

Thursday, August 21, 2008

The Board of County Commissioners met in regular session on **Thursday, August 21, 2008 at 9:20 AM** with the following members present:

Christopher Smeiles

Charles W. Keiper II

Maureen T. Frederick

*

*

*

*

*

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the August 19, 2008 meeting. All in favor, motion carries

*

*

*

*

*

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

*

*

*

*

*

RESOLUTION No. 08-0862 - 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 August 21, 2008 in the total payment amount of **\$509,935.99 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;

*

*

*

*

*

RESOLUTION No. 08-0863 - RE: WIRE TRANSFER 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 August 21, 2008 in the total payment amount as follows:

08/20/08	1010	1,129.73
Total		104,079.64

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;

* * * * *

RESOLUTION No. 08-0865 - 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 **\$16,925.81** as set forth in Exhibit “A” dated **August 21, 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;

*

*

*

*

*

RESOLUTION No. 08-0866

-

RE: AUTHORIZE SALE OF OBSOLETE EQUIPMENT BY PUBLIC AUCTION

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

WHEREAS, Resolution 08-0664 authorized the sale, through the County Engineers Association of Ohio (CEAO), of a **1972 Rex Diesel Pulvi Mixer, Model HDS** and gave a deadline of August 15, 2008 for any County Engineer wishing to purchase said piece of equipment to advise of their desire; and

WHEREAS, no County Engineers advised of their desire to purchase said piece of equipment by the deadline of August 15, 2008; now therefore be it

RESOLVED, that said item will be sold at Public Auction, as prescribed by Section 307.12 of the Ohio Revised Code, for cash to the highest bidder; and be it further

RESOLVED, that Notice of Public Auction shall be posted in the office of the Portage County Auditor, the offices of the Portage County Commissioners and in the office of the Portage County Engineer. Further Notice of Public Auction shall be published in the Record Courier on September 5, 2008.

Date of Auction: Saturday - September 20, 2008
Time of Auction: 9:30 AM
Location: Edinburg Auction Sales, Inc.
4029 State Route 14
Edinburg, Ohio

Said equipment may be viewed from 9:00 A.M. to 5:00 P.M. Monday, Tuesday, Thursday and Friday at Edinburg Auction Sales, Inc.

The item being sold is as follows:

1972 Rex Diesel Pulvi Mixer – Model HDS (County Equipment #003140); and be it further

RESOLVED, that a copy of this resolution be filed with 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 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;

* * * * *

RESOLUTION No. 08-0867 - RE: AMEND RESOLUTION 08-0706: ACCEPT PROPOSAL FROM JOHN WACKERLY FOR PROVIDING PROFESSIONAL SERVICES FOR THE PORTAGE COUNTY 2008 ANNUAL BRIDGE INSPECTION PROGRAM.

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

WHEREAS, the Portage County Board of Commissioners adopted Resolution 08-0706 on August 5, 2008 to accept proposal from John Wackerly for providing professional services for the Portage County 2008 annual bridge inspection program; and

WHEREAS, the Portage County Engineer's office noted on August 18, 2008 that the resolution as written contains incorrect address in the first Resolved; now therefore be it

RESOLVED, that this resolution shall change the address in the first Resolve from 288 West Hull Drive, Delaware, Ohio to 6270 Legends Court, Westerville, Ohio 43082 and replaces Resolution 08-0706, reading in its entity as follows:

WHEREAS, the Portage County Engineer received a proposal from John Wackerly, P.E. to perform bridge inspections on the County's 172 bridges; and

WHEREAS, it is the recommendation of the Portage County Engineer that the proposal of John Wackerly, P.E. be accepted to perform said bridge inspections; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby accept the proposal of John Wackerly, P.E., 6270 Legends Court, Westerville, Ohio 43082, to perform bridge inspections on the County's 172 bridges at a cost of \$65.00 per bridge, and be it further

RESOLVED, that a purchase order will be created in the amount of \$11,180.00 to cover the cost of said inspections (\$65.00 per bridge X 172 bridges); and be it further

RESOLVED, that the Portage County 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;

* * * * *

RESOLUTION No. 08-0868 - RE: AUTHORIZE SALE OF OBSOLETE EQUIPMENT BY PUBLIC AUCTION

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

WHEREAS, the Portage County Board of Commissioners has equipment once used by the Portage County that is obsolete and unfit for the use for which it was acquired; now therefore be it

RESOLVED, that the Board of Portage County Commissioners has determined that the herein described items are obsolete and unfit for the use for which said item was acquired, and be it further

RESOLVED, that said item will be sold at Public Auction, as prescribed by Section 307.12 of the Ohio Revised Code, for cash to the highest bidder; and be it further

RESOLVED, that Notice of Public Auction shall be posted in the office of the Portage County Commissioners, the County's website and a Notice of Public Auction shall be published in the Record Courier on September 5, 2008.

