solid Waste Facility”** means those solid waste facilities designated in the initial or amended Plan or as may hereafter become designated pursuant to Sections 343.013, 343.014, or 343.015 of the Ohio Revised Code.

**“District”** means the Portage County Solid Waste Management District operated under the direction of the Board of Commissioners. Includes all territory within Portage County.

**“Electronic Waste”** or **“E Waste”** means unwanted electronic appliances and devices, including but not limited to: computers, monitors, fax machines, copy machines, televisions, stereo/audio equipment, phones, cellular phones, personal digital assistants (PDAs), game consoles, video recorders, and electronics from commercial and industrial sources.

**“Facility”** or **“Facilities”** or **“Solid Waste Facility or Facilities”** means any site, location, tract of land, installation, or building used for incineration, composting, transferring, sanitary landfilling, or other method of disposal of solid waste; the collection, storage, or processing of scrap tires; and includes any solid waste disposal facility, solid waste energy recovery facility, solid waste composting facility, solid waste transfer facility, solid waste recycling facility, legitimate recycling facility, or resource recovery facility including solid waste facilities as defined in Section 6123.01 of the Revised Code.

**“General Plans and Specifications”** means that information required to be submitted to the Board for review for the construction or modification of any proposed solid waste facility and includes, but is not limited to, a site plan for the proposed solid waste facility, architectural drawings or artist’s renderings of the proposed solid waste facility, the projected size and capacity of the proposed solid waste facility and all other information required by the siting strategy contained in the Plan.

**“Generator”** means a person who produces or creates solid waste.

**“Generation Fee”** means a fee established pursuant to section 3734.573(A) of the Revised Code and assessed upon each ton of solid waste generated within the District.

**“Hazardous Waste”** means solid waste, which, because of its listing, composition, or characteristics is a hazardous waste (as defined in the Resource Conservation and Recovery Act, 42 U.S. Section 6901 et seq., as amended including, but not limited to, amendments thereto made by the Solid Waste Disposal Act Amendments of 1980) and related federal, state, and local laws and regulations pertaining to the identification, treatment, storage, or disposal of toxic substances or hazardous wastes; as any of the foregoing is from time-to-time amended or replaced.

**“Legitimate Recycling Facility”** means an engineered facility or site where recycling of material other than scrap tires is the primary objective of the facility, including: (a) Facilities that accept only source separated recyclable materials, except scrap tires, and/or commingled recyclable materials which are currently recoverable utilizing existing technology; and (b) facilities that: (i) accept mixed or source separated solid waste; (ii) recover for beneficial use not less than sixty percent (60%) of the weight of solid waste brought to the facility each month (as averaged monthly) for not less than eight (8) months in each calendar year, and (iii) dispose of not more than forty percent (40%) of the total weight of solid waste brought to the facility each month (as averaged monthly) for not less than eight (8) months in each calendar year.

**“Modify” or “Modification”** means a change in the operation of an existing in-District solid waste facility that requires the approval of the Director of the Ohio Environmental Protection Agency; or, that involves a change in the type of material, manner of operation, or activities conducted at the solid waste facility.

**“Person”** means a natural person, partnership, association, firm, corporation, Limited Liability Company, Municipal Corporation, township, government unit, or other political subdivisions.

**“Plan”** means the solid waste management plan of the District approved by the Director of the Ohio Environmental Protection Agency dated December 1993 and as may be amended or updated from time-to-time.

**“Processed Infectious/Pathological and Biologic Waste”** means a portion of solid waste consisting of infectious/pathological or biologic waste, which has been rendered non-infectious by sterilization, incineration, or other equally effective processing technique.

**“Process” or “Processed”** means incineration for resource recovery of solid waste or removal of recyclable materials other than source separation at a designated solid waste facility.

**“Processing Facility”** means a permanent and approved processing center approved by the Solid Waste District Commissioners which can receive, weigh, report, sort, separate and deliver to market the goods received.

**“Recyclable Material(s)”** means solid waste that is, or may be, collected, sorted, cleansed, treated, and reconstituted for return to commerce. Recyclable materials include, but are not limited to; corrugated cardboard, office paper, newspaper, glass containers, steel containers,

aluminum containers, plastic containers, wood packaging, and pallets, lead-acid batteries, major appliances, electronic devices, and yard waste.

**“Recycle”** or **“Recycled”** or **“Recycling”** means the process of collecting, sorting, cleansing, treating, and reconstituting solid waste that would otherwise be disposed in a solid waste disposal facility and returning the reconstituted materials to commerce as commodities for use or exchange.

**“Recyclable Material Collection Service”** means the process, system or **“Recycling Services”** means the collection, transportation, and delivery for processing of solid waste recyclable materials.

**“Rule”** means the action of the Board in promulgating, adopting, and publishing such action as a rule of the authority as reserved in the Plan and authorized by Sections 343.01 (G) and 3734.53 of the Revised Code, as now existing or hereafter amended.

**“Sanitary Landfill”** means a permitted and licensed sanitary landfill approved by the Director of the Ohio Environmental Protection Agency to accept solid waste.

**“Solid Waste”** shall be defined as having the same definition as set forth-in Ohio Revised Code Section 3734.01 as it currently exists and as it may be amended hereafter. Notwithstanding the foregoing, the term SOLID WASTE shall include but is not limited to industrial, commercial, and residential garbage, tires, combustible and non-combustible material, street dirt and debris, and shall include construction and demolition debris and other exempt waste.

**“Solid Waste Collection Service”** means the process, system, or service, of collecting solid waste and/or recyclables from a generator.

**“Solid Waste Collection Facility”** means any site, location, tract of land, installation, or building used for collection of solid wastes including recyclable materials.

**“Solid Waste Composting Facility”** means any site, location, tract of land, installation, or building used for composting solid wastes where the owner or operator has met all registration, licensing, or permitting requirements of rule 3745-27-41 of the Administrative Code.

**“Solid Waste Disposal Facility”** means any site, location, tract of land, installation, or building used for incineration, composting, sanitary landfilling, or other approved methods of disposal of solid waste.

**“Solid Waste Energy Recovery Facility”** means any site location, tract of land, installation, or building where solid waste is used as, or the owner or operator of the solid waste energy recovery facility intends to use solid waste as a fuel to produce energy, heat, or steam.

**“Solid Waste Facilities”** include solid waste disposal facilities, energy recovery facilities, resource recovery facilities, composting facilities, transfer facilities, legitimate recycling facilities, recycling facilities, and collection facilities.



**“Solid Waste Recycling Facility”** means any site, location, tract of land, installation, or building used for recycling solid waste. Including collection, processing, and/or storage.

**“Solid Waste Resource Recovery Facility”** means solid waste energy recovery facilities, legitimate recycling facilities, and solid waste recycling facilities.

