

RESOLUTION NO. R07-11 CMS

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE LORAIN COUNTY BOARD OF COMMISSIONERS THROUGH THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE RECYCLING AND COMPOSTING GRANT PROGRAM PURSUANT TO THE LORAIN COUNTY SOLID WASTE MANAGEMENT PLAN AND DECLARING AN EMERGENCY

WHEREAS, Oberlin City Council recognizes the existence of a problem with recycling/composting within the boundaries of the City and the need to address the problem at the local level, and

WHEREAS, the Lorain County Board of Commissioners provides through the Lorain County Solid Waste Management District Plan for the allocation of funds in the form of grants for the purposes of supplementing recycling/composting program activities

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring

SECTION 1 That the Oberlin City Council hereby endorses and supports a Recycling/Composting Program for the City of Oberlin, and authorizes the necessary funds to implement said program, if approved, as indicated in its application, a copy being attached hereto

SECTION 2 That the City Manager is hereby authorized to apply for and, if awarded, execute an agreement with the Lorain County Solid Waste Management District to administer a grant to implement said program

SECTION 3 That the Oberlin City Council hereby requests the Lorain County Solid Waste Management District to consider and to fund its program as described in the application

SECTION 4 It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121 22 of the Ohio Revised Code

SECTION 5 That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operations of a municipal department, to wit

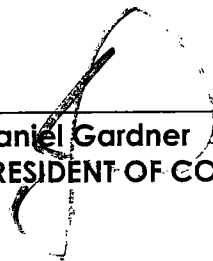
"to allow for the submission of the grant application by the date specified by the County"

and shall take effect immediately upon passage

PASSED 1st Reading – 10/15/2007 (E)
 2nd Reading –
 3rd Reading –

ATTEST


Belinda B Anderson
CLERK OF COUNCIL


Daniel Gardner
PRESIDENT OF COUNCIL

POSTED 10/16/2007

EFFECTIVE DATE 10/16/2007

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT

**2008 GRANT PROGRAM
AGREEMENT FOR PROGRAM IMPLEMENTATION**

This agreement made February 20, 2008 and effective the same date, is executed in multiple copies, each copy to constitute an original, by and between the Board of Commissioners of the Lorain County Solid Waste Management District, hereinafter referred to as the District, and the City of Oberlin hereinafter referred to as the Grantee

WITNESSETH THAT

WHEREAS, House Bill 592 was enacted in 1988 requiring the State of Ohio to establish solid waste management districts consisting of single or multiple counties, and whereby these districts would become responsible for managing and reducing their solid waste

WHEREAS, the Lorain County Solid Waste Management District was formed in accordance with Ohio law on March 21, 1989 in the form of Resolution No 89-236 passed by the Lorain County Board of Commissioners

WHEREAS, the State of Ohio Solid Waste Management Plan has established an access goal to make recycling programs available to 90% of the district

WHEREAS, in accordance with Section 3734 57(B) of the Ohio Revised Code, the Lorain County Solid Waste Management District ratified fees upon the disposal of solid waste within the County at \$2 00 per ton for waste generated within the District, \$4 00 per ton for solid waste generated outside the District, and \$2 00 per ton for waste generated outside the State of Ohio

WHEREAS, the Ohio Revised Code in Section 3734 57(E) provides for such fees to be expended for the development and implementation of solid waste recycling or reduction programs, and such fees shall be expended for such purposes in the manner prescribed by the Lorain County Solid Waste Management Plan

WHEREAS, all programs funded by the District have been approved by resolution of the Lorain County Board of Commissioners

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and adequacy of which is acknowledged herein, the parties hereby agree as follows

- 1 AGREEMENT The Lorain County Solid Waste Management District agrees to grant the City of Oberlin the amount of \$57,214.67 for the purpose of recycling and/or composting program. These funds are listed according to the following itemized budget:

ADMINISTRATION

PRINTING \$ 1,000.00

RECYCLING CONTAINERS \$ 4,224.51

HAULING/DISPOSAL/PROCESSING \$48,990.16

EDUCATIONAL PROGRAMS \$ 1,500.00

RECYCLED OFFICE SUPPLIES \$ 1,000.00

INCENTIVE AWARDS \$ 2,000.00

IMPROVEMENT

OTHER

TOTAL \$57,214.67

- 2 TERM The term of this agreement shall commence on January 1, 2007 and terminate on December 31, 2007.
- 3 PAYMENTS A forty percent (40%) payment of the grant funds will be provided to the grantee by the end of the first quarter of the grant year. A second payment of 40 percent (40%) of the grant amount will be provided by the District by the end of the second quarter. The remaining twenty (20%) of the grant amount will be issued by the end of the third quarter upon receipt of the second quarterly report and documentation that the Incentive Program has been completed. At the conclusion of the grant period, all moneys left unspent by the grantee must be returned to the District no later than January 31st of the next grant year.
- 4 GRANTEE FINANCIAL MANAGEMENT Grantee shall establish a separate account for the grant funds received under this agreement.
- Grantee shall establish fiscal control and accounting practices to ensure proper disbursement of and accounting for all grant funds. This responsibility applies to all third party agreements, sub grants and contracts.
 - Grantee shall provide an official accounting of all funds, indicating the specific use of each expenditure as well as any unused funds.
 - Accounting procedures shall provide for an accurate and timely recording of receipt of funds by source and expenditures made from such funds and unexpended balances. Controls shall be established to ensure that expenditures charged to grant activities are for allowable purposes and that documentation is readily available to verify that such charges are accurate, including receipts for all purchases and charges. Grantee shall maintain all records in a manner, which will provide an audit trail to all expenditures.
 - The District reserves the right to perform an audit of the Grantee's Grant program. Grantee shall make available, at any time deemed reasonable by the District, all records and accounts for review or audit by Lorain County, State of Ohio or District officials. Failure of the Grantee to produce such records and accounts for review or audit shall be cause for immediate termination of the grant award and agreement and the cessation of payment of all future funds. In such event, Grantee shall also be liable to the District for the return of all funds made under the Grant award.
 - All unused funds must be: a) Returned to the District, OR b) Used for another appropriate recycling or waste reduction activity. Proposals for alternate uses of unexpended funds must be submitted in writing to the District and receive written approval by the Lorain County Board of Commissioners prior to expenditure.

- 5 INDEMNIFICATION To the extent permitted by law, the Grantee shall defend, indemnify and hold the Lorain County Solid Waste Management District and its employees, agents, officials, and representative harmless from and against all cost and damages by reason of bodily injury, death, or damage to property caused by an act or failure to act of Grantee, or sustained on or from property under the control of the Grantee. The Grantee shall be solely responsible for and bear all cost of claims by its own employees growing out of any worker's compensation law.
- 6 INSURANCE The Grantee shall maintain sufficient insurance on any equipment and/or property on which grant funds have been expended, to cover re-establishing the physical plant of the operation in the event of fire, theft, or other destructive occurrence. Further, the Grantee shall maintain compliance with any and all directives given by health, safety or fire officials resulting from regular or special inspections by said agencies.
- 7 DELIVERABLES The Grantee agrees to file quarterly reports by April 30, 2008, July 31, 2008, October 31, 2008, and January 31, 2009. The reports shall describe in detail the following: a) Program Description, b) Detailed budget, c) Quarterly activities, d) Amounts of Recyclables or Compost Diverted and Disposal facilities used.

Grantee agrees to submit statistics to the District on the types and quantities of recyclables and/or yard waste collected by calendar year. If the Grantee contracts with outside processors or end users of the Grantee's recyclables, the Grantee is responsible for acquiring this information from the contractor(s).

Grantee agrees to furnish copies of all educational materials and other items printed for the program.

- 8 CURBSIDE RECYCLING REQUIREMENTS Communities receiving Grant funds shall mandate, through legislation, that all private haulers providing solid waste collection and disposal service must also provide recycling collection service. A political subdivision may choose to collect and transport the materials itself.
- Communities selecting a single color-coded bag system to collect commingled recyclables shall require, through legislation, that recyclable materials are transported to a facility that can separate recyclables from solid waste and provide proof that the materials are recycled.
 - Political subdivisions choosing to collect separated recyclables (i.e., glass in one bin, plastic in another, etc.) may deal directly through brokers or end-users to market their materials and may receive revenues from the sale of those materials.
 - Each community is responsible for the development and implementation of its own program.
- 9 EQUIPMENT The Lorain County Solid Waste Management District reserves the right to control the use of any equipment purchased with Grant funding to ensure that it is used for the appropriate and officially approved purpose(s). The Grantee shall be responsible for maintenance, insurance and liability for equipment purchased with grant funds and may retain possession of the equipment for as long a period of time as the equipment is used for the purposes approved by the District.

The grantee shall neither convert any equipment acquired under this grant to uses other than those originally approved by the District nor transfer or sell such equipment without the written approval of the District. In the event that equipment is not used properly or as originally described in the

Mini Grant application approved by the Lorain County Board of Commissioners, or is no longer needed, the District reserves the right to act on one or more of the following

- a Grantee must apply in writing to the District to amend or revise its program scope and obtain approval for a modified equipment use, OR
- b Grantee may assume ownership of the equipment only after reimbursing the District an amount equivalent to the fair market value of each piece of equipment, OR
- c Grantee may transfer the equipment to another political subdivision located within the Lorain County Solid Waste Management District which has agreed to, has applied in writing to the District, and has been approved by the Lorain County Board of Commissioners to utilize the equipment in a manner consistent with the scope of the Lorain County Solid Waste Management Plan, OR
- d Grantee may sell the equipment at a fair market value for each piece of equipment and reimburse the District any proceeds from the sale

The Grantee shall maintain records for each piece of equipment acquired under this grant which shall include a description of the equipment, the manufacturer's serial number or other identification number, the acquisition date, the identification of the seller or supplier of the equipment, and a copy of the sales receipt indicating the cost of the equipment

