

**Tuesday, July 8, 2008**

The Board of County Commissioners met in regular session on **Tuesday, July 8, 2008 at 8:53 AM** with the following members present:

Christopher Smeiles

Maureen T. Frederick

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It was moved by Maureen T. Frederick, seconded by Christopher Smeiles to approve the meeting minutes of the July 3, 2008 meeting. Commissioner Keiper absent, motion carries

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

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**NEIGHBORHOOD DEVELOPMENT**

Present: Dave Vaughan, Mike Bogo, Jim Shank

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9:20 AM Commissioner Keiper attending

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**OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT**

Cancelled to allow the Director to respond with the HAZMAT Team for an incident in Deerfield Township

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Commissioner Smeiles advised that he was contacted by FBO Dick Bonner to discuss bring Life Flight to the Portage County Airport to expand their area of service. The Airport Board will have to make concessions in the cost of fuel, which the Board of Commissioners would have to match at 10 cents per gallon. One-half of the overage fee that the Airport gets as a surcharge per gallon would have to be forgiven for Life Flight.

Commissioner Frederick would like more time to investigate this request – what exactly will the benefit be to Portage County? She would like to see formal numbers although likes the idea of bringing Life Flight in/Journal Entry II.

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The Ravenna Fire Chief recommends that a sprinkler system be installed at the Home Savings renovation at the Riddle Block. Commissioner Smeiles has asked CBO Wrentmore to contact George Paige of the City of Ravenna to determine why this is now a requirement.

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**PROSECUTOR**

Present: Denise Smith

Review of Prosecutor's Pending List

1. Denise Smith sent a letter to the inmate health care provider four months ago and advised that they are responsible to pay RMH for care of an inmate. She assumes that the invoices have been paid.

2. The Board of Commissioners agreed to remove the nursing home lawsuit for the Walkers from the pending list, since a lawsuit has not been filed in the last year.
3. The APL lease is still pending.
4. The County Engineer has provided AG Opinions regarding payment to the County Engineer for Storm Water management. The Board of Commissioners is authorized to enter into an agreement with the County Engineer, although she would not be able to approve the contract as to form since the statute, although amended, does not change Ohio Constitutional provisions. The Board of Commissioners noted that 22 other counties are paying their County Engineers and the State Auditor has no issue with paying the County Engineer. The Board of Commissioners wondered if Denise Smith could write the AG for an opinion.

Prosecutor's Correspondence

1. July 2, 2008 e-mail from Mickey Marozzi, County Engineer to Denise Smith, regarding Attorney General's Opinion 96-025 and 97-054/Information only.
2. July 1, 2008 correspondence from Denise Smith to William Callison, Wheeling & Lake Erie Railway Company, regarding Hazmat Cost Recovery/Information only.

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**PORTAGE COUNTY PUBLIC HEARING – PROPOSED FY 2009 TAX BUDGET**

Convened at 10:30 AM

- I. Welcome and Introductions – Commissioner Smeiles
- II. Reading of the Public Notice - Clerk
- III. Public Comment and Questions  
Department of Budget & Finance Director Audrey Tillis noted that she has adjusted Fund 1017 to fund the full year in 2009 and adjusted the Mental Health and Recovery Board revenues/receipts.
- IV. Adjournment at 10:35 AM

**Regular Session**

Resolution to adopt the Portage County Tax Budget for FY 2009./08-628

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**DISTRICT LIBRARY PUBLIC HEARING – PROPOSED FY 2009 TAX BUDGET**

Convened: 10:40 AM

- I. Welcome and Introductions – Commissioner Smeiles
- II. Reading of the Public Notice - Clerk
- III. Public Comment and Questions  
Library Director Cecelia Swanson presented the budgets for consideration.
- IV. Adjournment at 10:44 AM

**Regular Session**

Resolution to adopt the Portage County District Library and District Library Consortium's Proposed Tax Budget for FY 2009./08-629