**“Solid Waste Transfer Facility”** means any site, location, tract of land, installation, or building that is used or intended to be used primarily for the purpose of transferring solid wastes that were generated off the premises of the facility from vehicles or containers into other vehicles for transportation to a solid waste disposal facility.

**“Source Separate” or “Source Separation”** means the process of separating, or the separation of solid waste, including yard waste or recyclable materials by the generator at the location where generated for recycling.

**“Source Separated Recyclable Materials”** means solid waste recyclable materials that are separated from other solid waste at the location where generated.

**“Special Handling Waste”** means a portion of solid waste which consists of sludge, processed infectious/pathological or biologic waste, ash residue, contaminated soil, and other materials requiring additional handling or treatment prior to disposal.

**“Solid Waste Transporter (SWT)”** shall be defined as a person or company who engages in the enterprise of collection, transportation by truck, or other hauling vehicle that uses the public roadways, and unloading of solid waste, and recyclables, and who possesses all required licenses and registrations from local, state, and federal governmental entities and authorities as appropriate and relevant.

**“White Goods”** means a portion of solid waste consisting of large appliances (i.e. weighing more than fifty (50) pounds) including the following: (i) air conditioners; (ii) clothes and drying machines; (iii) dish washers; (iv) furnaces and electric heaters; (v) hot water heaters; (vi) refrigerators and freezers; (vii) stoves, ovens, cook surfaces, and microwave ovens; and (viii) residential trash compactors.

**“Yard Waste”** means all garden residues, leaves, grass clippings, shrubbery, and tree pruning or cuttings less than one-quarter inch in diameter, and similar material.

**Rule 1 – 2010: Delivery of Solid Waste to Designated Facilities**

Except as otherwise permitted by Rule, no person shall deliver, or cause the delivery of, any solid waste generated within the District or transported into the District to any solid waste facility other than a designated solid waste facility by the District

**Rule 2 – 2010: Delivery of Recyclable Materials Generated Within or Transported into Jurisdiction of the District**

All source separated recyclable materials shall be delivered for recycling to a designated solid waste recycling facility, designated legitimate recycling facility, or designated resource recovery facility.

**Rule 3 – 2010: Acceptance of Source Separated Recyclable Materials**

No person, other than a person operating a solid waste recycling facility, legitimate recycling facility, or resource recovery facility, may accept source separated recyclable materials from a generator unless such solid waste recycling facility, legitimate recycling facility, or

resource recovery facility is designated by the Board. This rule shall not apply to a charitable organization.

**Rule 4 – 2010: Prohibition on Disposal of Source Separated Solid Waste Recyclable Material**

No person shall deliver source separated recyclable materials for disposal at a solid waste disposal facility without the prior written consent of the District Board of Commissioners.

**Rule 5 – 2010: Prohibition on Disposal of Processed Solid Waste Recyclable Material**

No person, without the prior written consent of the Board, shall deliver for disposal at a solid waste disposal facility, solid waste recyclable material that has been separated, processed, or recycled at a solid waste recycling facility, legitimate recycling facility, or resource recovery facility.

**Rule 6 – 2010: Delivery of White Goods**

No person shall deliver any white goods for disposal or recycling except as in compliance with the Code of Federal Regulations, 40 CFR 82.152-156.

**Rule 7 – 2010: Waiver from Designation**

Any person or applicant may request a waiver from the Board authorizing the delivery of all or any portion of the solid waste generated within the District to a solid waste facility other than a designated solid waste facility. The Board may grant a waiver from the obligation to deliver solid waste generated within the District to a designated solid waste facility if the Board finds issuance of a waiver for the solid waste, the subject of the waiver request: (a) is not inconsistent with projections contained in the Plan; (b) will not adversely affect the implementation and financing of the Plan pursuant to the implementation schedule contained in the Plan; and (c) assures the maximum feasible utilization of existing in-District designated solid waste facilities. Any person or applicant who submits a waiver request pursuant to this rule shall submit documents and information for consideration by the Board that support the issuance of the requested waiver. Any waiver granted by the Board shall be the subject of a waiver agreement between the Board and the applicant setting forth the terms of such waiver and waiver fee, if any.

**Rule 8 – 2010: Registration of Solid Waste Transporters**

All solid waste transporters, as defined in district definitions doing business within the borders of the Portage County Solid Waste Management District shall register with the District on an annual basis. Registration will be on forms provided by the District and must be completed in full. Solid waste transporters shall update registration information annually or as requested by the District.

**Rule 9 – 2010: Commingled Loads Hauled by Registered Solid Waste Transporters**

Registered solid waste transporters will be permitted to combine waste or recyclables generated within the jurisdiction of the District Director with any other solid waste districts as defined by the ORC 343 under the following conditions;

- Register with the District.
- The hauler identifies the areas of service where commingling will exist.
- The percentage of the route that represents material collected in Portage County.
- The hauler identifies which landfill or transfer station the material is transported to for disposal. This allows the District to verify information supplied to the District Director.

- The hauler sends a monthly report to the District Director to report volumes and any changes to the collection route.
- The hauler will receive written permission from the District Director.
- The hauler will lose this ability if found guilty in a court of law for not properly identifying material collected from Portage County.

**Rule 10 – 2010: Enforcement**

The violation or threatened violation by any person, municipal corporation, township, or other political subdivision of any rule promulgated by the Board pursuant to this Plan or amended Plan shall be referred to the Portage County Prosecuting Attorney who shall take such action as may be authorized by Ohio law including, but not limited to, Sections 343.03 and 343.99 of the Ohio Revised Code.

**Rule 11 – 2010: Adoption: Savings Clause**

- A) Following the adoption by the Board and upon the effective date of the Rules, all rules incorporated herewith shall be in effect
- B) Notwithstanding (A), this Rule shall have no effect on existing litigation or on any action or proceeding pending on the effective date of these Rules, or any enforcement involving violation of previous rules.
- C) If any Rule, or part thereof, shall be adjudged or declared by any court of The United States to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining Rules. Should any Rule, or part thereof, be rendered invalid due to any existing or subsequent enacted legislation, such invalidation of any Rule, or part thereof shall not affect the validity of the remaining Rules.

