

**Thursday, November 1, 2007**

The Board of County Commissioners met in regular session on **Thursday, November 1, 2007 at 9:40 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

Charles W. Keiper II

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It was moved by Christopher Smeiles, seconded by Charles W. Keiper II to approve the meeting minutes of the October 30, 2007 meeting. All in favor, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier

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**DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis, Jackie Petty

The Department of Budget & Financial Management presented the Board of Commissioners' Office budget for 2008.

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**HUMAN RESOURCES**

Present: Vickie Steiner

1. Results of job audit in JFS PRC Unit/Journal Entry
2. Ms. Steiner presented the final Open Enrollment schedule
3. The application for coverage with Delta Dental will be brought back by the Human Resources Department when it has been reviewed by the Prosecutor's Office.
4. Ms. Steiner advised that there is a Sam's Club Corporate Membership available for County employees at a cost of \$30/year. The Prosecutor's Office has recommended that the county not move forward with this program since the ORC does not give the Commissioners authority to collect funds from employees and then submit to Sam's Club in a lump sum/Human Resources Department to bring this issue back for Board of Commissioners consideration. .

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**NEIGHBORHOOD DEVELOPMENT SERVICES**

Present: Dave Vaughan, Mike Bogo, Carol Kurtz

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Mr. Vaughan advised that Little Treasures Day Care owes \$210,000 to Neighborhood Development Services, Inc. and \$142,000 to Board of Commissioners and Neighborhood Development Services, Inc. has filed Summary Judgment. The attorney for Little Treasures is asking how much the Board of Commissioners and Neighborhood Development Services, Inc. is willing to take on the dollar. Neighborhood Development Services, Inc. wants payment in full. The Board of Commissioners agreed that they also want payment in full, but may be willing to negotiate at a later time. The Board of Commissioners noted that the daycare is still operational; the mortgages are in default at this time. Commissioner Smeiles recommended that Neighborhood Development Services, Inc. ask for a Court Order to appoint a trustee to receive payments to apply toward the mortgage. Neighborhood Development Services, Inc. will contact their attorney to move that forward.

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**Ohio Department of Development issue**

Mr. Vaughan noted that Michael Hiler, Office of Housing and Community Partnerships, has advised that there are very few political subdivisions in Ohio that do not have their RLF funds processing through the local government/County Auditor’s office. The Ohio Department of Development will issue a statewide directive as to how to proceed.

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Mr. Vaughan noted that HB 359 allows the Board of Commissioners to use up to \$3 million of the DETAC funds for blight elimination or for a foreclosure prevention program. The Board of Commissioners noted that the Prosecutor and Treasurer share the DTAC funds at this point. Commissioner Frederick noted that the Prosecutor uses those funds for salaries.

The Board of Commissioners agreed to ask the Department of Budget & Financial Management what the balances are in the Prosecutor and Treasurer DTAC funds.

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Mr. Vaughan noted that the National Guard was to invite the Board of Commissioners to a meeting on November 14<sup>th</sup> at the Neighborhood Development Services, Inc. offices along with the Ohio Department of Development and the USDA. The Board of Commissioners agreed to add this meeting to their calendar and wait for confirmation from Neighborhood Development Services, Inc. The discussion would be about financing/funding.

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11:20 AM Board of Commissioners recessed for lunch  
1:05 PM Board of Commissioners reconvened

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1:10 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider the employment of a Nursing Home Administrator. **Also present: Mike Coury, Generations Health Care.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

1:37 PM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners accepted the recommendation of Michael Coury of Generations Health Care for the hire of Steven S. Eva as the Nursing Home Administrator.

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**RESOLUTION No. 07-1084 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on November 1, 2007 in the total payment amount of **\$ 176,227.01 for Funds 0001-8391** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Maureen T. Frederick, Yea; Christopher Smeiles, Yea; Charles W. Keiper II Yea;  
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**RESOLUTION No. 07-1085 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

**WHEREAS,** there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

**WHEREAS,** the Journal Vouchers/Entries are recommended by the County Auditor’s Office for review and approval by the Board of Commissioners; now therefore be it

**RESOLVED,** that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor’s Office:

11/01/07	47	\$ 2.29
11/01/07	50	3,686.12
11/01/07	51	1,361.66
Total		\$ 5,050.07

and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Maureen T. Frederick, Yea; Christopher Smeiles, Yea; Charles W. Keiper II, Yea;  
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**RESOLUTION No 07-1086 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (Then and Now Certification), and