10 USE OF STRUCTURES PURCHASED WITH GRANT FUNDS The Lorain County Solid Waste Management District reserves the right to control the use of any structure purchased and/or built with Grant funding to ensure that it is used for the appropriate and officially approved purpose(s)

Grantee shall neither convert any structures acquired under this grant to uses other than those originally approved by the District nor transfer or sell the real property upon which the structure is located or the structure itself without the written approval of the District. In the event the structure is not used properly or as originally described in the Grant application approved by the Lorain County Board of Commissioners, the District reserves the right to act on one or more of the following

- a Grantee must apply in writing to the District to amend or revise its program scope and obtain approval for the modified structure use, OR
- b Grantee must reimburse the District in the full amount of the Grant award, OR
- c Grantee may transfer the real property upon which the structure is located, or may dismantle and move the structure, at Grantee's sole expense, to another political subdivision located within the Lorain County Solid Waste Management District that has agreed to, has applied in writing to the District, and has been approved by the Lorain County Board of Commissioners to utilize the structure in a manner consistent with the scope of the Lorain County Solid Waste Management Plan, OR
- d Grantee may, with the District's prior written consent, sell the real property upon which the structure is located, or sell the structure itself, and reimburse the District in the full amount of the Grant award

If Grantee should determine that the structure is no longer needed for its originally intended purposes, the approved use or other uses acceptable to the District, use of the structure may cease with no penalty or other consequences to Grantee, provided, however, that written application is

first made to the District or its successor organization and the District approves of the discontinuation of such approved use. No such application will be considered favorably for Grantee unless at least five years have passed from the date of the execution of the agreement for the Original Grant Award.

- 11 AMENDMENTS/REVISIONS If the Grantee wishes to revise any portion of this grant contract, a written program amendment must be filed with the Lorain County Solid Waste Management District **NO LATER THAN NOVEMBER 14, 2008**. The District Director shall approve or disapprove all requests for revision/amendment and the District has the authority to reject any revision/amendment applied for if they are not in compliance or consistent with the District's Solid Waste Management Plan.
- 12 REMITTANCE The Grantee agrees to reimburse the District any and all funds not utilized in the Grant budget in Section 1 of this contract.
- 13 SITE INSPECTIONS The District shall have the right to inspect the Grantee's operations and site at any time deemed reasonable by the District. The purpose of any such inspection shall be to review program progress and discuss any difficulties encountered during program implementation, to receive recommendations or requests for program changes, and to provide technical assistance as requested. Records and documents pertaining to the Grant program shall be made available at any reasonable time for review and/or audit by Lorain County, State of Ohio, or District officials.
- 14 TERMINATION This agreement may be terminated by the Lorain County Solid Waste Management District upon the occurrence of any of the following: a.) failure to implement any of the listed activities in Section 1 of this contract and the approved grant application, b.) improper use of the Lorain County Solid Waste Management District Grant funds for items other than are listed in Section 1 of this contract, c.) failure to provide the deliverables listed in Section 7 of this contract by the listed date, d.) failure to comply with any conditions of this grant, as described in this contract and Attachments A, B, and C, including the failure to produce records and books for inspection and audit, and e.) notification from the Grantee stating its desire to terminate the contract and to return any and all grant funds awarded. Termination shall occur 30 days after the notification of the occurrence of the above listed events. Notification of termination shall be sent by certified mail to the responsible personnel named in the Grant application.
- 15 EXTENSION OF TIME In the event that the Grantee is unable to complete the Grant programs listed by December 31, 2008, an extension must be requested in writing to the Lorain County Solid Waste Management District no later than September 2, 2008. **No extensions will be granted for more than 60 days**. The District does retain the right to deny said extension and request the remittance of any or all grant funds awarded.
- 16 ENTIRE AGREEMENT This agreement, including Attachments A, B, and C, shall constitute the entire agreement between the parties, and any prior understanding or representations of any kind related to the subject matter of this Agreement preceding the date of this Agreement shall not be binding upon any party, except to the extent incorporated in this Agreement.
- 17 AMENDMENT This agreement shall not be amended except in writing signed by all parties.

18 VALIDITY OF PROVISIONS Each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. If any provision or application of a provision shall, to any extent, be judged invalid or unenforceable, the remainder of this Agreement and the application of that provision to the other parties or circumstances shall not be affected.

IN WITNESS WHEREOF, the parties have executed duplicate copies of the Agreement, each of which shall be deemed an original of the date first above-mentioned.

