

Tuesday, November 13, 2007

The Board of County Commissioners met in regular session on **Tuesday, November 13, 2007 at 9:25 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

Charles W. Keiper II

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It was moved by Charles W. Keiper II, seconded by Christopher Smeiles to approve the meeting minutes of the November 8, 2007 meeting. All in favor, motion carries

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

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The Board of Commissioners thanked Jon Barber for his efforts at the Veterans Memorial Dedication on Sunday, November 11, 2007.

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9:35 AM In accordance with the Ohio Rev. Code Ann. (121.22(G)(1), it was moved by **Charles W. Keiper II**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to prepare for, conduct or review negotiations or bargaining issues at the County Engineer's Office concerning. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

9:50 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea, Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

Upon exiting Executive Session, the Board of Commissioners adopted Resolution 07-1126 to accept and enter into a successor Collective Bargaining Agreement between the Portage County Board of Commissioners, the Portage County Engineer and the Teamsters Local Union No. 436.

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PROSECUTOR

Present: Denise Smith

Review of Prosecutor's Pending List

1. Ms. Smith advised that the Sheriff, Prosecutor, and she will meet in January to begin discussions regarding hospital care to inmates.
2. Denise Smith advised that the propose Project Labor Agreement as presented by Jim Wyatt, Business Representative for the Ohio & Vicinity Regional Council of Carpenters. Ms. Smith advised that the Ohio Supreme Court allows a PLA but typically, the Board of Commissioners would enter into a PLA with a Council of Trades and not individual trade councils. The Board of Commissioners should review the agreement and incorporate important portions into the proposed PLA. Ms. Smith advised that a PLA will change the bid specifications immediately. Ms. Smith recommended that a PLA be negotiated before releasing the bid specifications. Schedule meeting with Denise Smith, JoAnn Townend and Board of Commissioners to discuss a PLA for future projects, since it is too late for the Prosecutor's renovation.

- Denise Smith advised that Attorney Tommie Marsilio was given the November 1, 2007 correspondence from Linda Husvar, Tri-County Independent Living Center, Inc., regarding ADA compliance countywide. Attorney Marsilio has prepared a letter to the Board of Commissioners regarding this issue.

Prosecutor's Correspondence - None

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BUILDING DEPARTMENT

Present: Bob Wrentmore, Carrie Quotson, Audrey Tillis, Jackie Petty

2008 Budget Discussion

- CBO Wrentmore presented the draft permit fee schedule, including an exemption for senior citizens. Mr. Wrentmore noted that these fees/revenues cover about 85% of the Building Department budget.
- Mr. Wrentmore advised the Board of Commissioners that both he and Chip Porter support SB 192 regarding plumbing inspections.
- CBO Wrentmore advised that the new employee/backup building inspector Randall Roberts, is addressing complaints as they come in. The department needs three new vehicles at this time at a cost of \$51,000 to replace a 1997 and two 1999 trucks with over 100,000 miles. The department also needs five replacement computers for staff at a cost of \$8,500. The total increase in the 2008 budget is \$122,532.
- The CBO advised that there is a need of \$15,000 to update the inspector's handheld PDAs, printers, software and training (ICES Mobile). \$5,000 of that \$15,000 will be used to provide public access to inspections and contractor registration information. The purchase of this equipment will alleviate the need of staff time to type the reports that this equipment will produce.

11:15 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Charles W. Keiper II**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider a compensation issue in the Portage County Building Department. **Also present: CBO Bob Wrentmore.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:35 am Upon conclusion of the above referenced discussion, it was moved by **Charles W. Keiper II** seconded by **Christopher Smeiles** 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.

On September 14, 2006, the Board of Commissioners approved Journal Entry #14 authorizing the reorganization of the Portage County Building Department, naming Robert Wrentmore as the Chief Building Official, effective September 15, 2006. Today, the Board of Commissioners authorized an increase to his hours from 30 hours/week to 32 hours/week.

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INFORMATION TECHNOLOGY SERVICES

Present: Brian Kelley, Janet Esposito, Audrey Tillis, Jackie Petty

Mr. Kelly advised that he will bring back a plan to begin the replacement of countywide staff PCs beginning in 2009 using the money set aside for the MUNIS program, without accessing the General Fund.

