

Tuesday, October 7, 2008

The Board of County Commissioners met in regular session on **Tuesday, October 7, 2008 at 9:45 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 September 30, 2008 meeting. Commissioner Keiper absent, motion carries

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Absent: Commissioner Keiper attending the SIIA Conference.

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

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Commissioner Smeiles noted that he met with NEFCO Director Joseph Hadley this morning at 8:00 AM.

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PROSECUTOR - Cancelled

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DISCUSSION: RED FLAG RULE REQUIREMENT

Present: Carol Kurtz

The County may have a responsibility imposed by the Fair and Accurate Credit Transactions Act of 2003 [FACT Act or FACTA]. This United States federal law was passed by the U.S. Congress on November 22, 2003 and was signed by President Bush on December 4, 2003.

Carol Kurtz reported that she discovered that according to a Business Alert issued by the Federal Trade Commission in June 2008, the Red Flag Rules apply to a very broad list of businesses including: “financial institutions” and “creditors” with “covered accounts”.

A “creditor” is defined to include “lenders such as banks, finance companies, automobile dealers, mortgage brokers, utility companies and telecommunications companies”. However, this list is not viewed as “all-inclusive.”

A “covered account” includes any account for which there is a foreseeable risk of identity theft. For example, credits cards, monthly billed accounts like utility bills, social security numbers, driver’s license numbers, medical insurance accounts, and many others.

Because Portage County collects payments in many places and lends money grant and program funds as business and home loans, it would appear that it is likely a “creditor” with “covered accounts”. If so, then the County has until November 1, 2008 to comply with three new FACT Act regulations, Red Flag Rules, sections 114 and 315 of the FACT Act.

New Red Flag Rules are:

- One that requires financial institutions or creditors to develop and implement an Identify Theft Prevention Program in connection with both new and existing accounts. The Program must include reasonable policies and procedures for detecting, preventing, and mitigating identity theft;
- Another that requires users of consumer reports to respond to Notices and Address Discrepancies that they receive; and
- A third that places special requirements on issuers of debit or credit cards to assess the validity of a change of address if they receive notification of a change of address for a consumer's debit or credit card account and, within a short period of time afterward they receive a request for an additional or replacement card for the same account.

The Internal Auditor spoke with CCAO Attorney John Leutz who advised that the Board of Commissioners need only make a policy statement in order to comply with this rule.

Carol Kurtz to work with Denise Smith to create a draft resolution, ITS director Brian Kelley and affected Commissioners' Departments to ensure compliance. The Board of Commissioners agreed to send a memo to Elected Officials regarding this requirement, once the resolution has been adopted.

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

Resolutions

1. Cash Advance from 0001, General Fund to Fund 1123, Community Integration SOC CISP/08-1003
2. Cash Advance Repayment from Fund 5507, PCW Cleveland to Aurora to Fund 5400, PCW General Administration/08-1004

Other

3. Discussion Memos
 - a. The Director advised the Board of Commissioners that the Municipal Court has requested an additional appropriation request for Part-time Expenses in the amount of \$8,800/Journal Entry
 - b. The Director presented the Quarterly Review, which shows that the sales tax collection is doing well. Commissioner Smeiles noted that there is no decrease of services or layoffs planned for 2009 although caution is the watchword for 2010.
 - c. The Board of Commissioners discussed the PCDED renovation project. Director Tillis to check with Internal Services Director JoAnn Townend to determine which fund will be used for the project.

Updates

4. The Director presented the Compensation Report by Payroll Location.

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RESOLUTION No. 08-0995 - RE: BILLS APPROVED AND CERTIFIED TO THE

PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Maureen T. Frederick, 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 October 7, 2008 in the total payment amount of **\$ 815,177.19 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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-0996 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Maureen T. Frederick, 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 October 7, 2008 in the total payment amount as follows:

- 1. \$80,701.47 for Medical Mutual Claims-Fund 7101; and
- 2. 5,418.37 to MHM Resources, Inc for processing FLEX claims for Medical Mutual; 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 Wednesday, October 8, 2008	\$ 80,701.47
Wire Transfer on Wednesday, October 8, 2008	\$ 5,418.37

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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-0997 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

It was moved by Maureen T. Frederick, 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:

10/06/08	217	\$ 960.00
10/06/08	365	704.45
10/06/08	368	958.51
10/06/08	369	953.88
10/06/08	370	37,494.76
10/06/08	373	49,348.05
10/06/08	412	2,539.99
10/06/08	411	4,333.80
10/06/08	410	1,888.50
10/06/08	409	654.54
10/06/08	406	26,170.30
10/06/08	404	184.92
10/06/08	402	327.40
Total		\$ 126,519.10

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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-0998 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Maureen T. Frederick, 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 **\$54,393.08** as set forth in Exhibit "A" dated **October 7, 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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-0999 - RE: AUTHORIZE THE PORTAGE COUNTY ENGINEER TO RETURN GRANT NUMBER CGR16, IN THE AMOUNT OF \$62,500, TO THE OHIO PUBLIC WORKS COMMISSION (OPWC), COVERING THE KNOWLTON ROAD BRIDGE REPLACEMENT