WITNESSES

Joyce LaParks

Marek Pleski

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT

EC Blair

By: Commissioner Betty Blair, President

Lorain County Board of Commissioners

(Per County Commissioners Resolution) 08-113

Date FEB 28 2008

WITNESSES

Shari Hamy

1/17/10 Summ

City of Oberlin

GRANTEE

E. Norenberg

By: Representative of Grantee

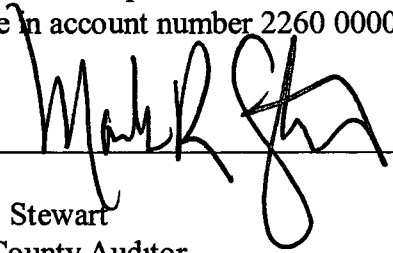
Eric Norenberg, City Manager

Print Name and Title

Date 3/6/08

AUDITOR'S CERTIFICATE

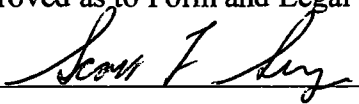
Mark R. Stewart, in his capacity as Lorain County Auditor, hereby certifies that sufficient funds are available or in the process of collection for the obligations incurred by the foregoing agreement. These funds are in account number 2260 0000 100 000 05 6200 6234 RECYCLE GRANTS



Mark R. Stewart
Lorain County Auditor

Date 3-3-08

Approved as to Form and Legal Sufficiency



Date 2-25-08

Dennis Will
Prosecuting Attorney
Lorain County, Ohio
by Scott Serazin
Assistant Prosecuting Attorney

ATTACHMENT A

**2008 GRANT PROGRAM
Lorain County Solid Waste Management District**

The Grantee shall implement a recycling and/or waste reduction program that shall include activities described in the 2008 Grant application and detailed budget, which such documents, are filed in the Solid Waste office and which are incorporated herein by reference

GRANTEE: City of Oberlin

ATTACHMENT B
STANDARD CONDITIONS – FY2008 GRANT AGREEMENT

The following standard conditions shall apply to all recipients of Grant Funds (Grantee) provided by the Lorain County Solid Waste Management District (District)

A. Use of Grant Funds

- 1 Grant funds shall be used only for the purposes and activities described in the Grantee's Grant application as approved by the Lorain County Solid Waste Management District. In the event that funds are used inappropriately or in a manner not approved by the District, this contract shall be terminated and Grant funds returned to the District.
- 2 Any changes in the approved program design and activities must receive written approval by the Lorain County Solid Waste Management District prior to any expenditure of District Grant funds to implement such changes. Grantee's request for program changes must be submitted in writing by November 14, 2008.
- 3 Recipients shall name a single person, a recycling program coordinator, who is responsible for program design and implementation as provided in the application for funding.
- 4 A forty percent (40%) payment of the grant funds will be provided to the grantee by the end of the first quarter of the grant year. A second payment of 40 percent (40%) of the grant amount will be provided by the District by the end of the second quarter. The remaining twenty (20%) of the grant amount will be issued by the end of the third quarter upon receipt of the second quarterly report and documentation that the Incentive Program has been completed. At the conclusion of the grant period, all moneys left unspent by the grantee must be returned to the District with the Final Report.

B. Use of Equipment Purchased With Grant Funding

- 1 The Lorain County Solid Waste Management District reserves the right to control the use of any equipment purchased with Grant funding to ensure that it is used for the appropriate and officially approved purpose(s). The Grantee shall be responsible for maintenance, insurance and liability for equipment purchased with grant funds and may retain possession of the equipment for as long a period of time as the equipment is used for the purposes approved by the District.
- 2 The grantee shall neither convert any equipment acquired under this grant to uses other than those originally approved by the District nor transfer or sell such equipment without the written approval of the District. In the event that equipment is not used properly or as originally described in the Grant application approved by the District and the Lorain County Board of Commissioners, or is no longer needed, the District reserves the right to act on one or more of the following:
 - a Grantee must apply in writing to the District to amend or revise its program scope and obtain approval for a modified equipment use, OR
 - b Grantee may assume ownership of the equipment only after reimbursing the District an amount equivalent to the fair market value of each piece of equipment, OR
 - c Grantee may transfer the equipment to another political subdivision located within the Lorain County Solid Waste Management District which has agreed to, has applied in writing to the District, and has been approved by the District Director to utilize the equipment in a manner consistent with the scope of the Lorain County Solid Waste Management Plan, OR
 - d Grantee may sell the equipment at a fair market value for each piece of equipment and reimburse the District any proceeds from the sale.

- 3 The Grantee shall maintain records for each piece of equipment acquired under this grant which shall include a description of the equipment, the manufacturer's serial number or other identification number, the acquisition date, the identification of the seller or supplier of the equipment, and a copy of the sales receipt indicating the cost of the equipment

