

Thursday, September 4, 2008

The Board of County Commissioners met in regular session on **Thursday, September 4, 2008 at 9:50 AM** with the following members present:

Christopher Smeiles

Charles W. Keiper II

Maureen T. Frederick

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It was moved by Charles W. Keiper II, seconded by Maureen T. Frederick to approve the meeting minutes of the September 2, 2008 meeting. All in favor, motion carries

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Also attending throughout the day: Colin Harris, Record-Courier and Matthew Kaplan, Community Liaison for Senator Sherrod Brown.

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HUMAN RESOURCES

Present: Jim Manion and Jon Barber

The Board of Commissioners discussed the proposed job description for the new position of Accounts Receivable Manager for The Woodlands at Robinson. Clerk to schedule a meeting with the Nursing Home Administrator to discuss the cash flow before approving the posting and/or hiring for this position/Journal Entry

The Strasshofer mediation will be September 23, 2008. Jim Manion to determine the time, location, and who should attend.

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10:05 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider disciplinary issues. **Also present:** Interim Human Resources Department Director Jim Manion and Department of Homeland Security & Emergency Management Director Jon Barber. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:25 AM Jon Barber left the Executive Session

10:50 AM Upon conclusion of the above referenced discussion, it was moved by **Charles W. Keiper II**, seconded by **Maureen T. Frederick** 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 the Executive Session, the Board of Commissioners approved a disciplinary action for a Security Department Employee.

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Present: CBO Bob Wrentmore

The Commissioners discussed the August 27, 2008 order from CBO Bob Wrentmore to State Route 43 Holdings LLC for the removal of the Mangiamo restaurant in Twin Lakes by September 30, 2008. The Commissioners noted that the Sheriff has completed the investigation but has not yet issued a written report.

The State Fire Marshall is still investigating and the insurance company will not release the funds to remove the building without a final written report. The CBO reported that the Township is aggressively pursuing the removal of the structure.

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PUBLIC HEARING

Proposed Amendment To The Portage County Building Department Regulations

Convened: 11:10 AM

Present: Commissioners Smeiles, Keiper and Frederick; CBO Bob Wrentmore; Colin McEwen, Record-Courier; Robert Schlagenhauser, Tax Map; and Commissioners' Clerk Deborah Mazanec.

I. OPENING & INTRODUCTIONS - Commissioner Christopher Smeiles

II. PURPOSE OF THE HEARING – Deborah Mazanec, Clerk

In accordance with Ohio Revised Code § 307.37, the Portage County Board of Commissioners will hold two Public Hearings to hear comment on the proposed Amendment to the Portage County Building Department rules, regulations, and standards for the inclusion of a requirement for professionally prepared and sealed topographic site plan review. This is the first scheduled Public Hearing.

A second public hearing is scheduled for Thursday, September 11, 2008 at 2:00 PM in the Portage County Commissioners' Board Room on the seventh floor of the County Administration Building, 449 South Meridian Street in Ravenna, Ohio, also to hear comments concerning the proposed Amendment to the Portage County Building Department rules, regulations, and standards for the inclusion of a requirement for professionally prepared and sealed topographic site plan review.

Notice of this hearing was published in the Record Courier Newspaper on August 21, 2008 and August 28, 2008, as required by the Ohio Revised Code § 307.37.

III. SWEARING IN OF THOSE WHO ARE SPEAKING – Commissioner Smeiles

- Do you solemnly affirm under the penalties of the law of perjury of the State of Ohio that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?

Please respond: I do.

IV. PRESENTATION OF PROPOSED AMENDMENT

Portage County Building Department CBO Bob Wrentmore reviewed the proposed changes and forms to be used, once approved.

V. PUBLIC COMMENT

Commissioner Frederick asked about the 1% fee that Portage County collects and sends to the state. CBO Wrentmore responded that the State Legislature requires certified building departments to charge this fee as of 2006. Commissioner Frederick asked how much it will cost a homeowner if this amendment is approved. The CBO responded that the cost will be increase by \$175 plus the cost of the surveyor.

Commissioner Smeiles noted that he is against this proposal only because it does not allow a homeowner to do the survey work themselves.

CBO Wrentmore added that the total added cost to homeowner is between \$600 and \$700, depending on which developer and/or surveyor the homeowner chooses to use. (\$175 for fee and another approximate \$450 for survey)

Commissioner Smeiles notes that this is an additional cost to homeowners, as well as a delay in the process. CBO Wrentmore responded that there are typically only two homeowners per year who build their own homes in Portage County. There will be no delay in the approval of plans in the Building Department but the delay might be for the home owner who is unaware of this new requirement.

The CBO will make certain that the new requirements are widely publicized.

Commissioner Frederick noted that the new Health Department septic regulations require the hire of a soilologist before a permit is given. Will this also delay building? The CBO responded that he does not have an answer to that question.