Date of Auction: Saturday - September 20, 2008

Time of Auction: 9:30 A.M.

**Location: Edinburg Auction Sales, Inc.
4029 State Route 14
Edinburg, Ohio**

Said equipment may be viewed from 9:00 A.M. to 5:00 P.M. Monday, Tuesday, Thursday and Friday at Edinburg Auction Sales, Inc.

The items being sold are as follows:

1984	Chevrolet pick up truck	1GCCT14B5E2190685
1991	Buick	2G4WB54L8M1872244
1991	Toyota	JT2EL43B8M0124923
1992	Chevrolet Caprice	1G1BL5370NR133987
1996	Ford Crown Victoria	2FALP71W6TX123267
1996	Ford pick up truck	1FTEF25Y8TLB57437
1996	Ford Van	1FTFE24H7THA89062
1996	Dodge Van	2B4HB15X0TK141160
1997	Ford Taurus	1FALP5224VG304974
1998	Ford Taurus	1FAFP52U6WG265787
1998	Dodge Van	2B4FP25B0WR834485
1999	Ford Crown Victoria	2FAFP71W7XX175509
1999	Ford pick up truck	2FTZF1827XCB17126
1999	Ford Crown Victoria	2FAFP71W0XX218118
2000	Ford Crown Victoria	2FAFP71W5YX205916
2000	Ford Crown Victoria	2FAFP71W8YX205912

; and be it further

RESOLVED, that a copy of this resolution be forwarded to 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 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;

* * * * *

RESOLUTIONS

August 21, 2008

1. Approval of Meeting Minutes from the August 19, 2008 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./08-862
3. Approve the wire transfer as presented by the County Auditor./08-863
4. Approve the Journal Vouchers as presented by the County Auditor./08-864
5. Approve the Then & Now as presented by the Portage County Auditor./08-865
6. Authorize the sale of obsolete equipment by public auction (County Engineer)./08-866
7. Amend Resolution No. 08-0706: Accept proposal from John Wackerly for providing professional services for the Portage County 2008 annual bridge inspection program./08-867

* * * * *

INVITATIONS/MEETING NOTICES

August 21, 2008

1. Invitation from United Way for the Golf Outing at Windmill Lakes Country Club on Monday, September 22, 2008, 11:30 AM and for the United Way 2008-2009 Campaign Kick off and Days of Caring on Tuesday, September 16, 2008, 8:00 AM-9:00 AM at Family & Community Services.
2. Meeting notice for the Kent City Planning Commission meeting on Tuesday, August 19, 2008, Council Chambers, 7:00 PM.
3. Invitation from the National Recycling Coalition for the Annual Congress & Expo Innovation and our Sustainable Future, Sunday-Wednesday, September 21-24, 2008, Pittsburg, PA.

4. Invitation from the Ohio Department of Development for the Economic Development Strategic Plan event on Wednesday, September 3, 2008, 10:00-11:00 AM, Vern Riffe Center for Government and the Arts.
5. Invitation from The Salvation Army for the 2008 Annual Dinner on Monday, September 29, 2008, 5:30 PM at NEOUCOM.