C. Use of Structures Purchased With Grant Funds

- 1 The Lorain County Solid Waste Management District reserves the right to control the use of any structure purchased and/or built with Grant funding to ensure that it is used for the appropriate and officially approved purpose(s)
- 2 Grantee shall neither convert any structures acquired under this grant to uses other than those originally approved by the District nor transfer or sell the real property upon which the structure is located or the structure itself without the written approval of the District. In the event the structure is not used properly or as originally described in the Grant application approved by the District and the Lorain County Board of Commissioners, the District reserves the right to act on one or more of the following
 - a Grantee must apply in writing to the District to amend or revise its program scope and obtain approval for the modified structure use, OR
 - b Grantee must reimburse the District in the full amount of the Grant award, OR
 - c Grantee may transfer the real property upon which the structure is located, or may dismantle and move the structure, at Grantee's sole expense, to another political subdivision located within the Lorain County Solid Waste Management District that has agreed to, has applied in writing to the District, and has been approved by the District and the Lorain County Board of Commissioners to utilize the structure in a manner consistent with the scope of the Lorain County Solid Waste Management Plan, OR
 - d Grantee may, with the District's prior written consent, sell the real property upon which the structure is located, or sell the structure itself, and reimburse the District in the full amount of the Grant award
- 3 If Grantee should determine that the structure is no longer needed for its originally intended purposes, the approved use or other uses acceptable to the District, use of the structure may cease with no penalty or other consequences to Grantee, provided, however, that written application is first made to the District or its successor organization and the District approves of the discontinuation of such approved use. No such application will be considered favorably for Grantee unless at least five years have passed from the date of the execution of the agreement for the Original Grant Award

D. Reporting Requirements

- 1 Grantee shall submit quarterly **Program Status/Financial Reports** by April 30, 2008, July 31, 2008, October 31, 2008, and January 31, 2009. The reports should describe in detail the following
 - a Program Description
 - b Detailed budget
 - c Quarterly activities
 - d Amounts of Recyclables or Compost Diverted and Disposal facilities used
- 2 The Ohio EPA requires each solid waste district to submit status reports to monitor all recycling programs. For this reason, Grantee shall submit a report to the District on the types and quantities of recyclables and/or yard waste collected by calendar year. If the Grantee contracts with outside processors or end users of the Grantee's recyclables, the Grantee is responsible for acquiring this information from the contractor(s).
- 3 Grantee must document not only the collection of the recyclables and/or compost, but also that the materials have been transported to a materials recycling facility or intermediate processing center and that the commodities have been sold to end-users. This information should be provided on the for included in Attachment C and part of a thorough marketing plan which provides a record of all processors and/or end markets used to ensure that all materials reach end markets

- 4 Grantee shall furnish copies of all education materials and other items printed for the program A byline should be added to all printed materials recognizing funding from the Lorain County Solid Waste Management District

E. Curbside Recycling Requirements

- 1 Communities receiving Grant funds shall mandate, through legislation, that all private haulers providing solid waste collection and disposal service must also provide recycling collection service A political subdivision may choose to collect and transport the materials itself
- 2 Communities selecting a single color-coded bag system to collect commingled recyclables shall require, through legislation, that recyclable materials are transported to a facility that can separate recyclables from solid waste and provide proof that the materials are recycled
- 3 Political subdivisions choosing to collect separated recyclables (i.e., glass in one bin, plastic in another, etc.) may deal directly through brokers or end-users to market their materials and may receive revenues from the sale of those materials
- 4 Each community is responsible for the development and implementation of its own program

F. Education and Awareness

The Lorain County Solid Waste Plan requires each political subdivision participating in the grant program to include a comprehensive waste reduction and recycling education and public awareness program Program design options are listed in the Plan

G. Procurement Policy

The Lorain County Solid Waste Plan requires each political subdivision participating in a District grant program to establish a procurement policy, which favors the purchase of recycled and recyclable products, including a 10 percent price premium to be paid by the purchaser This policy shall be effected through legislation passed by the local government in 1994, or during 1995 at the latest, with a copy forwarded to the Lorain County Solid Waste Management District office

H. Grantee Financial Management

- 1 Grantee shall establish a separate account for the grant funds received under this agreement
- 2 Grantee shall establish fiscal control and accounting practices to ensure proper disbursement of and accounting for all grant funds This responsibility applies to all third party agreements, sub grants and contracts
- 3 Grantee shall provide an official accounting of all funds, indicating the specific use of each expenditure as well as any unused funds
- 4 Accounting procedures shall provide for an accurate and timely recording of receipt of funds by source and expenditures made from such funds and unexpended balances Controls shall be established to ensure that expenditures charged to grant activities are for allowable purposes and that documentation is readily available to verify that such charges are accurate, including receipts for all purchases and charges Grantee shall maintain all records in a manner, which will provide an audit trail to all expenditures
- 5 The District reserves the right to perform an audit of the Grantee's Grant program Grantee shall make available, at any time deemed reasonable by the District, all records and accounts for review or audit by Lorain County, State of Ohio or District officials Failure of the Grantee to produce such records and accounts for review or audit shall be cause for immediate termination of the grant award and agreement and the cessation of payment of all future funds In such event, Grantee shall also be liable to the District for the return of all funds made under the Grant award
- 6 All unused funds must be Returned to the District

I. Third Party Agreements

- 1 The Grantee may enter into contracts for eligible purposes as identified in its approved budget. Where they have not been so specified, the Grantee shall obtain prior written approval from the District before awarding any contract.
- 2 The Grantee shall abide by its own local procurement regulations or standards in contract agreements provided that the standards set forth in this Agreement are adhered to in such procurement procedures.
- 3 The Grantee shall retain ultimate responsibility for the grant program and its administration, including the submittal of all required reports and documents. Contractors shall be bound by these conditions and all other grant conditions applicable under this Agreement in the conduct of the approved program including the District's right of access to and inspection of any related records, books, and facilities, and use and disposition of any funded equipment or structures, and Equal Employment Opportunities guidelines.