**WHEREAS,** the Then and Now Certification is recommended by the State Auditor's Office, the Portage County Auditor's Office, and the Portage County Prosecutor's Office, and

**WHEREAS,** a listing of expenditures, attached hereto as Exhibit "A" and incorporated herein by reference, has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

**RESOLVED,** that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$4,208.04** as set forth in Exhibit "A" dated **November 1, 2007** shall be paid; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

Maureen T. Frederick, Yea; Christopher Smeiles, Yea; Charles W. Keiper II, Yea;

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**RESOLUTION No. 07-1087 - RE: PETITION CITY OF RAVENNA TO VACATE LYNN LANE BETWEEN MERIDIAN STREET AND PARK WAY.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** the County recently removed four county owned buildings located on the corner of Riddle Avenue and Meridian Street in Ravenna; and

**WHEREAS,** the County intends to pave this area to create additional parking; and

**WHEREAS,** Lynn Lane divides the area; and

**WHEREAS,** in order to create a smooth traffic flow, the Board of Commissioners agrees to petition the City of Ravenna, Ohio to vacate Lynn Lane; now therefore be it

**RESOLVED,** that, in accordance with the Ohio Revised Code, the Portage County Board of Commissioners petitions the City of Ravenna to vacate Lynn Lane between Meridian Street and Park Way, to allow Portage County to add additional parking for Portage County employees and visitors; and be it further

**RESOLVED,** that, in accordance with the City of Ravenna requirements, the Board of Commissioners authorized the replat of the entire block (the area within Spruce Street, Park Way, Riddle Avenue, and Meridian Street); and be it further

**RESOLVED,** the Board of Commissioners presents a legal description and Plat Map of the area to be vacated and replatted; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Maureen T. Frederick, Yea; Christopher Smeiles, Yea; Charles W. Keiper, Yea;

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**RESOLUTION No. 07-1088 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on November 1, 2007 in the total payment amount as follows:

1. \$4,146.85 to MHM Resources, Inc for processing FLEX claims for Medical Mutual for the year 2007 while Medical Mutual implements a new billing system; and

as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor's Office:

Wire Transfer on Friday, November 2, 2007 \$ 4,146.85

and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Maureen T. Frederick, Yea; Christopher Smeiles, Yea; Charles W. Keiper II, Yea;

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**RESOLUTION No. 07-1089**

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**RE: A RESOLUTION SUPPORTING THE PRESERVATION OF CUSTOMER CHOICE THROUGH OHIO ELECTRIC GOVERNMENTAL AGGREGATION.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** Portage County has established an opt-out electricity aggregation program for eligible electric consumers within the unincorporated areas of the County, joined the Northeast Ohio Public Energy Council ("NOPEC") and participated in NOPEC's opt-out electricity governmental aggregation program; and

**WHEREAS,** governmental aggregation has been recognized by The Ohio Consumers' Counsel as the "jewel" of Ohio electric deregulation, and has helped the City's (or County's or Township's) residents save money on their electric bills; and

**WHEREAS,** opt-out governmental electricity aggregation has been widely recognized, in Ohio and nationally, as being successful in bringing benefits to residential and small business customers, as shown in the quotations attached to this Resolution as Attachment 1; and

**WHEREAS,** by the end of 2007, the NOPEC communities of Northeast Ohio will have saved collectively over \$67 million on their constituents' residential and small business electric bills since 2001; and

**WHEREAS,** the Ohio Legislature and the Public Utilities Commission of Ohio ("PUCO") currently are considering the structure of Ohio's electric markets after the rate stabilization plans currently in effect expire at the end of 2008 and may propose changes that will directly affect electric consumers in Portage County; and

**WHEREAS,** the Portage County Board of Commissioners strongly supports the preservation of customer choice for the benefit of the residents of the City (or County or Township) through the continuation and improvement of Ohio opt-out electric governmental aggregation; now therefore be it

**RESOLVED,** by the Portage County Board of Commissioners that:

1. The Portage County Board of Commissioners strongly supports NOPEC's efforts to preserve customer choice through Ohio electric opt-out governmental aggregation; and
2. The Portage County Board of Commissioners urges the Ohio Legislature and the PUCO to institute policies to adopt the Guiding Principles for preserving, continuing and improving customer choice through Ohio governmental aggregation, and making necessary modifications so that Ohio governmental aggregation can be more successful, which are attached to this Resolution as Attachment 2; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

Charles W. Keiper, Yea;

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Attachments (2)

**ATTACHMENT I**

**Governmental Aggregation Has Been An Overwhelming Success.**

“There are successes to report” and “[a]ggregation, specifically governmental aggregation, has led the way.”