2008 Budget Discussion

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DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT

Present: Audrey Tillis, Jackie Petty

2008 Budget Work Session

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RESOLUTION No. 07-1121 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Charles W. Keiper II, seconded by Christopher Smeiles 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 13, 2007 in the total payment amount of **\$ 223,039.65 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. 07-1122 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

It was moved by Charles W. Keiper II, seconded by Christopher Smeiles 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:

11/13/07 565 \$ 12,651.00

11/13/07	567	14,607.00
11/13/07	563	4,966.00
11/13/07	552	1,605.21
11/13/07	542	180.25
11/13/07	538	77.25

Total \$ 34,086.71

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. 07-1123 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Charles W. Keiper II, seconded by Christopher Smeiles 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 **\$8,129.14** as set forth in Exhibit “A” dated **November 13, 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. 07-1124

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RE: APPOINTMENT OF PORTAGE COUNTY REPRESENTATIVES TO THE NORTHEAST OHIO FOUR COUNTY REGIONAL PLANNING AND DEVELOPMENT ORGANIZATION (NEFCO).

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

WHEREAS, NEFCO was formed in 1974 as a council of governments by the elected officials within Portage, Stark, Summit and Wayne Counties; and

WHEREAS, The organization is directed by a general Policy board which meets monthly, serves as the decision- making body, and is comprised of representatives from each of the four counties; and

WHEREAS, Portage County is entitled to seven representatives, one of which is appointed by the City of Kent and the Board of Commissioners appoints the remaining six representatives; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does appoint, at this time, the following:

1. Commissioner Christopher Smeiles
(Alternate: Kerry Macomber)
2. Kim Steele, Director of the Solid Waste & Recycling Ctr
(Alternate: Bill Steiner)
3. Harold Huff, Director of the Water Resources Department
(Alternate: Engineering Division Manager)
4. Lynne Erickson, AICP, Director of Portage County Regional Planning Comm
(Alternate: Claudia James)
5. DuWayne O. Porter, R.S., M.P.H., Health Commissioner
6. To be determined

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 was as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 07-1125 - RE: AGREEMENT FOR SANITARY SEWER IMPROVEMENTS FOR THE CAMPUS POINTE APARTMENTS PROJECT, PORTAGE COUNTY WATER RESOURCES DEPARTMENT PROJECT NO. FR-1 07-080.

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

WHEREAS, Campus Pointe Associates LLC, (OWNER) has constructed an 8 inch gravity sanitary sewer line main with all necessary appurtenances (SANITARY SEWER) for the proposed Campus Pointe Apartments to be located in Franklin Township Lots 21, 22, 33, and 34, Portage County, Ohio (Portage County Water Resources Project Number FR-1 07-080); and

WHEREAS, Crano Excavating Inc. has acknowledged being paid in full for the construction of the SANITARY SEWER; and

WHEREAS, the OWNER now wishes to convey the SEWER as a gift to Portage County to own, maintain, and operate, now therefore be it

RESOLVED, by the Board of County Commissioners, Portage County, Ohio (COMMISSIONERS):

Section 1. That the COMMISSIONERS agree to enter into an Agreement with the OWNER who has constructed the SANITARY SEWER that provides sanitary sewer service to the proposed Campus Pointe Apartments to be located in Franklin Township Lots 21, 22, 33, 34, Portage County, Ohio.

Section 2. That after the COMMISSIONERS sign the letter of acceptance (as prepared by the Director of the Portage County Water Resources Department) the COMMISSIONERS will accept the SANITARY SEWER to own, maintain, and operate.

Section 3. That the COMMISSIONERS find and determine that all formal actions at this meeting concerning and relating to the adoption of this resolution were taken in an open meeting by the COMMISSIONERS and that all deliberations of the COMMISSIONERS 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. 07-1126 - RE: ACCEPT AND ENTER INTO A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS, THE PORTAGE COUNTY ENGINEER, AND TEAMSTERS' LOCAL UNION NO. 436

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

3. Meeting notice for the Mental Health & Recovery Board meeting on Monday, November 12, 2007, 6:30 PM, at the Board office – 155 E. Main St., Kent.
4. Invitation from Catholic Charities of Portage County to Commissioner Smeiles for the 1st Annual “Men Who Cook” fundraiser on Saturday, February 2, 2008, Immaculate Conception Parish hall, 6:00-9:00 PM.
5. Invitation from the Coordination of Services Team for the Annual Holiday Luncheon on Monday, December 10, 2007, 11:30 AM-1:00 PM, Ravenna Moose Lodge, 3090 SR 59, Ravenna.