**Table ES-3: Plan Data Summary**

<b>Plan Data</b>				
		<b>2009 Reference Year</b>	<b>2013 (Year 5)</b>	<b>2019 (Year 10)</b>
<b>Population:</b>		155,901	156,743	158,014
<b>Generation:</b>	Industrial	65,853	65,230	64,612
	Res/Comm. (includes Asb.)	104,524	105,260	106,382
	Exempt	19,292		
	Total:			
<b>Waste Reduction:</b>	Industrial Source Reduction	0	0	0
	Industrial Recycling	84,359	80,659	75,525
	Res/Com Source Reduction	0	0	0
	Res/Com Recycling	98,912	95,532	96,280
	Residential Composting	9,487	9,728	10,102
	Incineration	0	0	0
	Ash Disposal	0	0	0
	WR Total	44,373	45,317	45,996
<b>Disposal:</b>	LF-in-Dist.			
(includes exempt)	LF-out of-Dist	127,690	114,347	129,318
	Total LF	<b>105,410</b>	<b>114,347</b>	<b>129,318</b>
<b>WRR:</b>		<b>64%</b>	<b>62%</b>	<b>58%</b>

Abbreviations: Res/Com - residential and commercial waste, LF-in-Dist. = landfills in the district,  
WRR (Reference Year Waste Reduction Rate) is equal to  
= (Landfill Disposal) / (Tons of Waste Reduction + Landfill Disposal)

Note:

Industrial and Commercial recycling has been projected during the planning period and should not be interpreted as statutory compliance with Waste Reduction Goal #2. This table is included as a planning tool only.

**Table ES-4: Existing Disposal Facilities Used in Reference Year**

Name	County	2009 Tons Recd. District	Total Remaining Cubic Yards*	Remaining Years Left**
Geneva Landfill	Ashabula	268	826,608	4.59
Lorain County Landfill	Lorain	588	25,096,955	22.2
BFI Carbon Limestone	Mahoning	515	28,576,239	25.8
Central Waste	Mahoning	35,832	4,367,097	7.5
Mahoning Landfill	Mahoning	160	2,777,219	7.45
County Environmental Of Wyandot	Wyandot	12	21,779,681	***
Athens Hocking C&DD?Rec. Center	Athens	22	14,773,500	83.8
American Landfill	Stark	24,564	84,605,983	73.8
Countywide Landfill	Stark	26,977	44,453,075	37.7
Kimble Sanitary Landfill	Tuscarawas	55	42,390,273	77.4
Tons from Transfer Stations		43,237	N/a	N/a
<b>TOTALS</b>		<b>132,230</b>	<b>269,646,630</b>	<b>340.24</b>

\*From "2009 Remaining Approved and Proposed Capacities of Ohio's MSW Landfills" Ohio EPA Document

\*\* 2009 Data (Not adjusted for current status)





# CITY OF KENT, OHIO

## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: January 17, 2013  
TO: Dave Ruller, City Manager  
FROM: Bridget Susel, Community Development Director *BSD*  
RE: USDA Grant

The City of Kent was notified on September 24, 2012 that the application the City submitted to the USDA, seeking funding assistance through the Farmers Market Promotion Program (FMPP), was awarded a \$38,855 grant to support activities that will promote greater use of the Electronic Benefits Transfer (EBT) card at the Haymaker Farmers' Market. The EBT card is the debit card the federal government issues to persons eligible to receive assistance through the Supplemental Nutrition Assistance Program (SNAP).

The City will be entering into a subrecipient agreement with the Haymaker Farmers' Market for the implementation of the FMPP grant and a copy of the subrecipient agreement, which has been approved to form by the Law Director, has been attached for reference purposes. I would like to request some time at the February 6, 2013 Council Committee session to discuss the FMPP grant and to request, with emergency, the appropriation of the \$38,855 grant award and authorization for the City to enter into an agreement with the Haymaker Farmers' Market for the implementation of the FMPP project.

If you need any additional information in order to add this item to the Council Committee agenda, please let me know.

Thank you for your consideration of this request.

### Attachments

Cc: Linda Copley, Clerk of Council  
David Coffee, Budget & Finance Director  
USDA FMPP-Post Award Documents 2012 file

**CITY OF KENT, OHIO  
2012 FARMERS MARKET PROMOTION PROGRAM  
SUBRECIPIENT FUNDING AGREEMENT**

This AGREEMENT entered into as of this \_\_\_\_ day of \_\_\_\_\_ by and between the **City of Kent**, Ohio, ("Community") and **Haymaker Farmers' Market, Inc.** (hereinafter referred to as "Subrecipient").

WITNESSETH THAT:

WHEREAS, the **City of Kent** has applied to the U.S. Department of Agriculture (USDA) 2012 Farmers' Market Promotion Program (FMPP) and received funding for the City of Kent; and

WHEREAS, said application for funding, is for the activity entitled **Expanding Use of Existing Electronic Benefits Transfer (EBT) in Kent Food Desert**; and

WHEREAS, it is necessary that the Community and the Subrecipient enter into an AGREEMENT for the implementation of said activity;

NOW, THEREFORE, the parties do hereby agree as follows:

1. **Responsibility for Grant Administration:** The Community is responsible for ensuring the administration of FMPP funds in accordance with all program requirements. The use of a Subrecipient does not relieve the Community of this responsibility. The Community is also responsible for determining the adequacy of performance under the subrecipient agreement and for taking appropriate action when performance problems arise.
2. **Other Program Requirements:** This AGREEMENT shall require the Subrecipient to carry out each activity in compliance with all federal laws and regulations applicable to the USDA FMPP, as further described in **Section A. APPLICABLE REGULATIONS**, which is attached hereto and made a part hereof as if fully rewritten.
3. **Scope of Service:** The Subrecipient hereby agrees to utilize funds made available under the FMPP for the purpose of implementing the above-mentioned activity as described in **ATTACHMENT A** which is attached hereto and made a part hereof as if fully rewritten. Changes in the Scope of Service may be requested from time-to-time by either the Community or the Subrecipient and shall be incorporated in written amendments to this Agreement.



4. Period of Performance: This AGREEMENT shall take effect as of **October 1, 2012** through and including, **November 14, 2014** as specified by the USDA.
5. Compensation: The Community shall compensate the Subrecipient for all expenditures made in accordance with the "FMPP Supplemental Budget Summary For EBT Projects Only," which is attached hereto as ATTACHMENT B," and made a part hereof as if fully rewritten. Compensation shall be provided during the terms of this AGREEMENT not to exceed **\$38,855.00**. In no event are payments to be financed by funds other than the funds granted by the federal government for the USDA FMPP.
6. Method of Payment: Subject to receipt of funds from the United States Treasury, the Community agrees to reimburse the Subrecipient for authorized expenditures for which vouchers and other similar documentation to support payment expenses are maintained by the Subrecipient under those generally accepted accounting principles and procedures approved by the Community and outlined in OMB Circulars A-110 and A-122. Invoices submitted by the Subrecipient for payment shall be consecutively numbered.

Payment shall be made within 30 days of receipt by the Community of a statement of expenses from the Subrecipient providing that funds for the project have been made available to the Community.

7. Subcontracting: None of the services covered by this AGREEMENT shall be subcontracted without approval of the contract document and prior written approval by the Community.
8. Suspension and Termination: The Community may terminate this AGREEMENT in whole or in part, and may recover any FMPP funds at its discretion if Subrecipient:
  - a. Violates any provision of this AGREEMENT; or
  - b. Violates any applicable regulations or terms and conditions of approval of the application that the USDA has issued or shall subsequently issue during the period of this AGREEMENT; or
  - c. Fails to complete performance in a timely manner.