* * * * *

INCOMING CORRESPONDENCE

DISCUSSION

August 21, 2008

1. August 12, 2008 correspondence from Walt Adams, Portage County Environmental Roundtable, regarding the incorporation by the Secretary of State of the Portage County Environmental Roundtable has expired as of June 30th. A meeting has been scheduled for Monday, September 8, 2008 at Reed Memorial Library at 7:00 PM regarding the usefulness of a countywide organization. Does the Board wish to attend/Add to the calendar and each Commissioner will attend if able.
2. August 15, 2008 correspondence from Bob Varley, Dominion, regarding a request with PUCO for a \$ 75 million base rate increase for gas delivery service and other tariff changes/Clerk to contact NOPEC to determine if they have a standard letter of opposition.
3. The Board of Commissioners received The Public Utilities Commission of Ohio's Entry for Case No. 05-1114-TP-EMG in the matter of the filing of amended Countywide 9-1-1 Plans and for the approval of disbursements from the Wireless 9-1-1 Government Assistance Fund for Highland County/forward to the Office of Homeland Security & Emergency Management Director for his files and information
4. August 18, 2008 correspondence form Karen Stacko, Portage County Regional Airport Authority, regarding the Board of Trustees/Clerk to respond that the Commissioners will make appointments by the next Airport Board meeting.
5. August 12, 2008 e-mail from Lynne Erickson, Regional Planning Commission, regarding CDBG Formula Grant Administration contract amendments/Journal Entry payment of Farmland Advisory Board hours.
6. August 19, 2008 confidential e-mail from Jim Manion, Human Resources Department, regarding mediation/Information only
7. August 19, 2008 e-mail from William Ulik, Economic Development, regarding the Port Authority Board meeting on September 2, 2008/Information only
8. DRAFT RESOLUTION: August 19, 2008 e-mail from the Department of Budget and Financial Management, including a draft resolution to authorize the cash advance of the FY2008 payment to MS Consultants for the storm water management program/Hold for JoAnn Townend to change the MS agreement date to June 30, 2009 and for the Department of Budget & Finance to resolve with the State Auditor the funding issue.

* * * * *

JOURNAL ENTRIES

August 21, 2008

1. August 18, 2008 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate of Resources for the fiscal year beginning January 1, 2008 as presented by the Portage County Auditor's Office.
2. The Board of Commissioners received the Portage County Investment Reconciliation for the month of July 2008 as presented by the County Auditor and County Treasurer.
3. Board of Commissioners' authorization requested to pay Advanced Contracting \$ 2,708.73 for work performed at 2706 Summit Road, Ravenna on behalf of James and Shirley Collins for rehab work and house repairs to be paid from the Portage County CDBG RLF Fund 1271 as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be accurate and appropriate for the circumstances.
4. Board of Commissioners' authorization requested on the purchase requisition for Neighborhood Development Services Inc. for the City of Streetsboro Home/Building Repair Implementation for \$ 7,140.00 as requested by the Regional Planning Commission. The B-F-06-062-1 Formula Grant Activity #06 Home/Building Repair is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be properly authorized and necessary.
5. Board of Commissioners' authorization requested on the payment authorization form for \$ 61.80 payable to Record Publishing for advertising for PPIC Project No. 3 as requested by the Regional Planning Commission. The B-F-07 Formula Grant Activity #03 Neighborhood Facility/Community Center is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the payment appears to be appropriate and correct.
6. Board of Commissioners' authorization requested to change the allocation for salaries between the General Fund and the Enterprise Zone fund for Director William Ulik and Executive Assistant Diana Fierle as requested by Department of Budget and Financial Management.
7. August 19, 2008 e-mail from Harold Huff, Water Resources Department regarding pump station site purchase.

* * * * *

PLEASE ADD TO YOUR AGENDA

August 21, 2008

1. August 20, 2008 memo from Department of Budget and Financial Management regarding a request for additional funding for the Portage County Animal Protective League/Information only.
2. Board of Commissioners' authorization requested to pay the Clerk of Courts for court costs from Case No. 1992 CV 00349 Ohio Attorney General vs. Portage County Board of Commissioners \$ 34.50. Document reviewed by the Prosecutor's Office indicating the case was for injunctive relief and civil penalty but the notice is for payment of court costs/Journal Entry
3. JoAnn Townend presents a resolution to authorize the sale of obsolete equipment by public auction on September 20, 2008/08-0868

4. August 20, 2008 request from Health Commissioner Chip Porter for a letter of support for the ODOH Obesity Prevention Project/Journal Entry.
5. August 19, 2008 correspondence from Sylvia Chinn-Levy, NEFCO, regarding CEDS Committee Representative and Coordinator. Does the Board wish to appoint a representative from Portage County (replacing Kerry Macomber)/Board of Commissioners agreed to forward this request to Bill Ulik to determine his interest in serving.