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INCOMING CORRESPONDENCE

November 13, 2007

1. The Board of Commissioners received an Order in the State of Ohio vs. Michael Donaldson case as presented by the Portage County Common Pleas Court Criminal Division/Commissioners’ staff to determine if this is an Indigent Defense issue
2. October 20, 2007 memo from Streetsboro High School Rockets, requesting sponsorship for drama, creative writing and newspaper programs/Each Board of Commissioners to respond
3. The Board of Commissioners received an Answer and Cross Claim of Defendant Stephen P. Shanafelt, Portage County Treasurer regarding Deutsche Bank Trust Company Americas formerly known as Banker’s Trust Company as Trustee and Custodian vs. Lorraine A. Lake et al as presented by the Portage County Common Pleas Court/Forward to Denise Smith
4. November 6, 2007 correspondence from Ronald Dean Nicholas, regarding copyright infringement/Forward to Denise Smith
5. November 2, 2007 correspondence from Diane Dean, Portage Metropolitan Housing Authority, requesting information on a Tenant renting County owned property/Forward to JoAnn Townend to complete and return
6. November 5, 2007 correspondence from Barbara Deakins, Townhall II, requesting review of the financial statements for the period covering July 1, 2006 through June 30, 2007/Forward to the Internal Auditor to investigate and report back to the Board of Commissioners.
7. The Board of Commissioners received the Portfolio Report for October 2007 as presented by the Portage County Treasurer’s office./Journal Entry

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PLEASE ADD TO THE AGENDA

November 13, 2007

1. Discussion: Economic Development Director’s job description/Journal Entry.
2. Board of Commissioners’ authorization requested to have Commissioner Frederick sign two environmental review checklists and a CEO Certification of Environmental Review Completion for the Habitat for Humanity New Construction activity as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be appropriate, complete and representative of the intentions of the builder and Neighborhood Development Services Inc./Journal Entry

3. DRAFT RESOLUTION: Agreement for sanitary sewer improvements for the Campus Pointe Apartments Project, Portage County Water Resources Department Project No. FR-1 (07-080) (Water Resources Department)./07-1125
4. DRAFT RESOLUTION: Accept and enter into a successor collective bargaining agreement between the Board of Commissioners, the Portage County Engineer and Teamsters' Local Union No. 436 (County Engineer)./07-1126

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INFORMATION ONLY

November 13, 2007

8. The Board of Commissioners received the Rootstown Area Chamber of Commerce meeting minutes from October 9, 2007.
9. November 8, 2007 correspondence from the Portage County Combined General Health District to the Portage County Building Department, regarding interdepartmental cooperation.
10. The Board of Commissioners received sponsorship opportunities as presented by Pegasus Farm.
11. The Board of Commissioners received the League of Women Voters newsletter dated November 1, 2007.
12. November 6, 2007 correspondence from Bob Wrentmore, Building Department to Bonner Enterprises, regarding a Stop Work Order in reference to the Portage Flight Center.

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Journal Entry

November 13, 2007

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

1. The Board of Commissioners acknowledged the receipt of the Portage County Portfolio Report for October 2007, as presented by the Portage County Treasurer.
2. The Board of Commissioners authorized Commissioner Frederick to sign two environmental review checklists and a CEO Certification of Environmental Review Completion for the Habitat for Humanity New Construction activity as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be appropriate, complete and representative of the intentions of the builder and Neighborhood Development Services Inc.
3. The Board of Commissioners approved the Economic Development Director's job description, as presented by Human Resources Department Director Lynn Leslie. The Board of Commissioners authorized the posting of this position by the Human Resources Department.
4. On September 14, 2006, the Board of Commissioners approved Journal Entry #14 authorizing the reorganization of the Portage County Building Department, and naming Robert Wrentmore as the Chief Building Official, effective September 15, 2006, with an expectation of his working 60 hours per pay period.

After meeting today in an Executive Session with CBO Wrentmore, the Board of Commissioners authorized an increase to his work hours from 60 hours/pay period to 64 hours/pay period, effective immediately.

5. The Board of Commissioners signed the Personnel Action form authorizing the hire of Jessica R. Gregory as a Clerical Specialist for the Portage County Department of Job & Family Services, as presented by Human Resources Department Director Lynn Leslie and approved by JFS Director Anita Herington. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment physical and drug screen.

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 13, 2007**. There being no further business to come before the Board, it was moved by Charles W. Keiper II, seconded by Christopher Smeiles to adjourn the official meeting at **Noon**. 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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