J. Facility Siting

- 1 The Lorain County Solid Waste Management Plan, in Chapter II, provides significant detail on the District's siting strategy for new solid waste management facilities. The Solid Waste Management Plan as currently written, the Lorain County Board of Commissioners shall appoint a Siting Advisory Committee to ensure that solid waste facilities conform with the Lorain County Solid Waste Management Plan, that the proposed solid waste management facility complies with all state, local, and federal laws and regulations, and that the facility is located to minimize environmental and other socio-economic impacts to the surrounding community.
- 2 If the above conditions are not satisfied, the Siting Advisory Committee shall become involved. In this case, each proposed facility owner/operator must submit an application to the Siting Advisory Committee, which shall provide the Lorain County Board of Commissioners a recommendation to approve or disapprove each application submitted for review. Applicants for solid waste facilities shall meet with the Siting Advisory Committee throughout the permit review process to discuss community concerns and regulatory requirements. Public meetings must also be held with regard to facility siting.
- 3 Composting facilities must receive approval from the Lorain County Board of Commissioners.

K. Equipment/Facility Insurance and Maintenance

- 1 The Grantee shall maintain sufficient insurance on any equipment and/or property on which grant funds have been expended, to cover re-establishing the physical plant of the operation in the event of fire, theft, or other destructive occurrence. Further, the Grantee shall maintain compliance with any and all directives given by health, safety or fire officials resulting from regular or special inspections by said agencies.
- 2 The Grantee shall maintain sufficient liability insurance on any equipment and/or property on which grant funds have been expended and save the District and its representatives, Lorain County Board of Commissioners and their representatives harmless.
- 3 The Grantee shall be responsible for maintaining and repairing all equipment purchased and facility site established with District funding.

L. Site Inspections

The District shall have the right to inspect the Grantee's operations and site at any time deemed reasonable by the District. The purpose of any such inspection shall be to review program progress and discuss any difficulties encountered during program implementation, to receive recommendations or requests for program changes, and to provide technical assistance as requested. Records and documents pertaining to the Grant program shall be made available at any reasonable time for review and/or audit by Lorain County, State of Ohio, or District officials.

ATTACHMENT C

WASTE REDUCTION & RECYCLING REPORT

The Ohio Administrative Code [3734-29-02 (C)] stipulates that solid waste management districts must submit status reports to the Ohio EPA, which will monitor all recycling and waste reduction programs on an annual basis. Please list all of your recyclable materials and yard waste received and sold or delivered for recycling during 2008.

Grantee: City of Oberlin

RE: FY2008 Reporting Period: January 1, 2008 To December 31, 2008

I. Recycling Statistics

<u>TYPE OF MATERIAL</u>	<u>TONS</u>	<u>TYPE OF MATERIAL</u>	<u>TONS</u>
<u>ALUMINUM</u>	<u> </u>	<u>WHITE GOODS</u>	<u> </u>
<u> CANS</u>	<u> </u>		
<u> FOIL</u>	<u> </u>	<u>WOOD</u>	<u> </u>
<u> OTHER</u>	<u> </u>		
		<u>NON-HAZARDOUS</u>	<u> </u>
<u>BI-METAL CANS</u>	<u> </u>	<u> CHEMICALS</u>	<u> </u>
<u>GLASS</u>	<u> </u>	<u>PLASTICS</u>	<u> </u>
<u> BROWN</u>	<u> </u>	<u> HDPE</u>	<u> </u>
<u> CLEAR</u>	<u> </u>	<u> PETE</u>	<u> </u>
<u> GREEN</u>	<u> </u>	<u> POLYSTYRENE</u>	<u> </u>
<u>OTHER METALS</u>	<u> </u>	<u> PVC</u>	<u> </u>
<u> STEEL</u>	<u> </u>	<u> OTHER</u>	<u> </u>
<u> FERROUS</u>	<u> </u>		
<u> NO-FERROUS</u>	<u> </u>	<u>PAPER</u>	<u> </u>
		<u> NEWS</u>	<u> </u>
<u>CONCRETE</u>	<u> </u>	<u> OFFICE</u>	<u> </u>
		<u> COMPUTER</u>	<u> </u>
<u>FABRIC</u>	<u> </u>	<u> MIXED</u>	<u> </u>
<u>CORRUGATED</u>	<u> </u>	<u>OTHER (specify)</u>	<u> </u>
<u> CARDBOARD</u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>
<u>WASTE TIRES</u>	<u> </u>	<u> </u>	<u> </u>
		<u> </u>	<u> </u>
		<u>TOTAL</u>	<u> </u>

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Community Grant Program
2008 Grant Application