* * * * *

INFORMATION ONLY

August 21, 2008

1. August 12, 2008 correspondence from L. George Distel, The Ohio Turnpike Commission, expressing its support for Portage County’s application request for funding through the Ohio Department of Development Job Ready Site Program. (cc: Grants Coordinator and CT Consultants).
2. The Board of Commissioners received the Brimfield Area Chamber of Commerce newsletter for August 2008.
3. The Board of Commissioners received the August 15, 2008 News Release entitled Power Outages at Ohio Department of Transportation Traffic Signals – The Use of Stop Signs Are Prohibited as presented by Ohio Department of Transportation.
4. The Board of Commissioners received the August 13, 2008 meeting minutes as presented by Natural Resources Assistance Council (NRAC) District 7.
5. The Board of Commissioners received Conservation News for Summer 2008.
6. August 2008 correspondence from Ken McLaughlin, The Village Network, regarding available services for youth.

* * * * *

PROSECUTOR’S CORRESPONDENCE

August 21, 2008

1. Confidential August 19, 2008 e-mail from Tommie Marsilio, regarding the Strasshofer Mediation/Information only.

* * * * *

Journal Entry

August 21, 2008

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

1. The Board of Commissioners acknowledged the receipt of the August 18, 2008 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate of Resources for the fiscal year beginning January 1, 2008, as presented by the Portage County Auditor.

2. The Board of Commissioners acknowledged the receipt of the Portage County Investment Reconciliation for the month of July 2008, as presented by the County Auditor and County Treasurer.
3. The Board of Commissioners authorized payment to Advanced Contracting of Atwater for \$2,708.73 for work performed at 2706 Summit Road, Ravenna on behalf of James and Shirley Collins for rehab work and house repairs to be paid from the Portage County CDBG RLF Fund 1271, as presented by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be accurate and appropriate for the circumstances.
4. The Board of Commissioners signed a purchase requisition for Neighborhood Development Services Inc. for the City of Streetsboro Home/Building Repair Implementation for \$7,140.00, as presented by the Regional Planning Commission. The B-F-06-062-1 Formula Grant Activity #06 Home/Building Repair is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be properly authorized and necessary.
5. The Board of Commissioners authorized payment for \$61.80 payable to Record Publishing for advertising for PPIC Project No. 3, as presented by the Regional Planning Commission. The B-F-07 Formula Grant Activity #03 Neighborhood Facility/Community Center is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor noting the payment appears to be appropriate and correct.
6. The Board of Commissioners authorized a change in the allocation for salaries between the General Fund and the Enterprise Zone Fund 1002 for Director William Ulik and Executive Assistant Diana Fierle at 90% Economic Development Fund 00800003 and 10% Enterprise Zone Fund 10020803 effective August 11, 2008, as reviewed by the Department of Budget and Financial Management.
7. The Board of Commissioners authorized the Portage County Water Resources Department to work with the Internal Services Director to purchase an approximate ½ acre parcel from Robert and Jacquelyn Vilk at the current Edmond Drive Sewer Pump station site located on Edmond Drive in Streetsboro, Ohio.
8. The Board of Commissioners authorized payment to the Portage County Clerk of Courts for court costs from Case No. 1992 CV 00349 Ohio Attorney General vs. Portage County Board of Commissioners in the amount of \$34.50. Document reviewed by the Prosecutor's Office, who indicated that the case was for injunctive relief and civil penalty but the notice is for payment of court costs.
9. The Board of Commissioners signed a letter of support to the Ohio Department of Health for the Portage County Obesity Prevention Project application to be submitted by the Portage County Health Department.
10. The Board of Commissioners authorized payment of \$2,115 to the Regional Planning Commission for work completed for the Farmland Preservation Advisory Board. The Commissioners noted that this amount is in addition to the application of their 146 Technical Assistance (TA) hours.
11. The Board of Commissioners authorized Administrative Assistant Amy Hutchinson to work overtime as needed while the Clerk is on vacation from August 25, 2008 through August 29, 2008.
12. The Board of Commissioners authorized their staff to use the Portage County logo on shirts to be purchased personally.

All in favor, motion carries.

*

*

*

*

*

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **August 21, 2008**. There being no further business to come before the Board, it was moved by Charles W. Keiper II, seconded by Maureen T. Frederick to adjourn the official meeting at 9:45 AM. All in favor, motion carries.

Christopher Smeiles, President

Charles W. Keiper II, Vice President

Maureen T. Frederick, Board Member

Deborah Mazanec, Clerk

*

*

*

*

*