The Community may also terminate this AGREEMENT, in whole or in part, by giving the Subrecipient 30 days written notice, in the event that the USDA shall:

- a. Withdraw funds allocated to the Community under its application for FMPP activities that substantially prevent performance of the “Expanding Use of Existing EBT in Kent Food Desert” in the Community.
  - b. Terminate the Community's funding allocation pursuant to an Act of Congress.
9. Audit: The Subrecipient shall submit a copy of its most recent Annual Audit within six (6) months of the end of the Subrecipient’s most recent Fiscal Year, and include copies of any management letter or other communication from the entity performing the audit which describes deficiencies and/or prescribed corrective actions. The Subrecipient shall also provide the City with written evidence showing what actions that it has or is undertaking to address any such deficiencies. In addition to the most recent Annual Audit, the Subrecipient shall submit a copy of any prior year Annual Audit upon the request of the City.
10. Payment of Income Tax: The Subrecipient shall be current at all times in paying City Income Tax due the City of Kent, Ohio and in withholding the proper amount of income tax due to the City from its employees.

## **A. APPLICABLE REGULATIONS**

**1. Administrative Provisions.** This grant award, and subawards at any tier under this award, shall be governed to the extent applicable by the following provisions:

- a.) 7 CFR 3015, “Uniform Federal Assistance Regulations;”
- b.) 7 CFR Part 3016, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;” and
- c.) 7 CFR Part 3019, “Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, Non-profit Organizations, and For-Profit Organizations.”

The Code of Federal Regulations is accessible through the National Archives and Records Administration.

**2. Federal Cost Principles.** Allowable costs will be determined in accordance with the applicable program legislation, the purpose of the award, the terms and conditions of award as contained herein and, if this award is to a recipient other than a federal agency, by the following federal cost principles that are applicable to the type of organization receiving the award, regardless of type of award or tier (i.e., prime awardee, subaward), as are in effect at the time of award:

- a.) 2 CFR 225 (OMB Circular No. A-87), “Cost Principles for State, Local, and Indian Tribal Governments.”

- b.) 2 CFR 220 (OMB Circular No. A-21), "Cost Principles for Educational Institutions."
- c.) 2 CFR 230 (OMB Circular No. A-122), "Cost Principles for Nonprofit Organizations."
- d.) Federal Acquisition Regulations (FAR) (48 CFR Part. 31.2), Principles for determining costs with profit making firms, "Contracts with Commercial Organizations."

A complete list of current OMB Circulars can be found on the White House Web site. The FAR regulations are accessible through the Government Printing Office at [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/48cfr31\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/48cfr31_02.html).

## **C. ASSURANCES AND CERTIFICATIONS**

### **1. Assurances.**

- a.) As a condition of this grant award, the Subrecipient assures that it is in compliance and will comply in the course of grant performance with all applicable laws, regulations, Executive Orders, and other generally applicable requirements, as prescribed by 7 CFR 3015, which hereby are incorporated in this grant award by reference, and such other provisions as are specified herein.
- b.) Will give the Federal Agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- c.) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- d.) Will initiate and complete the work within the applicable time frame after receipt of approval of the Federal Agency.
- e.) Will comply with all Federal statutes relating to nondiscrimination. These include, but are not limited to:
  - 1.) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin;
  - 2.) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex;
  - 3.) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of disabilities;
  - 4.) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age;
  - 5.) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
  - 6.) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

- 7.) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
  - 8.) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
  - 9.) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
- f.) The requirements of any other nondiscrimination statute(s) which may apply to the application.
- g.) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- h.) Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction sub-agreements.
- i.) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- j.) Will comply with environmental standards which may be prescribed pursuant to the following:
- 1.) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
  - 2.) Notification of violating facilities pursuant to EO 11738;
  - 3.) Protection of wetlands pursuant to EO 11990;
  - 4.) Evaluation of flood hazards in floodplains in accordance with EO 11988;
  - 5.) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
  - 6.) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.);
  - 7.) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and,
  - 8.) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93- 205).
- k.) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- l.) Will assist the Federal Agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593

(identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

m.) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

n.) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

o.) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

p.) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

q.) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

r.) Will make a good-faith effort to provide and maintain a drug-free environment by prohibiting illicit drugs in the workplace, providing employees with drug-free policy statements (including penalties for noncompliance), and establishing necessary awareness programs to keep employees informed about the availability of counseling, rehabilitation, and related services (§5151-5610 of the Drug-Free Workplace Act of 1988, as implemented by 7 CFR Part 3017, Subpart F, Section 3017.600, Purpose).

s.) Has not used and will not use Federal funds, other than profits from a Federal contract, for lobbying Congress or any Federal agency in connection with the award or modification of any contract, grant, cooperative agreement, or loan; will disclose the name, address, payment details, and purpose of any agreements with lobbyists for whom it or its contractors or Grantees have paid or will pay with profits or *non-appropriated* funds on or after December 23, 1989, for any award action in excess of \$100,000 (or \$150,000 for loans); will file quarterly updates about the use of lobbyists if material changes occur; and will require its nonexempt contractors or Grantees to certify and disclose accordingly [§319, Pub. L. No. 101-121 (31 U.S.C. 1352), as implemented by 7 CFR Part 3018].

t.) Or its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency; have not been convicted or indicted under criminal or civil statutes or had one or more public transactions terminated for cause or default within the past three years; will provide immediate written notice to the Authorized Departmental Officer if at any time it learns that this certification was erroneous when made or has become erroneous by reason of changed circumstances; and will require recipients of lower-tier covered transactions under this grant award to similarly certify (Executive Order 12549, as implemented by 7 CFR Part 3017, Section 3017.510, Participants' responsibilities).

## **D. FINANCIAL MANAGEMENT STANDARDS**

### **1. General Provisions.** Subrecipient must comply with the following:

- a.) Effective control over and accountability for all grant funds and real and personal property assets shall be maintained. The Subrecipient shall adequately safeguard all such property and shall ensure that it is used solely for authorized purposes.
- b.) The actual and budgeted amounts for each subgrant shall be compared. Financial information shall be related to performance and unit cost data. Estimates based on available documentation may be accepted for unit cost data.
- d.) The grantee shall use established procedures that shall be used for determining the reasonableness, eligibility, and allocation of costs in accordance with the cost principles prescribed by Section A.2. of this part and the provisions of the grant award.

### **2. Records.**

- a.) Records shall provide for complete, accurate, and current disclosure of financial results.
- b.) The source and application of funds shall be readily identified by the continuous maintenance of updated records. Records, as such, shall contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, outlays, and grant income. When the recipient is a governmental entity, the records shall also contain liabilities.
- c.) Accounting records shall be supported by source documentation. This documentation includes, but is not limited to, cancelled checks, paid bills, payrolls, contracts, and subgrant award documents.