I. INTRODUCTION

The following grant application package has been prepared by the Lorain County Solid Waste Management District (LCSWMD) for each political sub-division in Lorain County. Please refer to the 2008 Grant Guidelines and Requirements, Section 1, in order to properly complete this application. Mail the original application and all required attachments to:

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Lorain County Administration Building
226 Middle Avenue
Elyria, OH 44035

II. APPLICANT INFORMATION

Political Sub-Division	City of Oberlin	Contact	Jeff Baumann
Recycling Coordinator	Jeff Baumann	Title	Public Works Dir
Address	85 South Main Street	City	Oberlin
Zip	44074	Township	
Phone	(440) 775-7204	Fax	(440) 775-7208
Email.	jbaumann@cityofoberlin.com		

III. PROGRAM AND GRANT SUMMARY

Description	Detail
Requested Grant Funds:	\$57,214 67
Match Funds Provided:	\$39,853 32
Total Project Cost:	\$97,067 99
Program Type	X Recycling and/or X Composting
Applicant Type	<input type="checkbox"/> Multiple Political Sub-Division or X Single Political Sub-Division
Number of Households Serviced	Quantity 2,836
Number or Residents Serviced	Quantity 8,195

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Community Grant Program
2008 Grant Application

IV PROJECT BUDGET

Please complete Attachment B (Operating Budget) All grant expenses must be itemized and listed on this form Use the back side or a second sheet of paper if necessary Subtotal all categories and transfer amounts (subtotals) to Attachment A (Budget Summary)

V PROJECT DESCRIPTION

Please complete Attachment C (Project Description) Using one or two sentences for each line item on the Budget Summary (Attachment A), justify each expenditure Use the back side or a second sheet of paper if necessary

This attachment must clearly explain each expenditure If this grant application is for greater than \$20,000 in grant funding, please include a description of the mandatory grant incentive program you will be implementing Applications over \$20,000 without incentive programs will not receive grant funding.

VI INSTRUCTIONS AND CHECKLIST

- 1 Complete entire grant application
- 2 Submit the original application on white, recycled paper, postmarked by the deadline
- 3 A letter of support from the governing body of your jurisdiction must accompany this application

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Community Grant Program
2008 Grant Application

ATTACHMENT A – BUDGET SUMMARY

Cost Category	Match Amount	LCSWMD Grant Amount	Grant Total
Advertising			
Recycling Containers		\$4,224 51	\$4,224 51
Educational Programs			
Printing		\$1,000 00	\$1,000 00
Equipment (Recycling, Composting & Electronic)	\$16,000 00		\$16,000 00
Recycled Office Supplies		\$1,000 00	\$1,000 00
Resource Materials			
School Field Trips			
Collection Events			
Seniors/Handicapped Assistance with Yard Waste			
Hauling/Disposal/Processing	\$19,884 15	\$48,990 16	\$68,874 31
Incentive/Awards		\$2,000 00	\$2,000 00
Siting Activities			
Administration (staff assistance)	\$3,969 17		
Food/Refreshments			
Other			
Total Grant Expenses	\$39,853 32	\$57,214 67	\$97,067 99

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Community Grant Program
2008 Grant Application

ATTACHMENT B – OPERATING BUDGET

Cost Category	Match Amount	LCSWMD Grant	Grant Total
Advertising			
Sub-Total			
Recycling Containers			
Curbside Recycling Containers		\$4,224 51	\$4,224 51
Sub-Total		\$4,224 51	\$4,224 51
Educational Programs			
Sub-Total			
Printing			
Brochures		\$1,000 00	\$1,000 00
Sub-Total		\$1,000 00	\$1,000 00
Equipment (Recycling Composting Electronic)			
Equipment Reserve	\$10,000 00		\$10,000 00
Vehicle Maintenance	\$6,000 00		\$6,000.00
Sub-Total	\$16,000 00		\$16,000 00
Recycled Office Supplies		\$1,000 00	\$1,000 00
Sub-Total		\$1,000 00	\$1,000.00
Resource Materials			
Sub-Total			
School Field Trips			
Sub-Total			
Collection Events			
Sub-Total			
Seniors/Handicapped Assistance with Yard Waste			
Sub-Total			

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Community Grant Program
2008 Grant Application

Cost Category	Match Amount	LCSWMD Grant	Grant Total
Hauling/Disposal/Processing			
Collection	\$14,400 00	\$30,600 00	\$45,000 00
Processing	\$5,484 15	\$11,390 16	\$16,874 31
Disposal Fees		\$7,000 00	\$7,000 00
Sub-Total	\$19,884 15	\$48,990 16	\$68,874 31
Incentive/Awards			
Chamber of Commerce Gift Certificates		\$2,000 00	\$2,000 00
Sub-Total		\$2,000 00	\$2,000.00
Siting Activities			
Sub-Total			
Administration (staff assist.)			
Public Works Director @ 5%	\$3,969 17		\$3,969 17
Sub-Total	\$3,969 17		\$3,969 17
Food/Refreshments			
Sub-Total			
Other			
Sub-Total			
Total Grant Expenses	\$39,853 32	\$57,214 67	\$97,067.99