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**WATER RESOURCES**

Present: Harold Huff

- 1. RESOLUTION Authorizing the preparation of plans, specifications and estimate of cost for Project No. ST-4 (07-330), Deer Meadow Pump Station Upgrade in the Streetsboro Sanitary Sewer District No. 4./08-636
- 2. RESOLUTION Enter into an agreement for engineering services between URS Corporation – Ohio and the Portage County Board of Commissioners relative to the Streetsboro Reduction Facility, Project No. ST-4 (08-100), in the Portage County Regional Sewer District and the Streetsboro Sanitary Sewer District No. 4./08-637
- 3. RESOLUTION Approving a request for installment payments or connection charges for connection to the sanitary sewerage system in the Portage County Regional Sewer District and establishing the terms and conditions of the same./08-634

Harold Huff and Denise Smith attending

4. DISCUSSION – The Board of Commissioners received a letter from homeowners regarding a sewer problem at 9908 Meldon Drive, Streetsboro, Ohio. Denise Smith has asked Attorney Chris Meduri to look at the release and make minor changes to appease the homeowners. Harold Huff to bring back a revised release.

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**DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT**

Present: Audrey Tillis

Resolutions

- 1. Transfer from Fund 0001, General Fund to Fund 7002, Central Vehicle Maintenance./08-630
- 2. Cash Advance Repayment – From Fund 5703, StS Pike Parkway to Fund 5600, StS General Administration/08-631
- 3. Close Fund 7207, WC Retro Rating Plan/08-633
- 4. Close Fund 7208, WC Retro Rating Plan/08-632

Other

- 5. Discussion Memos:
  - a. Building Security – Part-time Hire
  - b. Quarterly Review

Updates

- 6. Contingency Tracker

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**RESOLUTION No. 08-0620 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Maureen T. Frederick, 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 July 8, 2008 in the total payment amount of **\$158,050.75 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:

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

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**RESOLUTION No. 08-0621 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Maureen T. Frederick, 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:

07/08/08	405	\$ 49,348.05
07/08/08	406	704.45
07/08/08	415	0.49
07/08/08	407	958.51
07/08/08	409	953.88
07/08/08	418	253.14
07/08/08	421	1,350.00
Total		\$ 53,568.52

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:

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

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**RESOLUTION No. 08-0622 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

It was moved by Maureen T. Frederick, 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 **\$25,704.00** as set forth in Exhibit “A” dated **July 8, 2008** 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:

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

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Christopher Smeiles, Yea;

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 08-0624**

**- RE: AUTHORIZATION OF THE PORTAGE COUNTY ENGINEER TO PAY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) 20% OF THE TOTAL COST TO PROVIDE THE RIGHT OF WAY ACQUISITION SERVICES FOR THE PROJECT KNOWN AS THE FRA 115 CH162A BRIDGE REPLACEMENT, ON BRADY LAKE ROAD OVER CSX RAILROAD AND BREAKNECK CREEK IN FRANKLIN TOWNSHIP, PORTAGE COUNTY.**

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** The Portage County Engineer is developing a set of plans, specifications, and environmental documents for the project known as the **FRA 115 CH162A Bridge Replacement**, on Brady Lake Road over CSX Railroad and Breakneck Creek in Franklin Township, Portage County , and

**WHEREAS,** the Portage County Engineer has requested the Ohio Department of Transportation to provide Right of Way Acquisition Services following the County Engineers Association of Ohio (CEAO) Task Order Agreement Process, and

**WHEREAS,** the CEAO Task Order Agreement Process is used on Federal Funded projects to acquire right of way and/or perform environmental investigating and reporting. The Task Order is paid 80% by CEAO and 20% by local agency to ODOT whom will perform the Task Order internally or utilize a pre-qualified consultant, and

**WHEREAS,** ODOT has received a technical and fee proposal from ME Companies for \$7,313.00 to perform the Project Management, Title Work, Appraisals, Negotiations and Closings and from O.R. Colan Associates for \$555.49 to perform Appraisal Reviews, totaling \$7,868.49 for project known as the **FRA 115 CH162A Bridge Replacement**, on Brady Lake Road over CSX Railroad and Breakneck Creek in Franklin Township, Portage County, and

**WHEREAS,** the Portage County Engineer's 20% share of the Task Order is \$1,573.70 to be paid to ODOT; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to pay ODOT \$1,573.70 for the completion of the Right of Way Acquisition Services for the project known as the **FRA 115 CH162A Bridge Replacement**, on Brady Lake Road over CSX Railroad and Breakneck Creek in Franklin Township, Portage County , 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:

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

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**RESOLUTION No. 08-0625 - RE: APPROVE SPECIFICATIONS AND SET DATE TO BID PORTAGE PRIVATE INDUSTRY COUNCIL BUILDING IMPROVEMENTS AND ADDITION**

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

**RESOLVED,** that the bid specifications, as submitted for receiving bids for the PPIC Building Improvements and Addition, be approved;

**RESOLVED,** that sealed bids, therefore, will be accepted by the Director of the Portage County Office of Internal Services, 7th floor, Room 701, Portage County Administration Building, 449 South Meridian Street, Ravenna, Ohio until 3:30 p.m., E.S.T. on July 28, 2008 and publicly opened and read; and be it further

**RESOLVED,** that the notice of receiving bids shall be published in the Record Courier on July 9, 2008 and July 16, 2008 and the County's website and a copy thereof be posted on the bulletin board of the Board forthwith; and be it further

**RESOLVED,** that a pre bid meeting will be held on July 22, 2008 at 9:00 a.m., E.S.T. at the site; 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:

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

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**RESOLUTION No. 08-0626 - RE: ACCEPT AND AWARD THE BID OF BOCHERT EXCAVATING, INC. FOR THE PROJECT KNOWN AS COMPLETION OF THE DEER CROSSING**





2009 be signed by the President, Board of Commissioners, and forwarded to the 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:

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

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**RESOLUTION No. 08-0629 - RE: ADOPTION OF PORTAGE COUNTY DISTRICT LIBRARY AND DISTRICT LIBRARY CONSORTIUM'S PROPOSED TAX BUDGET FOR 2009**

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** the Proposed 2009 Tax Budgets of the Portage County District Library and District Library Consortium were on display for public viewing at the offices of the County Commissioners and the Portage County Auditor since June 22, 2008 (required to display at least ten (10) days prior to the date of the public hearing); and

**WHEREAS,** a public hearing on the Proposed Fiscal Year 2009 Tax Budgets of the Portage County District Library and the District Library Consortium, as required by Ohio Revised Code 5705.28 and 5705.30, was held July 8, 2008 after being duly publicized in the Record-Courier, a newspaper of general circulation in Portage County on June 22, 2008; now therefore be it

**RESOLVED,** that the Proposed Fiscal Year 2008 Portage County District Library and District Library Consortium Tax Budgets are adopted, and that a copy of this resolution and two copies of the Proposed Tax Budgets for Fiscal Year 2009 be signed by the President, Board of Commissioners, and forwarded to the 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:

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



**WHEREAS,** according to Resolution No. 06-0978, adopted October 26, 2006 a cash advance was approved in the amount of \$ 93,800.00 from Fund 5600, StS General Administration to Fund 5703, StS Pike Parkway, until grant funds were received from the Ohio Public Works Commission, and

**WHEREAS,** Resolution No. 07-1239, adopted December 27,2007 rescheduled the cash advance repayment date to reflect a repayment date to occur when permanent financing is obtained, and

**WHEREAS,** grant funds have been received from the Ohio Public Works Commission and rate revenue from Fund 5600 was used to pay for the Project expenses; now therefore be it

**RESOLVED,** that the following cash advance repayment be made in the amount of \$ 93,800.00

**FROM:**

FUND 5703, StS PIKE PARKWAY

ORGCODE – 57030609

Project: 05180

Debit Expense Account

Object: 921000 Advances Out Returns \$93,800.00

**TO:**

FUND 5600, StS GENERAL ADMINISTRATION,

ORGCODE – 560040J2

Project: 05180

Credit Revenue Account

Revenue Source: 291000 – Advances In Repayment\$ 93,800.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Water Resources Department, 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 was as follows:

Christopher Smeiles, Yea;

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 08-0632 - RE: CLOSING OF FUND 7208, WC RETRO RATING PLAN 1998**

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** fiscal activity has ceased in Fund 7208, WC Retro Rating Plan 1998, all payments have been made and the Treasurer's Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 7208, WC Retro Rating Plan 1998 is hereby closed; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Department of Human Resources, 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:

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

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**RESOLUTION No. 08-0633 - RE: CLOSING OF FUND 7207, WC RETRO RATING PLAN 1997**