## **E. SUBAWARDS**

Grantees and subgrantees must:

- Not make any award or permit any award (subgrant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal Assistance program under Executive Order 12549, "Debarment and Suspension."
- Ensure that every subgrant includes any clauses required by Federal statute and executive orders and their implementing regulations.
- Ensure that subgrantees are aware of requirements imposed upon them by Federal statute and regulation.
- Ensure that a provision for compliance with §3016.42 "Retention and access requirements for records" is placed in every cost reimbursement subgrant.
- Conform any advances of grant funds to subgrantees substantially to the same standards of timing and amount that apply to cash advances by Federal agencies.

## F. PROGRAM INCOME

If program income is earned it may be used for 1) expanding the project or program; 2) continuing the project or program after the grant or subgrant support ends; 3) supporting other projects or programs that further the broad objectives of the grant program; or 4) obtaining equipment or other assets needed for the project or program or for other activities that further the grant program's objectives.

## G. PERFORMANCE MONITORING

**1. Interim Performance Reports.** Interim (semi-annual) performance reports are due every 6 months after the anniversary date of the award until project is complete. A final performance report is required 90 days after the grant agreement expiration date. The interim performance reports must include the following information:

- a.) **Activities Performed and Milestones.** Briefly summarize activities performed and milestones achieved for each objective of the narrative, and include favorable or unusual developments.
- b.) **Problems and Delays.** Note unexpected delays or impediments as well as favorable or unusual developments for each project.
- c.) **Future Project Plans.** Outline work to be performed during the next reporting period for each project.
- d.) **Funding Expended To Date.** Comment on the level of grant funds expended to date for each project.
- e.) **Additional Information.** Include other relevant project information available (e.g. publications, web sites, photographs).

**2. Final Performance Reports.** The final report must include the following:

- a.) **Project Summary.** An outline of the issue, problem, interest, or need for each project.
- b.) **Project Approach.** Descriptions of how the issue or problem was addressed.
- c.) **Goals and Outcomes Achieved.** Descriptions of the results, accomplishments, and conclusions.
- d.) **Beneficiaries.** Description of the people, organizations, marketing entities and/or communities that have benefited from the project's accomplishments, and a quantitative measure of the current or future benefits to be derived from the project.
- e.) **Lessons Learned.** Lessons learned for each project. If outcome measures were not achieved, identify and share the lessons learned to help expedite problem-solving.
- f.) **Additional Information.** Include Specific contributions of project partners and any relevant information available (e.g. publications, web sites, photographs).
- g.) **Contact Person.** List the contact person for each project with telephone number and email address.

## H. SITE VISITS AND PROJECT RECORDS

Work performed under this grant is subject to inspection and evaluation at all times by officials of the Agriculture Marketing Service (AMS), or by any of its duly authorized representatives through such mechanisms as the review of performance reports and site visits. To the extent possible, all site visits will be made at mutually acceptable intervals and will be timed to avoid disruption to the construction work and to Grantee programs and personnel. AMS and the Comptroller General of the United States, or any of their duly authorized representatives, shall have the right of access to any books, documents, papers, or other project related records of the Grantee and its subgrantees under this grant for examination and audit purposes and to obtain excerpts and transcripts. Financial records, supporting documents, statistical records, and other records pertinent to this grant award shall be retained by the Grantee and its subgrantees for a period of three years after submission and acceptance of the Final SF-269, "Financial Status Report." Records relating to audits, appeals, litigation, or the settlement of claims arising out of project performance shall be retained until such audits, appeals, litigation, or claims have been settled.

## I. ACKNOWLEDGEMENT OF SUPPORT AND DISCLAIMING STATEMENTS

**1. FMPP Acknowledgment.** The following acknowledgment of AMS and FMPP must appear in the publication of any material, whether copyrighted or not, and any products produced electronically (i.e., World Wide Web pages, computer programs, etc.) that are substantially based upon or developed under this award:

**"This [Grantee should enter applicable material type, 'publication,' 'DVD,' 'material,' other] is based on work supported under by the Farmers' Market Promotion Program (FMPP) Grant Program, Agricultural Marketing Service, USDA, under Award No. [the Grantee enters the applicable award number]."**

**2. AMS, USDA Disclaimer.** In addition to the acknowledgment statement, all publications and other materials must contain the following statement:

**"Any opinions, findings, conclusions, or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the view of the U.S. Department of Agriculture."**

## J. SUSPENSION/TERMINATION

If the Federal Agency, after reasonable notice to a Grantee, finds that there has been a failure by the Grantee to comply substantially with any provision of this award, or other applicable laws or regulations the Federal Agency may disqualify, for one or more years, the Grantee from receipt of future grants under the Farmers' Market Promotion Program.



**K. AWARD CLOSEOUT**

Award closeout is the process by which the USDA Agricultural Marketing Service determines that all required project activities have been performed satisfactorily and all necessary administrative actions have been completed. The award and any subgrantees shall close out as soon as possible after expiration or termination of the project.

---

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Kelly Ferry, Market Manager  
Haymaker Farmers' Market

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Dave Ruller, City Manager  
City of Kent

APPROVED AS TO FORM:

\_\_\_\_\_  
Jim Silver, Law Director

CERTIFICATE OF DIRECTOR OF BUDGET AND FINANCE

It is hereby certified that the \_\_\_\_\_ required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purposes and is in the City Treasury or in the process of collection to the credit of the \_\_\_\_\_ free from any obligation or certificates now outstanding.

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Coffee, Budget and Finance Director  
City of Kent

# Farmers' Market Promotion Program (FMPP) – 2012

## PROJECT PROPOSAL NARRATIVE FORM AND INSTRUCTIONS

AMS strongly recommends reading the form instructions (below) and FMPP Guidelines before completing this form. A project proposal narrative, using this form, is mandatory. Insert information below; Sections 6-17 can be expanded, allowing the applicant to include as many lines of text as needed.