“Where we can point to the greatest success is in those areas that have developed aggregation.”

“Aggregation is the success story in Ohio, accounting for nearly 93 percent of residential switching in Ohio.”

A Report by the Public Utilities Commission of Ohio, *The Ohio Retail Electric Choice Programs Report of Market Activity 2001-2002*, May 2003. See, Cover Letter by Chairman Alan Schriber and Executive Summary.

**“Aggregation continues to be the success story of Ohio’s electric choice program.”**

Ohio State Business News, May 28, 2003, PR Newswire Website at [www.prnewswire.com/cgi-bin/stories.pl?ACCT+OHS&STORY=/www/story/05-28-2003.html](http://www.prnewswire.com/cgi-bin/stories.pl?ACCT+OHS&STORY=/www/story/05-28-2003.html).

**“Electric Aggregation – Ohio’s Success Story.”**

Office of the Ohio Consumers’ Counsel Website at [www.pickocc.org/electric/aggregation/success.shtml](http://www.pickocc.org/electric/aggregation/success.shtml).

**“While many forms of alternative power have failed in Ohio, aggregation has been an overwhelming success.”**

*Aggregation Awareness*, Ohio University Website at [www.oak.cats.ohiou.edu/~jm305101/info\\_pub.html](http://www.oak.cats.ohiou.edu/~jm305101/info_pub.html).

**“‘Opt-out’ programs in other states have proven to be successful. Through such programs, these states have provided their residents with the opportunity to be represented collectively through aggregation and have saved on their utility bills.”**

Seema M. Singh, Ratepayer Advocate of the State of New Jersey, referring to Ohio opt-out governmental aggregation in *Energy Deregulation and Aggregation: A story of Dollars and Sense*, at NJ State Governmental Website at [www.state.nj.us/rpa/seemalomspeech.html](http://www.state.nj.us/rpa/seemalomspeech.html).

**Governmental Aggregation Helps Consumers Save On Utility Costs And Promotes Competition & Choice:**

**“Municipal aggregation is a valuable service that residents and small businesses look for from their local governments. It has proven to be the most effective way to help small consumers manage their utility bills, and has received overwhelming support wherever it’s been tried.”**

Independent Energy Consultants Website at [www.naturalgas-electric.com/aggregation.asp](http://www.naturalgas-electric.com/aggregation.asp).

**“Aggregation appears to have given all participating Ohio customers in the aggregators’ jurisdictions at least some access to competitively determined electricity prices.”**

Matthew H. Brown, *Part Two: An Analysis of Opt-Out Aggregation in Massachusetts and Ohio*, NEAAP Website at [www.neaap.neat.org/experts/parttwo.htm](http://www.neaap.neat.org/experts/parttwo.htm).

**“[G]overnmental aggregation is presently the *only* form of competition available to residential customers in the CEI service area who are unable to receive municipal service. The City’s successful aggregation program has saved over 60,000 CEI customers approximately \$3,800,000 since 2001.”**

Mayor of the City of Cleveland, March 8, 2004 Letter to PUCO Chairman Alan Schriber, filed in FirstEnergy Rate Stabilization Plan, PUCO Case No. 03-2144-EL-ATA.

**“Governmental aggregating groups have helped thousands of Ohioans save on their electric bills, particularly in Northern Ohio.”**

Jeff Brehm, *Deregulation: A look back at the first year*, citing PUCO Chairman Alan Schriber, at Buckeye Power Website at [www.buckeyepower.com/news\\_stories.asp?int\\_articleID=117](http://www.buckeyepower.com/news_stories.asp?int_articleID=117).

**“These programs won’t make you rich or change your lifestyle. The savings do add up collectively and bring a great deal of disposable income back to the community. ... Finally, these programs let suppliers and the local utility know that you believe in competition and customer choice.”**

Colerain Township, Ohio Website at [www.coleraintwp.org/gas\\_aggregation.cfm](http://www.coleraintwp.org/gas_aggregation.cfm).

### **Governmental Aggregation Permits For Consumer Buying Pools.**

“Aggregation allows consumers to combine their energy use to form a buying pool or group. These buying pools benefit residential consumers because suppliers may be more likely to negotiate with an aggregated group for service at a lower price than with an individual. When energy is purchased in large quantities, the cost of the supply is reduced.”