Commissioner Smeiles stated that he likes the notion of the requirement for a topographical drawing and ensuing storm water management, but would like to allow the homeowner to do their own topographical maps. The CBO would prefer to keep the requirement for a sealed topo but would consider the removal of the \$175 fee, should the Board of Commissioners so desire. The professional stamp by the surveyor or engineer makes the project professional.

Rob Schlagenhauser, Portage County Tax Map Department, stated that the cost of the surveyor would be more like \$1,000 for a topographical map, which he believes is an important tool to have. He asked if someone from the county would go to the site? The CBO responded yes, the new to-be-hired inspector will visit each site for a complete review.

The CBO noted that in 2004, Summit County adopted a program similar to this. Summit County has advised that all storm water drainage issues have been abated in residential areas. Hopefully, this program will help Portage County avoid drainage complaints, which have increased in recent months.

Commissioner Smeiles noted that, if the new inspector observes other issues, he will not have the authority to look at issues on lots outside the one being inspected. CBO Wrentmore disagreed, noting that this inspector will have jurisdiction over all lots in Portage County, not only the one he/she is currently inspecting.

Commissioner Frederick asked Rob Schlagenhauser if the \$1000 he referenced is for the entire survey? Rob responded that the survey includes setting corners and the home site and would now have to include benchmarks.

VI. PUBLIC HEARING ADJOURNED AT 11:35 AM

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11:40 AM Lunch Recess

1:10 PM Board of Commissioners reconvened to the Department of Budget & Finance work session

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2:00 PM Board of Commissioners convened the Solid Waste Management District meeting
3:08 PM Board of Commissioners Reconvened

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RESOLUTION No. 08-0900 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Charles W. Keiper II, seconded by Maureen T. Frederick 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 September 4, 2008 in the total payment amount of **\$291,590.27 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. 08-0901 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Charles W. Keiper II, seconded by Maureen T. Frederick 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 September 4, 2008 in the total payment amount as follows:

1. \$87,650.83 for Medical Mutual Claims-Fund 7101; 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, September 5, 2008 \$ 87,650.83

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. 08-0902 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

It was moved by Charles W. Keiper II, seconded by Maureen T. Frederick 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:

09/03/08	108	\$ 1,067.46
09/03/08	107	2,250.22
09/03/08	106	100.00
Total		\$ 3,417.68

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. 08-0903 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Charles W. Keiper II, seconded by Maureen T. Frederick 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 **\$5,003.18** as set forth in Exhibit “A” dated **September 4, 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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RESOLUTION No. 08-0904 - RE: APPROVE SPECIFICATIONS AND SET BID DATE FOR THE MAPLE GROVE SIDEWALK REPLACEMENT

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

RESOLVED, that the bid specifications, as submitted for receiving bids for the Maple Grove Sidewalk Replacement, be approved;

JOURNAL ENTRIES

September 4, 2008

- 1. The Board of Commissioners acknowledged the receipt of the August 28, 2008 correspondence from the Portage County Sheriff including the Monthly Record of Proceedings and Transactions for August 2008, in accordance with Ohio Revised Code Section 325.07.
- 2. The Board of Commissioners acknowledged the receipt of the August 26, 2008 correspondence from Director Steve Eva, The Woodlands At Robinson to County Auditor Janet Esposito, requesting that her staff debit Fund 5100 and for 1/8th the cost allocation of \$ 28,459 and credit the General Fund as follows:

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<u>Debit</u>	51000544	481000	\$ 28,459	FY 08 Cost Allocation
<u>Credit</u>	00100001	152000	\$ 28,459	FY 08 Cost Allocation

- 3. Board of Commissioners' authorization requested to pay Neighborhood Development Services Inc. for \$ 500.00 for foreclosure counseling for Client Couple 2008-010C as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting all documents appear to agree and to be properly prepared for the purposes of this activity.
- 4. Board of Commissioners' authorization requested to pay Chase National Bank \$ 2,165.21 for mortgage catch up for Client Couple 2008-010P as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting all documents appear to agree and to be properly prepared for the purposes of this activity.
- 5. The Board of Commissioners received the Weekly Report of Kennel population for the week ending August 31, 2008 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$380.00 in Court Donations.
- 6. Board of Commissioners' authorization requested to have the Commissioners sign the County of Portage, Ohio Hospital Revenue Bonds, Series 2008 as presented by Mike Sharb, Squires Sanders. Documents reviewed by the Prosecutor's Office with no exceptions noted.