**1. Project Title:**

Expanding Use of Existing EBT in Kent Food Desert

**2. Organization Name:**

City of Kent

**Mailing Address:**

215 East Summit Street

**City:** Kent      **State:** Ohio      **Zip Code:** 44240

**E-mail:**  
[suselb@kent-ohio.org](mailto:suselb@kent-ohio.org)

**Phone:** 330-676-7500      **Fax:** 330-678-8033

**3. Primary Project Manager Name:**

Bridget O. Susel

**Mailing Address:**

930 Overholt Road

**City:** Kent      **State:** Ohio      **Zip Code:** 44240

**E-mail:**  
[suselb@kent-ohio.org](mailto:suselb@kent-ohio.org)

**Phone:** 330-678-8108      **Fax:** 330-678-0830

**4. Requested FMPP Funding:**

\$45,155.00

**Matching Funds (not required):**

**5. EBT, Equipment, Supplies, and Promotional Projects:**

**EBT Projects:**

- Does the proposal include an EBT component?       Yes       No
- Does the proposal include a **new** EBT project?       Yes       No
- Does the proposal include an **existing** EBT project?       Yes       No
- Does the proposal also include *other* (non-EBT related) activities?       Yes       No

**Non-EBT Projects:**

- Are there components in the proposal that include the purchase of equipment, supplies, and/or promotional items or services?       Yes       No

**6. Entity Type and Eligibility Statement:**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Agricultural cooperative | <input type="checkbox"/> Tribal government                | <input type="checkbox"/> Public benefit corporation        |
| <input type="checkbox"/> Producer network         | <input type="checkbox"/> Nonprofit corporation            | <input type="checkbox"/> Regional farmers market authority |
| <input type="checkbox"/> Producer association     | <input type="checkbox"/> Economic development corporation | <input checked="" type="checkbox"/> Local government       |
| <input type="checkbox"/> Other: _____             |   |  |

**Eligibility Statement:** The City of Kent is a local government in the State of Ohio. Verification of the City of Kent's local government designation is included in the "Attachments" to this application. This verification is a copy of the City of Kent's annual Community Development Block Grant (CDBG) entitlement community grant award from the U.S. Department of Housing and Urban Development. CDBG entitlement funding is only awarded to local and state government entities.

7. **Executive Summary (200 words or fewer):** The Haymaker Farmers' Market operates in the City of Kent, which is a community located in Portage County, Ohio. Kent has two designated food deserts, which include Census Tract FIPS Code 39133601503 and Census Tract FIPS Code 39133601200 (map attached). The Market is located in an open parking lot that is geographically positioned between these two food deserts and is within one city block walking distance from both food desert geographic areas, which ensures easy accessibility for low income persons. The proposed project is designed to target its promotions at SNAP recipients in order to significantly increase the number of low income persons who attend the Market and use the EBT system to purchase healthy foods. The City is requesting \$44,155 to expand the EBT program at the Market and has identified a program period extending from October 15, 2012 to September 30, 2014. Kelly Ferry, the Manager of the Haymaker Farmers' Market, will manage the daily operations of the EBT expansion program and Bridget Susel, the City of Kent's Grants Administrator, will maintain overall project oversight responsibilities to ensure all grant and regulatory compliance requirements are met.

8. **Goals of the Project:** The primary goal of the project is to increase the number of City of Kent low income residents who attend the Haymaker Farmers' Market and utilize the EBT services offered at the Market to acquire healthy and nutritious foods as part of their monthly SNAP benefits allocation.

9. **Background Statement:** The City of Kent is the largest community within Portage County, Ohio, with a population of 28,904 and 55% of its population live in households with incomes that are at 80% or below the area median income. The City has two census tracts within its corporation limits that have been classified as food deserts by the USDA. The Haymaker Farmers' Market has been providing local farmers with a venue for the sale of their produce for many years, but historically the Market did not offer EBT transaction services that could benefit low income persons in the community who were receiving food assistance through the SNAP benefits program. A new Manager for the Market was hired in early 2011 and recognizing the importance of making healthy and nutritious foods available to low income persons in the community, she allocated a portion of the Markets' limited resources to acquiring the equipment and services needed to start an EBT transaction system at the Market.

The availability of the EBT transaction system at the Market was not formally marketed or promoted when it was first implemented in 2011, but despite virtually no advertising, the Market sold more than \$1,600 in SNAP tokens over a three-month period and the new program was well received by both farmers participating in the market and local low income patrons. The City recognizes that partnering with the Haymaker Farmers' Market to actively market and promote the availability of the EBT transaction system to persons residing in the two food deserts within the City of Kent, will result in a substantial increase in the number of low income persons that use a portion of their SNAP monthly benefit allocation to acquire healthy foods at the Haymaker Farmers' Market.

**10. Work Plan and Resource Requirements:** The development of marketing approaches and materials will begin within the first month of grant award notification. The City will maintain project oversight and coordination, but will contract with the Haymaker Farmers' Market for the operations associated with the project. Ms. Kelly Ferry, the Manager of the Haymaker Farmers' Market, has years of experience in the field of communications and will be responsible for the development and implementation of a promotional campaign designed to increase the number of low income persons residing in the City's two food deserts that participate in the EBT transaction system at the Market. Ms. Ferry, in collaboration with other Haymaker Farmers' Market staff, will be responsible for installing and utilizing any equipment or supplies needed to expand the availability of the EBT system at the Market. The City will work with Market representatives on the collection of data needed to conduct the evaluation component of the project in order to adequately measure actual program outcomes.

The resources needed to implement all aspects of the proposed project are equal to the grant request amount of \$45,155.00. The City will provide in-kind support in the form of Grant Administrator staff time and small consumable office supplies. The actual dollar equivalent value of the City's in-kind match support is difficult to quantify and is expected to fluctuate throughout the 23-month grant period.

The timeline for the project is as follows:

- October 15, 2012 to February 28, 2013: Development of marketing/promotional materials specifically designed to target low income persons residing in two food deserts (\$5,140.00).
  - March 1, 2013 to December 15, 2013: Execute marketing/promotional activities for target population (\$6,215.00)
  - April 30, 2013 to December 15, 2013: Haymaker Farmers' Market utilizes EBT system (\$3,510.00).
  - August 1, 2013 to January 15, 2014: Collection and analysis of survey data from Market patrons who use the EBT system (qualitative data collection). Will occur on 4 different dates, approximately 4 weeks apart. Collection of data on tokens redeemed/EBT transactions that have occurred since start of 2013 season (quantitative data collection) (\$7,500.00).
  - February 1, 2014 to August 2014: Second period for executing marketing/promotional activities for target population(\$6,215.00).
  - April 30, 2014 to September, 2014: Haymaker Farmers' Market utilizes EBT system (\$3,510.00).
  - June 1, 2014 to August 15, 2014: Collection and analysis of survey data from Market patrons who use the EBT system (qualitative data collection). Will occur on 4 different dates, approximately 4 weeks apart. Collection of data on tokens redeemed/EBT transactions that have occurred since start of 2013 season (quantitative data collection) (\$13,065.00).
- TOTAL: \$45,155.00

**11. Expected Outcomes and Project Evaluation:**

Resource/Inputs	Activities	Outputs	Performance Measure	Cost	Outcomes	Performance Measure
1 P/T subcontractor	Project management, daily operations, creation of marketing materials	hours per week x weeks x 2 market seasons	1,680 hours	\$35,985	Increase # of persons using EBT services at Market, increase # of vendors taking tokens at Market	Report of hours worked, # of marketing materials created and distributed, # of vendors taking tokens from patrons
EBT tokens, reader services, transaction fees	Provide EBT transactions at Market	# of Tokens + # of EBT trans. X 2 seasons	20,000 tokens (2 seasons)  920 EBT Transactions	\$6,300  \$720	Increase access to EBT services at Market	# of tokens and # of EBT transactions as % of increase over baseline # (2012 #)
Printing, promotional materials and supplies	Disseminate materials targeted at persons residing in food deserts	# of material printed, promoted per market season	2,000 print materials (2 seasons)  4 newspaper ads (2 seasons)	\$850  \$1,300	Increase awareness in food desert areas of the EBT services at Market	# of persons that attend Market as result of promotional materials (surveys)

12. **Beneficiaries:** The low income persons residing in the City of Kent’s two food deserts will be the primary beneficiaries of the program. The project will provide for local access to healthy and nutritious foods by providing EBT transaction services at the Haymaker Farmers’ Market for persons participating in the SNAPs program.