“Aggregation also makes residential consumers more attractive to suppliers because it lowers the suppliers’ costs of marketing to and signing up customers. As a result, suppliers may be able to provide better rates to aggregated groups.”

Office of the Ohio Consumers’ Counsel, *Energy Aggregation in Ohio*, Second Edition, June 2004, p.3, at OCC Website at <http://www.pickocc.org/electric/aggregation/guide/overview.shtml>.

“In 2001, most of the electric choice shopping activity occurred in northern Ohio where electricity traditionally has cost more than in any other part of the state. Statewide, 600,000 – about 15 percent of those eligible – residential electric consumers switched to a new supplier. Some customers shopped on their own, but aggregation proved to be the most popular route to new suppliers – and savings. Across Ohio, 158 communities decided to aggregate or join a local community buying pool last year.”

Office of the Ohio Consumers’ Counsel, *2001 Annual Report*, April 2002, p.9, at OCC Website at <http://www.pickocc.org/annualreports/2001.pdf>.

## **ATTACHMENT II**

### **OHIO GOVERNMENTAL OPT-OUT AGGREGATION**

#### **1. Ohio Governmental Opt-Out Aggregation is the “jewel” of Ohio deregulation.**

There have been issues and challenges faced by Ohioans regarding the price of electricity ever since deregulation was passed in SB3. In retrospect, many do not regard electricity deregulation as a success. One area where SB3 clearly succeeded, however, was in creating opt-out governmental aggregation in Ohio. Elected officials and regulators agree that governmental aggregation has been a significant success. It has been recognized by the Ohio Consumers’ Counsel as the “jewel” of Ohio deregulation and “the most successful aggregation program in the nation.”

#### **2. Preserve customer choice through governmental aggregation**

As recommended by the Governor, Ohio should preserve a customer choice for residential and small business customers through Opt-Out Governmental Aggregation. There are 2 types of governmental aggregation, opt-in and opt-out. Opt-in aggregation has been tried in other states. It has been met with little success and small, if

any, savings because it only secures only a 5-8% consumer participation level. Ohio has the most successful governmental aggregation program in the country because it permits communities to vote for Opt-Out aggregation. Voters in hundreds of Ohio communities have voted to aggregate their electricity requirements to increase their purchasing power and save money. The two largest Ohio governmental aggregation groups, NOAC and NOPEC, have experienced 93 to 97% of eligible consumers participating in their aggregation programs. Since 2001, NOPEC and NOAC's consumers have saved an estimated \$100 million on utility costs.

With this track record, it is easy to see why the Governor specifically recommended the continuation of governmental opt-out aggregation in his recent hybrid electricity proposal. NOAC and NOPEC agree that continuing opt-out governmental aggregation will help residential and small business consumers reduce their electric costs by giving them a choice. To enhance the viability of opt-out aggregation NOAC and NOPEC propose a number of improvements.

### **3. Necessary modifications to make Ohio Governmental Aggregation more successful**

**A. By-passability on generation related charges.** The major factor inhibiting governmental aggregation over the past 7 years has been large, non-bypassable generation related utility charges. These charges are expiring in the next few years. Renamed charges of similar size should not be permitted. All charges that are not directly related to the local distribution or transmission of electricity should be bypassable by governmental aggregation customers. This would enhance the opportunity that a choice for aggregation customers will be available in Ohio in the future.

**B. Eliminate Deferrals.** Ohio utilities have a history of seeking full collection of many costs, only to moderate their request by offering to defer a portion of the charges. If the utilities want to include new non-bypassable charges for generation, fuel, generation investments, or other items that have been deferred, Ohio should recognize the very significant costs already paid by consumers through transition charges since 2001. Governor Strickland's plan recognizes these sizable costs already paid by Ohio ratepayers. While returning to cost-of-service regulation may not be practical or possible, consumers have paid utilities billions towards paying off utility assets over the past 7 years. Any new increases, even those tied to past deferrals, must be moderated to recognize the costs already paid by Ohio ratepayers.

**C. True-up.** Any future charges, caps, or deferrals applied to Ohio electric consumers' bills should include true-up or re-look audit mechanisms to ensure consumers are not being overcharged. If audits had been in place during the past seven years, utilities' windfall revenues may have been moderated.