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Community Grant Program
2008 Grant Application

ATTACHMENT C - PROJECT DESCRIPTION

Itemize and describe each line item on Attachment A

Cost Category	Description
Advertising	
Recycling Containers	LCSWMD funds will be used to purchase curbside containers for residents and may also be used to continue the comprehensive development of the refuse and recycling collection system for the downtown business district
Educational Programs	
Printing	LCSWMD funds will be used to print recycling brochures
Equipment (Recycling, Composting, Electronic)	As part of its match, the City of Oberlin will set aside \$10,000 in the Equipment Replacement Fund. These funds are used exclusively to replace recycling equipment at the end of its useful life. The City will also set aside \$6,000 for recycling vehicle and equipment maintenance costs.
Recycled Office Supplies	The City of Oberlin is requesting \$1,000 in LCSWMD funding to subsidize the purchase of recycled copy paper in accordance with the City's Procurement Policy on Recycled Content Materials. The City buys between 1,500 and 1,600 reams of willcopy recycled 8 1/2" x 11" paper with 30% post-consumer fiber content.
Resource Materials	
School Field Trips	
Collection Events	
Seniors/Handicapped Assistance with Yard Waste	

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
Community Grant Program
2008 Grant Application

Cost Category	Description
Hauling/Disposal/Processing	City of Oberlin matching funds and LCSWMD funds will be used to pay costs associated with the collection and processing of recyclable materials by City personnel LCSWMD funds will be used to pay tipping costs for materials processing at BFI's Materials Recovery Facility
Incentive/Awards	Continuation of the City's incentive program We are randomly selecting names/addresses from our utility billing data These are provided to the recycling crew who will verify whether or not the resident is recycling Residents who are found to be recycling are awarded a \$20 gift certificate from the Oberlin Chamber of Commerce Publicity in the local media will be continued Improved recycling rates should be demonstrated by an increase in the quarterly/annual tonnages collected
Siting Activities	
Administration (staff assistance)	5% of the Public Works Director's wages are documented as local match The Public Works Director is responsible for the overall recycling program including grant administration
Food/Refreshments	
Other	

LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT

Community Grant Program

2008 Grant Application

ATTACHMENT D – TYPE OF MATERIALS TO BE COLLECTED

Please check all materials that will be collected during the year. It is mandatory in 2007 that any community that is to receive grant funding must collect a minimum of aluminum cans, steel or bi-metal cans, glass and plastic

Type of Material	Check	Type of Material	Check
Aluminum Metal		PETE Plastic	X
Aluminum Cans	X	HDPE Plastic	X
Aluminum Foil		Polystyrene Plastic	
Other Aluminum		PVC Plastic	
Bi-Metal Cans	X	Other Plastic	
Brown Glass Containers	X	Steel	
Clear Glass Containers	X	Ferrous Metal	
Green Glass Containers	X	Non-Ferrous Metal	
Other Glass		Other Metals	
Magazines	X*	Concrete	
Newspaper	X	White Goods	
Office Paper	X*	Wood	
Mixed Paper		Concrete	
Paperboard		Fabric	
Computer Paper	X*	Tires	
Cardboard	X	Other	
Other Paper		Other	

*Office Paper, Computer Paper and Magazines collected at City Hall and at Oberlin College only

City of Oberlin

85 South Main Street, Oberlin, Ohio 44074

ATTACHMENT E

City of Oberlin Administrative Instructions

Procurement Policy: Recycled Content Materials

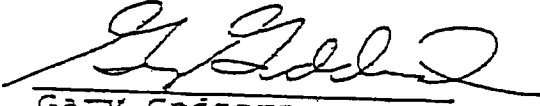
The purchase of products made from recycled materials stimulates markets for those materials. In so doing this encourages companies to manufacture recycled content products. In so far as this helps to conserve natural resources and energy and extends the life of landfills, it benefits all.

Instructions

These administrative instructions establish policy pertaining to the purchase by the City of Oberlin of products made from recycled materials.

1. City purchasing contracts will be reviewed by the city's purchasing agent in consultation with the recycling coordinator, to determine if the products being acquired can be manufactured with recycled materials.

2. When it has been determined that recycled content products are available; are compatible with existing equipment and needs, and are competitively priced, their purchase will be prioritized by the City of Oberlin.


Gary Goddard
City Manager
September 23, 1994

Payable Income Tax	775-7213	Finance/Utility Billing	775-7211	775-7212	Public Works Office	775-7217
Personnel	775-7252	Fire Department	774-3211		Recreation Department	775-725-
Manager	775-1531	Municipal Court	775-1751		Street Department	775-7270
at Council	775-7203	Municipal Light & Power	775-7260		Wastewater Department	775-7280
Administrator	775-1531	Planning Commission	775-7250		Water Department	775-7291
Utility Services Department	775-7251	Police Department	774-1061		City Hall Fax	775-7208
Public Development Office	775-7257	Prosecutor's Office	775-7208		Municipal Light & Power Fax	775-1540
					IDD	775-7244