13. **Evaluation Criteria Statements:** The numbers in this section reference to the numbers in Section VII.A. of the guidelines. 1.) Direct Benefit to Farmers/Producers: The marketing and promotion of the EBT transaction services offered by the Market will increase the number of low income persons that purchase items at the market which will increase sales for the farmers/producers that sell produce at the market. 2.) Quantitative Evaluation and Measurement of Project’s Long Term Impact: Please reference item number 11 “Expected Outcomes and Project Evaluation” in the narrative for a description of the program evaluation design and logic model. 3.) Reasonableness of Budget: Please reference the detailed budget description in the TM-31 attachment. 4.) Capacity, Collaboration, and Partnership Participation: Please reference item number 14 “Existing and Pending Support” in the narrative for a description of the collaboration partners and key staff. Resumes are included in the attachments to this grant application. 5.) Need for the Project: The project will provide access to

healthy foods for low income persons residing in two food deserts located in the City of Kent. Please reference item number 7 “Executive Summary,” item number 9 “Background Statement” and the food desert map in the attachments to this application. 6.) **Sustainability:** The project can be sustained as long as EBT transaction services continue to be provided at the Haymaker Farmers’ Market and ongoing marketing efforts continue to target the low income population in the City of Kent. The new Manager of the Haymaker Farmers’ Market continues her efforts to promote the Market and its produce throughout the community and the local region and is actively seeking financial support through private sources, planned events and the introduction of new marketing strategies at the Market.

**14. Existing and Pending Support:** The City will provide in-kind support in the form of Grant Administrator staff time and small consumable office supplies. The actual dollar equivalent value of the City’s in-kind match support is difficult to specify and is expected to fluctuate throughout the 23-month grant period. The City’s Grants Administrator, Ms. Bridget Susel, will be responsible for general project oversight and the monitoring of the project budget, program evaluation design and implementation, and will ensure that all appropriate benchmarks are being met in accordance with the project timeline. Ms. Susel has more than 10 years of experience working for city and county governments and nonprofit organizations. Her area of expertise is in grant administration, specifically federal and state grant-funded programs. Ms. Kelly Ferry is the Manager of the Haymaker Farmers’ Market and will be responsible for the development and implementation of all components of the proposed marketing and EBT components of the grant program. Ms. Ferry has extensive experience in communications and marketing and in her first year with the Market she initiated all of the steps necessary to start the EBT system at the Market and expanded the Market season from 25 weeks to 34 weeks. Copies of professional resume’s for both Ms. Susel and Ms. Ferry are included in the attachments to this grant proposal.

**15. Supplementary Budget Summary** (Only include items to be paid for with FMPP funds. Provide a detailed summary below or download and complete the Supplemental Budget Summary Form and attach to this narrative):

Please see attached “TM-31-Supplemental Budget Summary Form for EBT Projects Only.”

**16. Primary Proposal Activity** (Response required. Indicate one activity only): Increase the number of low income persons residing in the City of Kent’s two food deserts who purchase healthy foods at the Haymaker Farmers’ Market by utilizing the EBT transaction services available at the Market.

**17. Proposal Activity(ies)** (Response required. Check all primary and secondary project activities that the grant will fund. Where applicable, insert appropriate text or number.) These pages DO NOT count against the narrative’s 12-page limit. This may be easier to complete after your supplemental budget request is finished:

**PROPOSAL ACTIVITY(IES)**

✓ **Check One or More Activities, as Applicable OR Insert Appropriate Text or Number**

**a. FMPP Priority(ies)<sup>1</sup>**

Specify Below FMPP Priority(ies) Supported By This Proposal (primary priority followed by all other)

1.) Increase healthy food access in food deserts	2.) Expand direct producer-to-consumer marketing opportunities	3.) Increase sales for farmers participating in the market
--	--	--

**b. Job Creation**

Number of (Existing) Jobs <sup>2</sup> Created/Preserved:	Number of New Jobs <sup>3</sup> Created:
Type of Jobs Created/Preserved (below):	Type of New Jobs Created (below):


**c. Geographical Impact**

Rural Setting (pop. < 2,500)		Multiple Cities (Number of Cities)	
Small Town (pop. ≥ 2,500 and < 10,000)		Multiple Counties (Number of Counties)	
Urban 1 (pop. ≥ 10,000 and < 50,000)	X	Statewide	
Urban 2 (pop. ≥ 50,000)		Multiple States (Number of States)	
If Multiple Cities, Counties, or States, Please Identify: City of Kent, Ohio			

**d. Consumer Outreach and Education**

Increases Youth Awareness/Participation		Increases Access in Food Desert(s)	X
Increases Consumer Awareness	X	Access for Diverse Customers	
Provides Consumer Training/Education		Supports Low-Income Customers	X
Supports Underserved Customers		Conference – Training/Info On:	
Creates a New WIC Program		Supports an Existing WIC Program	
Creates a New SFMNP Program		Supports an Existing SFMNP Program	
Creates a New SNAP Program		Supports an Existing SNAP Program	X
Emphasizes Increasing Healthy Food Choices		Supports Eating Fresh Fruits and Vegetables	X
		Identify Other:	
Number of Consumers Currently Participating	50	Number of Additional Consumers Benefiting	600

**e. EBT / Consumer Outreach and Support**

Involves EBT	Yes	X	No	Involves -- New EBT	Existing EBT	X
Requires Purchase of EBT Equipment				Requires EBT Advertising, Promotion, Mktg		X
Requires EBT Tokens		X		Requires EBT Signage		X
Requires EBT Training for Customers				Requires Customers EBT Outreach/Education		X
Requires EBT Training for Farmers/Vendors				Requires EBT Training for Market Managers		
				Identify Other:		
Number of EBT Customers Participating		50		Number of Add. EBT Customers Benefiting		600