**D. Extended Period.** Governmental opt-out aggregators currently must provide customers an opportunity to exit the aggregation without penalty every 2 years. Our experience has been that consumers who initially choose to participate in the aggregation choose to continue in the aggregation every 2 years at an extraordinarily high rate. The net result is that this provision limits the governmental aggregators' ability to secure longer term supply arrangements that could be highly beneficial to these consumers. Extending the opt-out period to up to 5 years would provide Ohio's governmental aggregators additional opportunities to secure consumers' savings.

**E. No governmental aggregator switching fee.** In the past, opt-out governmental aggregators were charged switching fees that other groups or consumers did not pay when consumers chose to participate in the aggregation. This is a barrier to market entry. For NOPEC alone, the initial switching fee is \$2.5 million, for simply making a computer change on the bills. NOAC and NOPEC believe this switching charge is not justified, is discriminatory and serves only to benefit the utilities and reduce competition.



distributed to the Portage County Commissioners' General Fund for a period of ten years effective 2009 through 2018; and be it further

**RESOLVED,** that the Board of Commissioners authorizes the Portage County Auditor to process a Journal Entry to the Park District from the General Fund when a distribution is recorded; and be it further

**RESOLVED,** that the Board of Commissioners reserves the right to revisit the Local Government Funding distribution if the Portage Park District develops other long-term funding sources in support of operations (i.e. approved tax levy); and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Maureen T. Frederick, Yea; Christopher Smeiles, Yea; Charles W. Keiper, Yea;

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**RESOLUTION No. 07-1092** - **RE: ACCEPT THE OHIO DEPARTMENT OF PUBLIC SAFETY, GOVERNOR'S HIGHWAY SAFETY OFFICE GRANT FOR THE PORTAGE COUNTY SHERIFF'S DEPARTMENT, ENTITLED HIGH VISIBILITY ENFORCEMENT OVERTIME 2008. (AGREEMENT #HVEO-2008-67-00-00-00249-00)**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** the Board of Commissioners notes that the online grant application to the Ohio Department of Public Safety, Governor's Highway Safety Office Grant was submitted by the Portage County Sheriff's Office for funding in an amount not to exceed \$24,309.08 **with no local match requirement**, for FFY 2008 without a review by the Internal Auditor or the Department of Budget & Financial Management; now therefore be it

**RESOLVED,** that the Board of Commissioners accepts the Ohio Department of Public Safety, Governor's Highway Safety Office Grant for the Portage County Sheriff's Department for funding in an amount not to exceed \$24,309.08, **with no local match requirement**, for aggressive traffic enforcement by the Portage County Sheriff's Department to reduce the number of fatal crashes in Portage County. The Sheriff will enforce speed, safety belt, DUI and aggressive driving laws by issuing citations vs. warnings; and be it further

**RESOLVED,** that the Board of Commissioners notes that the "authorized to proceed date" for this agreement is October 1, 2007 and the "agreement termination date" is September 30, 2008; and be it further

**RESOLVED,** that a copy of this resolution be forwarded to the Portage County Auditor's Office, the Department of Budget and Financial Management, and to the Portage County Sheriff; and be it further

**RESOLVED,**

that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

Maureen T. Frederick, Yea; Christopher Smeiles, Yea; Charles W. Keiper, Yea;

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**RESOLUTIONS**

November 1, 2007

1. Approval of Meeting Minutes from the October 30, 2007 regular Board Meeting as presented.
2. Approve the bills as presented by the County Auditor and reviewed by the Internal Auditor./07-1084
3. Approve the Journal Vouchers as presented by the County Auditor./07-1085
4. Approve the Then & Now as presented by the Portage County Auditor./07-1086
5. Petition the City of Ravenna to vacate Lynn Lane between Meridian Street and Park Way./07-1087  
The Board of Commissioners noted that they recently removed four county owned buildings located on the corner of Riddle Avenue and Meridian Street in Ravenna. The Board intends to pave the entire area to create additional county parking. Noting that Lynn Lane divides the area, the Board of Commissioners met with Mayor Poland to discuss the possibility of the City vacating Lynn Lane between Meridian Street and Park Way. The Board of Commissioners agreed to file this petition with the City to begin the process.

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**INVITATIONS/MEETING NOTICES**

November 1, 2007

1. Invitation from the Portage County Township Association for the next dinner/meeting on Friday, November 16, 2007, 6:00 PM at the Portage County Engineer’s Office.