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** fiscal activity has ceased in Fund 7207, WC Retro Rating Plan 1997, all payments have been made and the Treasurer's Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 7207, WC Retro Rating Plan 1997 is hereby closed; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Department of Human Resources, 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:

Christopher Smeiles, Yea;

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 08-0634**

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**RE: APPROVING A REQUEST FOR INSTALLMENT PAYMENTS OF CONNECTION CHARGES FOR CONNECTION TO THE SANITARY SEWERAGE SYSTEM IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND ESTABLISHING THE TERMS AND CONDITIONS OF THE SAME.**

It was moved by Maureen T. Frederick, and seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** this Board by **Resolution No. 08-0052** adopted January 15, 2008, has established connection charges for connection to the sanitary sewerage system in Ravenna Township and has provided therein that the applicant in order to purchase a permit for such connection may submit a written request to the Board requesting that such connection charges be paid in installments; and

**WHEREAS,** the following named applicant, being the owners of the property hereafter described applied for a sanitary sewer permit in 2008 and has now requested in writing the option of paying the connection charges, applicable to the following described property in installments;

Applicant:

Kevin L. & Debra L. Biltz (Owners)

by Volume 279 Page 802 of the Portage County Official Records of Deeds

Service Addresses: 1653 Tallmadge Road  
Kent, Ohio 44240

Parcel Numbers: 04-031-00-00-016-000

Property Description: Situated in the Township of Brimfield, County of Portage and State of Ohio: and know as being part of Lot number 31 in said Brimfield Township, beginning at a point along the center line of Tallmadge Road (C.H. 18) 425.2 feet West (422.18 Tax Map) of the Southeast corner of Lot No. 31 in said Brimfield Township; thence north along the West line of A.D. Jr. & L.L. Graves land 1085.8 feet (1082.18 Tax Map) to a point along C.C. Schafer, J.M. Ward, and M.S. Hawkins land, (Owners' Northeast corner); thence West 110.5 feet to the Owners' Northwest corner; thence South 1085.8 feet (1084.01 Tax Map) to the center line of Tallmadge Road (C.H.18); thence East along the center line of Tallmadge Road (C.H. 18) a distance of 110.5 feet to the place of beginning; containing 2.754 acres of land.

**WHEREAS,** this Board, on the basis of all relevant facts and circumstances, hereby determines that the granting of such request would be equitable pursuant to the following terms and conditions that are determined to be fair and appropriate now therefore be it

**RESOLVED,**

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

Section 1. That determinations set forth in the second preamble of this resolution are hereby incorporated herein.

Section 2. That request of the above named applicant for the installment payment of the connection charges established pursuant to resolution No. **08-0052**, adopted January 15, 2008 with respect to the property described in the preamble to this resolution is hereby approved subject to the following terms and conditions.

- A. The total amount of such connection charges is \$3,766.00.
- B. The connection charges shall be payable in 20 quarterly Installments beginning with the first sanitary sewer billing after connection to the sanitary sewer, unless pursuant to Paragraph H of this section, if the applicant is delinquent twice in any calendar year on paying quarterly installments and carrying charge thereon, at which time the total unpaid balance of such connection charges shall be deemed an additional installment then due and owing in that quarter.
- C. A carrying charge shall be paid equal to 7.34 percent per annum on the unpaid balance of the total connection charges due and owing computed from the date of the payment of the preceding quarterly installment.
- D. The quarterly installment and the carrying charges thereon shall be included as a separate item on the quarterly bill for sewer service.
- E. In the event any installment or the carrying charge thereon are not paid within 15 days after the quarterly billing date, a penalty of 10 percent of the amount then due and owing shall be paid.
- F. The applicant, prior to the issuance of the permit, may be required by the Board of County Commissioners to give security, which may include the requirement of a surety Bond sufficient to assure the payment of all such installments.
- G. The applicant or their successors, in title to the property identified in the preamble (hereinafter referred to as "their successors"), at their option may, at any time, make payment of the unpaid balance of the connection charges and carrying charge provided for herein, provided that if such prepayment option is elected, the carrying charge provided for herein shall be computed and paid only to the date of payment of the unpaid balance.
- H. In the event the applicant or their successors are delinquent twice in any calendar year on paying quarterly installments and carrying and the carrying