**f. Farmers/Vendors**

Number of Farmers Currently Participating		Number of Additional Farmers Benefiting	
Number of Other Vendors Participating		Number of Additional Vendors Benefiting	
Involves Beginning Farmers		Involves Minority or Diverse Farmers	
Involves Underserved Farmers/Vendors		Involves Immigrant Farmers	
Involves Recruiting Farmers/Vendors		Involves Retaining Farmers/Vendors	
Involves/Recruits Youth Participation		Recruits Youth as New Farmers/Vendors	
Supports Fruit and Vegetable Vendors		Supports Dairy/Cheese Vendors	
Supports Meat Vendors		Supports Fish/Seafood Vendors	
Supports Poultry Vendors		Supports _____ Vendors	
Will Increase Farmers'/Vendor's Income		Farmers/Vendors Receive Training/Mktg Info	
Purchases Tools/Infrastructure for Fmrs/Vends		Increases Farmer/Vendor Production Capacity	
		Identify Other:	

**g. Farmers Markets**

Supports a <i>New Farmers Market(s)</i>		Supports an <i>Existing Farmer Market(s)</i>	
Number of New Farmers Market(s)		Number of Existing Farmers Market(s)	
Number of New FM Staff		Number of Existing FM Staff	
Involves Facility Planning and Design		Focuses on Market Managers Needs	
Involves/Retains Market Manager(s)		Recruits New Market Manager(s)	
Purchases Non-EBT Equipment (< \$5,000)		Purchases Non-EBT Equipment (> \$5,000)	
Creates/Designs a New Commercial Kitchen		Involves an Existing Commercial Kitchen	
Requires Promotion, Advertising, and Mktg.		Requires Signage	

Requires Insurance Liability Coverage		Supports Green Renewable Technology	
Supports a Recycling Program		Supports a Waste Management Program	
Involves Cooking Demonstrations		Supports Market Technical Assistance	
Requires Recordkeeping Training/Support		FM Management Receive Training/Mktg Info	
		Identify Other:	

**h. Business Practices**

Involves Mkt/Business Expansion Planning		Emphasizes Building FM/Other Capacity	
<i>Creates a New:</i>		<i>Supports an Existing:</i>	
Direct Marketing Program		Direct Marketing Program	
Direct Marketing Program Via a Website		Direct Marketing Program Via a Website	
Public Market Program		Public Market Program	
Agri-Tourism Program		Agri-Tourism Program	
Farm-to-School Program		Farm-to-School Program	
Farm-to-Institution Program		Farm-to-Institution Program	
CSA Program		CSA Program	
Coop Program		Coop Program	
Supports Green/Renewable Technology Prog.		Supports Green/Renewable Technology Prog.	
Association/Organization		Association/Organization	
Website		Website	
Marketing/Advertising/Promotion Plan		Marketing/Advertising/Promotion Plan	
Marketing Program Via a Website		Marketing Program Via a Website	
Hospital or Health Care Partners		Hospital or Health Care Partners	
Partnership		Partnership	
Business Plan		Business Plan	
Business Management Process		Business Management Process	
Product Branding Campaign		Product Branding Campaign	
State/Company Branding Campaign		State/Company Branding Campaign	
Conference – Training/Info On: _____		Conference – Training/Info On: _____	
Number of New Local/Regional Businesses (Outside of Applicant Biz) Participating		Number of Existing Local/Regional Businesses (Outside of Applicant Biz) Benefiting	
Supports New Direct Marketing Program Specified As:		Supports an Existing Direct Marketing Program Specified As:	
Number of New Businesses		Number of Existing Businesses	

**i. Transportation**

Designs and/or Supports a Delivery System		Requires Truck or Other Vehicle	
Requires Mobile Market Equipment		Requires Purchasing Trailers	
Requires Purchasing Refrigeration Equip.		Identify Other:	

**j. Food/Products**

Supports Locally Grown		Supports Buy Local Campaign	
Supports Healthy Food Campaign		Supports Food Handling/Safety Programs	
Involves Food/Package Labeling Campaign		Adopts Packaging/Storage Technology	
Adopts Processing Capability		Adopts Refrigeration Technology	
Supports Marketing of Organic Food		Supports Sustainable Agricultural Practices	
Supports Food Marketed As Natural		Identify Other:	

<sup>1</sup> AMS may identify a priority(ies) in the FMPP Guidelines. Project activities that address the identified priority(ies) are encouraged. All project activities, however, will receive full consideration.

<sup>2</sup> Number of existing jobs (staff) paid with FMPP grant funds by this project.

<sup>3</sup> Number of jobs paid for with FMPP grant funds, not currently in existence, which the project will create.



*According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0235. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable sex, marital status, or familial status, parental status religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.*

**TM-31, Farmers Market Promotion Program (FMPP)  
Supplemental Budget Summary  
For EBT Projects Only**

**FMPP Applicant Proposed Budget Summary**

**OH-040EE - Existing EBT**

Project Title: **Expanding Use of Existing EBT in Kent Food Desert**  
 Organization: **City of Kent, Ohio**  
 Phone: **330-678-8108**  
 Contact: **Bridget O. Susel**  
 Contact Email: [suselb@kent-ohio.org](mailto:suselb@kent-ohio.org)

**Request to buying or provide the purchase cost of token price \$6300**  
 This budget includes items/purchases for a new EBT project  YES   
 This budget includes items/purchases for an existng EBT project  YES

Budget Summary Itemization:	Requested Budget	Requested Budget Totals	This Column for FMPP Staff Use Only: Revised/Approved
Program Mangement: Kelly Ferry, Haymaker			
Personnel: Farmers' Market Manager \$21.42 per hour x 20 hours x 84 weeks (2 seasons) <b>Question working 42 weeks or 10.5 months on this EBT project in Ohio</b>	\$35,985		\$35,985.00
Supplies: EBT Tokens	\$6,300		\$0.00
Token @ \$350 for purchase of value of \$1,000 for 18 months (2 season w/avg of 1,111 tokens per month)			
Print Promotional Materials	\$850		\$850.00
Other: EBT/card reader service fees @\$30 per month x 18 months	\$540		\$540.00
EBT/CC Transaction fees @ .25 per transaction x 40 transactions per month x 18 months	\$180		\$180.00
Newspaper advertising @ \$325 per ad x 2 ads per year x 2 years	\$1,300		\$1,300.00
<b>Total Direct</b>	\$45,155		\$38,855.00
Indirect Cost (maximum 10% of total budget (before indirect)): Must provide a written explanation detailing what this line item covers; no indirect costs will be approved without an explanation. <i>Indirect Percentage of Total Budget</i>			
<b>TOTAL</b>	\$45,155	\$0	\$38,855

**I have read and accepted FMPP's revised 2012 FMPP Grant budget. Any signature below indicates my organization's acknowledgement that additional specifics, justifications, responses, and/or budget line item or category details will be required, prior to (or upon) implementation of the project(s) for this grant and for all approved budget expenditures. Accepted by:**

Printed Name/Title \_\_\_\_\_ Signature \_\_\_\_\_

**ATTACHMENT "B"**