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**INCOMING CORRESPONDENCE**

November 1, 2007

1. October 29, 2007 e-mail from Brian Kelley, ITS, regarding digital board minutes. Does the Board wish to have a demonstration/The Board of Commissioners does not want to investigate digital board minutes but did agree to put their meeting minutes on the Portage County website.
2. October 25, 2007 correspondence from Joseph Hadley Jr., NEFCO, regarding the Calendar Year 2008 General Policy Board appointment/Clerk to bring back the current appointments
3. October 29, 2007 correspondence from Rick Hawksley, Design Vision Architecture, regarding downtown Kent parking/Information only at this time. Commissioner Smeiles noted that both Judge Oswick and the Clerk of Courts have indicated their interest in a bigger footprint for the Kent Muni Court.

4. October 29, 2007 e-mail from the Greater Akron Chamber, regarding the Local Elected Officials Awards Recognition Luncheon on Friday, November 9, 2007, 11:00 AM. Brimfield Township Board of Trustees will be receiving an award/Information only
5. Board of Commissioners' authorization requested to have Commissioner Frederick sign the Extra Work Change Order Nos. 54-68 for the State Route 43 Project [County/Route/Sect POR SR-43 007.67], Contract No. 050224, as presented by the Ohio Department of Transportation. The Internal Services Director JoAnn Townend spoke with ODOT officials who advised that there is money available for this change order./Journal Entry
6. The Board of Commissioners received the Weekly Report of Kennel Population, Impounding, Miscellaneous and Revenue for the week of October 22, 2007 as presented by the County Dog Warden./Journal Entry
7. Board of Commissioners' signature requested on the payment authorization form for \$70.56 payable to Record Publishing for advertising services for grant projects/requirements as requested by the Regional Planning Commission. The 2006 Formula Grant Activity #08 Administration is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized./Journal Entry
8. Board of Commissioners' authorization requested to allow Director Jon Barber to submit a request for reimbursement to the Ohio Public Safety Department for S06-SHSP-67-0313 Request for administration of Planning, Training, Exercise & Administration (PTEA) portion of the grant provided by RCC Consultants, Inc. for \$ 1,040.00 as follows:

	<u>As Awarded</u>	<u>As Amended</u>
PTEA	\$ 105,112.00	\$ 54,000.00
Equipment	\$ 5,819.00	\$ 56,931.00
Total of Grant	\$ 110,931.00	\$ 110,931.00

Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be accurate as to the amount requested./Journal Entry

9. Board of Commissioners' authorization requested to allow Director Jon Barber to submit a request for reimbursement to the Ohio Public Safety Department for S06-SHSP-67-0313 for \$ 15,894.00 for Equipment: Mass Casualty/Dispensing Trailer to remain in Portage County Office of Homeland Security and Emergency Management ownership. This trailer has been purchased from Thompson Campers, Inc., Invoice No. 00022741-00 with Check No. 103995 being issued by the Portage County Auditor on October 26, 2007.

	<u>As Awarded</u>	<u>As Amended</u>
Equipment	\$ 5,819.00	\$ 56,931.00
Expended – Trailer	- - - - -	\$ (15,894.00)
Total of Grant	\$ 5,819.00	\$ 41,037.00

Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be accurate as to the amount requested./Journal Entry

10. Board of Commissioners' signature requested on the November 1, 2007 correspondence to Michael Hiler, Office of Housing and Community Partnerships, requesting an extension of the 2006 Formula Allocation as

requested by the Regional Planning Commission. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized./Journal Entry

11. Board of Commissioners' signature requested on the payment authorization form for \$ 1,795.00 payable to Ronald Cornell Faniro Architects for architect services for the Catholic Charities Building rehabilitation as requested by the Regional Planning Commission. The 2006 Formula Grant Activity #05 Public Rehabilitation is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized./Journal Entry
12. Board of Commissioners' authorization requested to allow use of the 3<sup>rd</sup> Floor Veteran Services Office on Monday, November 19, 2007 from 4:30-7:00 PM for a Commission Meeting as requested by Robert Park, Veteran Services./Journal Entry
13. The Board of Commissioners received a copy of Incident Report 2072990030 regarding the October 26, 2007 incident at the County owned lot at the corner of Meridian and Riddle/Forward to the Human Resources Department
14. October 30, 2007 e-mail from Janet Esposito, on behalf of the Budget Commission, including a list of sub-division responses to the Local Government Formula for 2009 through 2018.
  - (A) Approving and Accepting the Portage County Budget Commission's alternative method of apportioning and distributing the local government fund and the local government revenue assistance fund/07-1090.
  - (B) Authorize the Portage County Auditor to distribute Local Government Funding for the Portage Park District for a period of ten years effective 2009 through 2018/07-1091.
15. The Commissioners received the October 30, 2007 Amended Certificate of Estimated Resources for the year beginning January 1, 2007 as submitted by the Portage County Budget Commission (cc: Department of Budget & Financial Management)/Journal Entry