charge thereon, the Board may by notice in writing to the applicant or their successors, declare the unpaid balance of the connection charge to be due and payable immediately as an additional installment then due and owing in that quarter and upon such declaration such installment shall become due and payable, provided that the applicant or their successors, may cure such default and acceleration of the additional installment by paying, within 15 days of such carrying charges thereon together with the penalty applicable thereto. Such written notice shall be given to the applicant or their successors, by registered or certified mail, postage prepaid at the address set forth in the following approval of terms and conditions. It shall be the obligation of the applicant or their successors to notify the County Sanitary Engineer of any difference of address to which such notice shall be sent. In the event such default is not cured by such payment within the specified period, the installments which are delinquent, together with any unpaid carrying charges and penalty and the balance of the connection charges, all of which are due and payable by reason of such declaration, shall be certified by this Board to the County Auditor who shall place the same upon the real property tax list and duplicate against the property served by such connection and such charge shall be a lien on such property from the date the same are placed on the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.

Section 3. The Sanitary Engineer, acting on behalf of the Board, is hereby authorized and directed to certify to the County Auditor such information as will identify the parcel of property to be served by the connection to be paid in installments pursuant to this resolution, the total amount of the connection charges to be paid in installments, the amount of each installment and the total number of installments to be paid. The County Auditor shall record such information in the sewer improvement record provided for in Section 6117.33, Revised Code, for the Sewer District and maintain such record until the connection charges are paid in full.

Section 4. The County Sanitary Engineer shall present a certified copy of this resolution to the applicant referred to herein. The applicant shall execute thereon an endorsement that the terms and conditions set forth in the resolution are satisfactory to the applicant and that the resolution and the terms and conditions thereof, constitute an agreement between the applicant and the County. Upon the execution by the applicant of the approval of such terms and conditions, the applicant can execute an affidavit pursuant to Section 5301.252, Revised Code, for recording pursuant to Section 317.08, Revised Code, with respect to the right of Portage County to acquire a lien against the above described property in the event of the failure of the applicant or their successors, to pay when due as provided herein. Such affidavit shall, among other things, identify the property to which such lien may attach and shall have attached to it a true and correct copy of this resolution, including the approval of the terms and conditions by the applicant and such County. Upon the receipt of the resolution with such endorsement executed by the applicant and the execution of such affidavit, the County



**RESOLUTION No. 08-0636 - RE: AUTHORIZING THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR PROJECT NO. ST-4 (07-330), DEER MEADOW PUMP STATION UPGRADE, IN THE STREETSBORO SANITARY SEWER DISTRICT NO. 4.**

It was moved by Maureen T. Frederick, and seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** this Board by Resolution No. 67-17, adopted February 2, 1967, established Streetsboro Sanitary Sewer District No. 4, hereinafter called the "SEWER DISTRICT"; and

**WHEREAS,** it has become necessary for the Portage County Water Resources Department to request authorization to prepare plans, specifications and estimate of cost for the Project No. ST-4 (07-330), Deer Meadow Pump Station Upgrade, hereinafter referred to as the "PROJECT"; and

**WHEREAS,** the PROJECT is necessary to rehabilitate or replace the existing pumps located in the Streetsboro Sanitary Sewer District No. 4; now therefore be it

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

Section 1. That said authorization to prepare plans, specifications and estimate of cost for said PROJECT is hereby given.

Section 2. That it is hereby found and determined that all formal actions of this Board concerning and relation to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board 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.

Voice vote as follows:

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

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**RESOLUTION No. 08-0637 - RE: ENTER INTO AN AGREEMENT FOR ENGINEERING SERVICES BETWEEN URS CORPORATION - OHIO AND THE PORTAGE COUNTY BOARD OF COMMISSIONERS RELATIVE TO THE STREETSBORO BIOSOLIDS REDUCTION FACILITY, PROJECT NO. ST-4 (08-100), IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND THE STREETSBORO SANITARY SEWER DISTRICT NO 4.**

It was moved by Maureen T. Frederick, and seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** this Board of Commissioners passed on March 18, 2008, Resolution 08-0252 authorizing the preparation of plans, specifications, and estimate of cost for Project No. ST-4 (08-100), Streetsboro Biosolids Reduction Facility; and

**WHEREAS,** consultant services are needed to perform the required engineering design to develop the project construction documents; and