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REFERRED

September 4, 2008

- 1. September 2, 2008 correspondence from Dennis Lager, Public Defender, regarding a modification of budget to adjust employee salary./Referred to Department of Budget and Financial Management and Clerk to schedule Attorney Lager.
- 2. Undated correspondence (received September 2, 2008) from Beverly Huth, regarding a public records request./Referred to Prosecutor's Office.
- 3. September 2, 2008 e-mail from Sally Kelly, regarding expenses for the new center./Referred to Department of Budget and Financial Management and Internal Services. The Board of Commissioners agreed that Director Kelly should obtain permission from the Seniors to use the

\$10,000 for the purchase of chairs and a bulletin board for the new Senior Center space. Director Kelly to work with the Department of Budget & Finance and Internal Services Director to coordinate these purchases.

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INFORMATION ONLY

September 4, 2008

1. September 2, 2008 correspondence from Elizabeth Stein, Job and Family Services to Andrew Drnjevic, Triangle Pharmacy, regarding Title XX Vendor Agreement.
2. August 27, 2008 correspondence from Senator Sherrod Brown and Congressman Tim Ryan to Richard Bissler, PARTA, regarding the failure to finalize a labor agreement between PARTA and the Ohio Association of Public School Employees (OAPSE) Local 37.
3. August 26, 2008 correspondence from Kelly McInerney, Bible Baptist Church, regarding a proposed casino amendment for Clinton County.
4. On August 29, 2008, the Board received notice that William Ulik will attend the Regional Comprehensive Economic Development Strategy (CEDS) Committee meeting as presented by NEFCO.
5. The Board of Commissioners received the August 29, 2008 Traffic Advisory as presented by Ohio Department of Transportation.
6. The Board of Commissioners received notice from the Kent Area Chamber of Commerce regarding 2008 Membership.
7. August 27, 2008 correspondence from Jack Rosati Jr., Bricker & Eckler, announcing the addition of Henry Reder Esq. AIA to the Construction Law Group.
8. August 8, 2008 memo from Trevor Martin, The Heartland Institute, regarding the environment and civil rights.
9. The Board of Commissioners received the Portage Area Regional Transportation Authority Audit Report for the year ending December 31, 2007.
10. August 28, 2008 correspondence from Rob Walgate, Vote No Casinos, regarding Ohio Ballot Issue 6.
11. September 2, 2008 e-mail from Hal Farrier, Mental Health & Recovery Board of Portage County, regarding the United Way campaign.
12. The Board of Commissioners received the OEDA September Dateline newsletter as presented by the Ohio Economic Development Association.

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Journal Entry

September 4, 2008

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

1. The Board of Commissioners acknowledged the receipt of the August 28, 2008 correspondence from the Portage County Sheriff including the Monthly Record of Proceedings and Transactions for August 2008, in accordance with Ohio Revised Code Section 325.07.
2. The Board of Commissioners acknowledged the receipt of the August 26, 2008 correspondence from The Woodlands at Robinson Director Steve Eva to County Auditor Janet Esposito, requesting that staff debit Fund 5100 the cost allocation of \$28,459 (one-eighth of the Indirect Cost Allocation of \$142,295) and credit the General Fund as follows:

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<u>Debit</u>	51000544	481000	\$ 28,459	FY 08 Cost Allocation
<u>Credit</u>	00100001	152000	\$ 28,459	FY 08 Cost Allocation

3. The Board of Commissioners authorized payment to Neighborhood Development Services Inc. for \$500.00 for foreclosure counseling for Client Couple 2008-010C, as presented by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting all documents appear to agree and to be properly prepared for the purposes of this activity.
4. The Board of Commissioners authorized payment to Chase National Bank \$2,165.21 for mortgage catch up for Client Couple 2008-010P, as presented by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting all documents appear to agree and to be properly prepared for the purposes of this activity.
5. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending August 31, 2008, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners also acknowledged the receipt of \$380.00 in Court Donations.
6. The Board of Commissioners signed the County of Portage, Ohio Hospital Revenue Bonds, Series 2008 and authorized the Clerk to sign the Certificate of the Clerk of the Board of Commissioners, as presented by Attorney Mike Sharb of Squire, Sanders & Dempsey L.L.P. The documents were reviewed by Attorney Denise Smith with no exceptions noted.
7. After meeting today with Interim Human Resources Department Director Jim Manion, the Board of Commissioners approved the draft job description for the new position of Accounts Receivable Manager at the Portage County Nursing Home, as recommended by Nursing Home Administrator Steve Eva. The Board of Commissioners noted that this position has not yet been factored. Director Manion to bring back a recommendation for a range, once the factoring is completed.
8. After meeting today in an Executive Session with Directors Jon Barber and Jim Manion, the Board of Commissioners agreed to give a Portage County Security Department employee one day off without pay for a disciplinary issue.

9. The Board of Commissioners acknowledged the receipt of the PARTA Audit Report for the year ending December 31, 2007, as prepared by Charles E. Harris & Associates, Inc.
10. The Board of Commissioners authorized the Portage County Department of Economic Development to pay 2009 Chamber Membership dues on behalf of the Board of Commissioners in an amount not to exceed \$800.00.

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 **September 4, 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 3:12 PM. 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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