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**Please Add To The Agenda**

November 1, 2007

1. Board of Commissioners' authorization requested to have Commissioner Frederick sign the Ohio Office of Criminal Justice Services Quarterly Subgrant Report period ending September 30, 2007 for Subgrant No. 2006-WF- VA8-8222 Domestic Violence Intervention for \$ 11,700.00 as requested by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized./Journal Entry.
2. Board of Commissioners' authorization requested to have Commissioner Frederick sign the partial release of Noah's Ark property in order to accommodate the sale of one acre of the grounds owned by the Noah's Ark Daycare Center, Inc. as presented by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor with comments noted./Journal Entry.
3. Resolution: Accept the Ohio Department of Public Safety, Governor's Highway Safety Office Grant for the Portage County Sheriff's Department, entitled High Visibility Enforcement Overtime 2008 (Agreement #HVEO-2008-67-00-00-00249-00)/07-1092. The Board of Commissioners agreed to send a letter to the Sheriff asking that his staff contact the Commissioners' office prior to submitting applications for grant funding.

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**INFORMATION ONLY**

November 1, 2007

16. October 29, 2007 e-mail from Jon Barber, Office of Homeland Security and Emergency Management, regarding assets on display Saturday, November 3, 2007.
17. August 21, 2007 correspondence (received October 29, 2007) from Jack Noble, Ohio Department of Transportation, regarding a change in the scheduled established for the SR 303 bridge rehabilitation project.
18. The Board of Commissioners received a copy of Public Address newsletter for Fall 2007 as presented by The Ohio State University John Glenn School of Public Affairs.
19. The Board of Commissioners received a copy of the November 2007 newsletter from The Woodlands At Robinson.
20. The Board of Commissioners received the Straight News newsletter for Fall 2007, as presented by the Community Health Center Inc. and the Community Health Center Foundation.
21. The Board of Commissioners received the Vital Signs newsletter for September 2007, as presented by Robinson Memorial Hospital.
22. October 30, 2007 final memo to members of the EMA Advisory Committee, advising them of their appointment.

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**Journal Entry**

November 1, 2007

Motion by Christopher Smeiles, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners authorized Commissioner Frederick to sign the Extra Work Change Order Nos. 54-68 for the State Route 43 Project [County/Route/Sect POR SR-43 007.67], Contract No. 050224, as presented by the Ohio Department of Transportation. Internal Services Director JoAnn Townend noted that these change orders are within the limit set aside for the project and not coming out of or crediting the local (Portage County) funds.
2. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel Population, Impounding, Miscellaneous and Revenue for the week of October 22, 2007, as presented by the County Dog Warden.
3. The Board of Commissioners signed the payment authorization form for \$70.56 payable to Record Publishing for advertising services for grant projects/requirements as requested by the Regional Planning Commission. The 2006 Formula Grant Activity #08 Administration is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized.
4. The Board of Commissioners authorized Office of Homeland Security and Emergency Management Director Jon Barber to submit a request for reimbursement to the Ohio Public Safety Department for S06-SHSP-67-0313 - request for administration of Planning, Training, Exercise & Administration (PTEA) portion of the grant provided by RCC Consultants, Inc. for \$1,040.00 as follows:

	<b><u>As Awarded</u></b>	<b><u>As Amended</u></b>
PTEA	\$ 105,112.00	\$ 54,000.00
Equipment	\$ 5,819.00	\$ 56,931.00
Total of Grant	\$ 110,931.00	\$ 110,931.00

Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be accurate as to the amount requested.

- The Board of Commissioners authorized the Office of Homeland Security and Emergency Management Director Jon Barber to submit a request for reimbursement to the Ohio Public Safety Department for S06-SHSP-67-0313 for \$15,894.00 for Equipment: Mass Casualty/Dispensing Trailer to remain in Portage County Office of Homeland Security and Emergency Management ownership. This trailer has been purchased from Thompson Campers, Inc., Invoice No. 00022741-00 with Check No. 103995 being issued by the Portage County Auditor on October 26, 2007.