**WHEREAS,** qualifications were requested by Portage County Water Resources; and

**WHEREAS,** twelve (12) qualifications were received and tabulated on February 25, 2008 and reviewed by a Portage County Water Resources selection team, four (4) firms were determined to be qualified and capable of performing the required services; and

**WHEREAS,** the Board of Commissioners authorized on March 18, 2008 approval for four (4) consultants to be interviewed; and

**WHEREAS,** from the interviews conducted, the Water Resources Department has selected URS CORPORATION-OHIO as the most qualified firm to perform this project; now therefore be it

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

Section 1. The Portage County Board of Commissioners does hereby accept the proposal of URS CORPORATION- OHIO as the best proposal received and agrees to execute a contract with URS CORPORATION – OHIO for professional engineering services as described in the attached contract and in an amount not to exceed \$277,841.40.

Section 2. That funds in the amount of \$277,841.40 are available in 520040P4 400000 08100 and 560040S4 400000 08100, from the 2008 project budget.

Section 3. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and 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.

Voice vote as follows:

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

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## **RESOLUTIONS**

July 8, 2008

1. Approval of Meeting Minutes from the July 3, 2008 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./08-620

3. Approve the Journal Vouchers as presented by the County Auditor./08-621
4. Approve the Then & Now as presented by the Portage County Auditor./08-622
5. Authorize the sale of obsolete equipment and miscellaneous tires by Public Auction (County Engineer)./08-623
6. Authorize the Portage County Engineer to pay the Director of the Ohio Department of Transportation (ODOT) 20% of the total cost to provide the right of way acquisition services for the project known as the FRA 115 CH162A Bridge Replacement on Brady Lake Road over CSX Railroad and Breakneck Creek in Franklin Township, Portage County (County Engineer)./08-624
7. Approve specifications and set date to bid Portage Private Industry Council building improvements and addition (Internal Services)./08-625
8. Accept and award the bid of Bochert Excavating Inc. for the project known as completion of the Deer Crossing Estates subdivision in Suffield Township, Portage County (Internal Services)./08-626
9. Appointment to the Portage County Local Workforce Committee under the direction of Geauga, Ashtabula and Portage Partnership Area 19 Workforce Investment Board (GAPP WIB) – Gary Locke, Director representing City of Kent./08-627
10. Appointment to the Portage County Regional Airport Authority Board of Trustees./08-Hold
11. Acceptance of a donation to the Portage County Dog Warden’s Office (Gold Clipper)./08-635

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

July 8, 2008

1. Board of Commissioners’ authorization requested to authorize the Water Resources Department to contact, schedule and interview four firms for Project Engineering and surveying services for the Ravenna Training and Logistics Site (RTLS) potable water system and facilities, Project No. Portage County-W (08-120) and Ravenna Training and Logistics Site (RTLS) sanitary sewer system and facilities, Project No. PC (08-130) as requested by the Water Resources Department/Hold
2. July 2, 2008 e-mail from Dawn Pechman, including an article written by Ms. Pechman dated July 1, 2008/Information only.
3. July 2, 2008 e-mail from Charlene Badger, Executive Assistant, regarding Bicentennial photos/Journal Entry.
4. July 3, 2008 correspondence from Janet Esposito, County Auditor, regarding fixed assets/Clerk to draft a response.
5. July 1, 2008 e-mail from JoAnn Townend, Internal Services, regarding the Prosecutor’s new building walk-thru. Does the Board wish to conduct the walk-thru on Thursday, July 24<sup>th</sup> or Friday, July 25, 2008/Board of Commissioners will attend if they are available.

6. July 3, 2008 e-mail from Pat Macke, MR/DD, inviting the Board to the MR/DD Levy Kick Off on Wednesday, August 20<sup>th</sup> at Happy Day School. Does the Board wish to attend? NOTE: Randolph Fair Week/Board of Commissioners will attend if they are available.
7. July 3, 2008 e-mail from Charlene Badger, Executive Assistant, regarding the Portage County Regional Airport Board/Clerk to schedule the three Board Members whose terms have expired to meet with the Board of Commissioners.
8. June 30, 2008 correspondence from Mayor Kevin Poland, City of Ravenna, regarding the parking lot at Spruce Street and Prospect St., Ravenna/The Board of Commissioners discussed this request, noting that the issue is snow plowing during the winter and possibly abandoned vehicles. Commissioner Smeiles responded that there is no issue with parking after hours and on weekends at the Courthouse. Board of Commissioners to discuss this request with the Mayor.

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**JOURNAL ENTRIES**

July 8, 2008

1. Board of Commissioners' authorization requested to allow a banner to be displayed at the Courthouse for the promotion of Child Support Awareness Month during the month of August 2008 as requested by Kevin Gowan, Department of Job and Family Services.

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**REFERRED**

July 8, 2008

1. The Board of Commissioners received real estate taxes for county owned property for the second half of 2007, as presented by the Treasurer's Office./Referred to Executive Assistant.

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**INFORMATION ONLY**

July 8, 2008

1. July 2, 2008 e-mail from Charlene Badger, Executive Assistant, regarding bricks at the Veterans' Memorial.
2. The Board of Commissioners received the *Town Holler* newsletter for Summer 2008 as presented by Townhall II.
3. The Board of Commissioners received the July 3, 2008 Weekly Traffic Advisory as presented by the Ohio Department of Transportation.

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**Journal Entry**

July 8, 2008

Motion by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners authorized a banner to be displayed at the Ravenna Courthouse for the promotion of Child Support Awareness Month during August 2008, as requested by Kevin Gowan, Department of Job and Family Services. Forward to Maintenance Department for installation.

2. The Board of Commissioners authorized the purchase of 1 20" x 10" "Fireworks Over the Courthouse with County Flag" photo of the fireworks over the Courthouse on June 9, 2008 and a 10" x 20" "Portage County Family" photo professionally printed, matted and framed under glass, as well as a CD with the photos and full licensing rights from Timothy St. Hilaire, at a cost not to exceed \$500.
3. The Board of Commissioners approved the Neighborhood Development Services request to use \$123,000 from the Portage County Economic Development RLF to fund the demolition of four buildings in the Maple Grove neighborhood in the Village of Windham. The Board of Commissioners agrees to 0%, no payment, due on transfer or development funding for this project. The Commissioners also agree that the Neighborhood Development Services should contact the state to determine if repayment of this loan to Portage County is to commence on or before five years of the loan being made. The Commissioners noted that the state Ohio Department of Development OHCP must approve this loan of RLF funds.
4. After meeting today with Neighborhood Development Services staff, the Board of Commissioners acknowledged the possibility of a Neighborhood Development Services project in Franklin Township to renovate two buildings with Testa Builders, creating 40 jobs. Since Testa Builders is a Neighborhood Development Services vendor, NDS is taking this opportunity to disclose this relationship. The Neighborhood Development Services will obtain a letter indicating this full disclosure from its attorney; the Neighborhood Development Services Board has reviewed this project.

The Board of Commissioners agreed that they approve the concept of this project in theory, pending state approval and the review of the Portage County Prosecutor's Office.

All in favor, motion carries.

## **JOURNAL ENTRY II**

July 8, 2008

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

The Portage County Regional Airport Authority (PCRAA) Board of Trustees is considering a proposal from the PCRAA Airport FBO to base a Metro Life Flight helicopter at the Portage County Airport in order to expand their area of service and service Portage County residents as well.

As an incentive to move the project forward, the Airport Board is considering a 10 cent per gallon reduction in fuel costs for Metro Life Flight. To avoid a budget loss to the Airport Board for the fuel cost, the Board of Commissioners agrees to make up the loss in revenue for the estimated 5000 gallons of fuel per month upon commencement of an agreement.

Today, the Board of Commissioners agreed to reimburse the Airport Board of Trustees 10 cents per gallon for the life of the 60 month lease with Metro Life Flight, not to exceed \$6,000 annually, should the Airport move forward with this agreement.

Forward to the Department of Budget & Finance for budget action.

Commissioner Frederick voting no, 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 **July 8, 2008**. There being no further business to come before the Board, it was

moved by Maureen T. Frederick, seconded by Charles W. Keiper II to adjourn the official meeting at 11:05 AM.  
All in favor, motion carries.

Christopher Smeiles, President

Charles W. Keiper II, Vice President

Maureen T. Frederick, Board Member

Deborah Mazanec, Clerk

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