	<b><u>As Awarded</u></b>	<b><u>As Amended</u></b>
Equipment	\$ 5,819.00	\$ 56,931.00
Expended – Trailer	-----	\$ (15,894.00)
Total of Grant	\$ 5,819.00	\$ 41,037.00

Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be accurate as to the amount requested.

- The Board of Commissioners signed the November 1, 2007 correspondence to Michael Hiler, Office of Housing and Community Partnerships, requesting an extension of the 2006 Formula Allocation, as presented by the Regional Planning Commission. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized.
- The Board of Commissioners signed the payment authorization form for \$1,795.00 payable to Ronald Cornell Faniro Architects of Youngstown for architectural services for the Catholic Charities Building rehabilitation, as presented by the Regional Planning Commission. The 2006 Formula Grant Activity #05 Public Rehabilitation is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized.
- The Board of Commissioners authorized the use of the 3<sup>rd</sup> Floor Veteran Services Office on Monday, November 19, 2007 from 4:30-7:00 PM for a Commission Meeting, as requested by Robert Park, Veteran Services.
- The Board of Commissioners acknowledged the receipt of the October 30, 2007 Amended Certificate of Estimated Resources for the year beginning January 1, 2007, as presented by the Portage County Budget Commission. Copy forwarded to the Department of Budget & Financial Management.
- The Board of Commissioners met today in an Executive Session with Michael Coury of Generations HealthCare Management to discuss the potential hire of The Woodlands at Robinson Administrator, in accordance with the agreement between the Board of Commissioners and Generations HealthCare Management. After exiting Executive Session, the Board of Commissioners accepted the recommendation of Mr. Coury and agreed to the hire of Steven S. Eva as the Nursing Home Administrator, effective November 5, 2007. The Board of Commissioners noted that Mr. Eva is hired as a Generations Health Care Employee. (Resolution 07-0946, adopted September 24, 2007)
- The Board of Commissioners accepted the recommendation of Department of Job & Family Services Director Anita Herington and authorized the reclassification of Elaine Schneider in the Public Assistance

Division PRC Unit from an Income Maintenance Aide 2 to an Income Maintenance Worker 2, effective November 5, 2007, as presented and recommended by Human Resources Department Director Lynn Leslie.

12. The Board of Commissioners authorized Commissioner Frederick to sign the Ohio Office of Criminal Justice Services Quarterly Subgrant Report for the period ending September 30, 2007, Subgrant No. 2006-WF- VA8-8222, Domestic Violence Intervention for \$11,700.00, as presented by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized
13. The Board of Commissioners authorized Commissioner Frederick to sign the partial release of Noah's Ark property, in order to accommodate the sale of one acre of the grounds owned by the Noah's Ark Daycare Center, Inc., as presented by the Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor, who noted that the owner has reduced the debt by 12% of principal in nine months.
14. The Board of Commissioners signed the Personnel Action Form authorizing the lateral class change for Betty Wells as an Income Maintenance Worker 3 (replacing Jamie Pelphre) from PA Family/Adult Unit to PA Intake Unit for the Portage County Department of Job & Family Services, effective November 26, 2007, as presented by Human Resources Department Director Lynn Leslie and approved by Department of Job & Family Services Director Anita Herington.
15. The Board of Commissioners signed the following Sewer Tap-In Fee Forms, as presented by the Portage County Water Resources Department::

Owner	Project Name	Project Number	Tap-In Address	Tap-In Amount
Campus Pointe Associates LLC	Campus Pointe Apartments	FR-1 07-080	1833 Ashton Lane	\$87,642.00
Campus Pointe Associates LLC	Campus Pointe Apartments	FR-1 07-080	1835 Ashton Lane	\$12,984.00
Campus Pointe Associates LLC	Campus Pointe Apartments	FR-1 07-080	1831 Ashton Lane	\$87,642.00
Campus Pointe Associates LLC	Campus Pointe Apartments	FR-1 07-080	1829 Ashton Lane	\$51,124.50
Campus Pointe Associates LLC	Campus Pointe Apartments	FR-1 07-080	1827 Ashton Lane	\$87,642.00

All in favor, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **November 1, 2007**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Charles W. Keiper II to adjourn the official meeting at **1:37 PM**. All in favor, motion carries.

Maureen T. Frederick, President

Christopher Smeiles, Vice President

Charles W. Keiper II, Board Member

Deborah Mazanec, Clerk

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