- WHEREAS,** five (5) sealed bids were received, tabulated, and recorded on May 28, 2003 for furnishing of labor, materials and equipment necessary to complete the project known as the Tallmadge Road Bridge Replacement Project (ROO 255 CH18H) over the Norfolk Southern Railroad in Rootstown Township, Portage County; and
- WHEREAS,** after reviewing said bids, it was the recommendation of the Portage County Engineer that the bid of L.M. Lignos Enterprises be accepted as the lowest and best bid received, and;
- WHEREAS,** the Portage County Board of Commissioners adopted Resolution 03-0478 on May 29, 2003 accepting and awarding the bid of L.M. Lignos Enterprises as the lowest and best bid in accordance with specifications and plans prepared for the Tallmadge Road Bridge Replacement Project (ROO 255 CH18H) over the Norfolk Southern Railroad in Rootstown Township, Portage County; and
- WHEREAS,** the Portage County Board of Commissioners adopted Resolution 05-0725 on July 28, 2005 finding L.M. Lignos Enterprises in default of its contract with the Portage County Commissioners for the Tallmadge Road Bridge Replacement Project (ROO 255 CH18H) over the Norfolk Southern Railroad in Rootstown Township, Portage County; and
- WHEREAS,** said Resolution 05-0725 authorized the Portage County Engineer to give the right to control and/or supervise the work of the Tallmadge Road Bridge Replacement Project to the surety company, Greenwich Insurance Company; and
- WHEREAS,** on May 28, 2003, United States Surety Company (USSC) procured 100% Performance and Payment Bonds through Greenwich Insurance Company (GIC) to cover the L.M. Lignos contract with Portage County; and
- WHEREAS,** construction of the Tallmadge Road Bridge Replacement Project (ROO 255 CH18H) over the Norfolk Southern Railroad in Rootstown Township, Portage County, has now been completed and the final invoice, in the amount of \$57,763.16, has been received from United States Surety Company; and
- WHEREAS,** federal funds through the Ohio Department of Transportation, in the amount of \$57,763.16, will be disbursed to the Portage County Engineer as payment for said invoice and the Portage County Engineer will, in turn process payment to United States Surety Company through the Portage County Auditor; now therefore be it
- RESOLVED,** that the Portage County Engineer is hereby authorized to generate a purchase order for United States Surety Company, in the amount of \$57,763.16, for the completion of the Tallmadge Road Bridge Replacement Project (ROO 255 CH18H) in Rootstown 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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1001 - RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE LOCAL PUBLIC AGENCY (LPA) AGREEMENT NO. 22200 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR A GUARDRAIL LOCATION INVENTORY & INSPECTION STUDY THROUGHOUT PORTAGE COUNTY.

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following Resolution be adopted:

- WHEREAS,** the Portage County Engineer has secured 90% federal funding from the County Engineer’s Association of Ohio HSIP Program to perform a Guardrail Location Inventory and Inspection Study throughout Portage County, and
- WHEREAS,** the Portage County Engineer has received LPA Agreement No. 22200 from the Director of the Ohio Department of Transportation for said Guardrail Location Inventory and Inspection Study, and
- WHEREAS,** the LPA Agreement provides for the reimbursement to the Portage County Engineer of federal funds for the said Guardrail Location Inventory and Inspection Study up to a maximum of \$31,770.00, now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to enter into LPA Agreement No. 22200 with the Director of the Ohio Department of Transportation to access federal funds to reimburse the Portage County Engineer for a Guardrail Location Inventory and Inspection Study throughout Portage County.
- 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:

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

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RESOLUTION No. 08-1002 - RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE LOCAL PUBLIC AGENCY (LPA) AGREEMENT NO. 22201 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR A ROADSIDE HAZARD INVENTORY STUDY THROUGHOUT PORTAGE COUNTY.

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following Resolution be adopted:

WHEREAS, the Portage County Engineer has secured 90% federal funding from the County Engineer’s Association of Ohio HSIP Program to perform a Roadside Hazard Inventory Study throughout Portage County, and

WHEREAS, the Portage County Engineer has received LPA Agreement No. 22201 from the Director of the Ohio Department of Transportation for said Roadside Hazard Inventory Study, and

WHEREAS, the LPA Agreement provides for the reimbursement to the Portage County Engineer of federal funds for the said Roadside Hazard Inventory Study up to a maximum of \$25,110.00, now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to enter into LPA Agreement No. 22201 with the Director of the Ohio Department of Transportation to access federal funds to reimburse the Portage County Engineer for a Roadside Hazard Inventory Study throughout Portage County.

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:

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

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RESOLUTION No. 08-1003 - RE: CASH ADVANCE - FROM FUND 0001, GENERAL FUND TO FUND 1123, COMMUNITY INTEGRATION SOC CISP

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following resolution be adopted:

WHEREAS, the Board of County Commissioners adopted Resolution No.08-0979, accepting the

Community Integration and Socialization Program Grant (CISP) that is administered by the Adult Probation Department, and

WHEREAS, this is a reimbursable grant and funding reimbursements from the grantor are received after actual expenditures have been incurred, and

WHEREAS, there is a cash flow need to fund actual expenditures until reimbursements are received from the grantor; now therefore it be

RESOLVED, that the following cash advance be made in the amount of \$ 36,000.00:

FROM:

0001, GENERAL FUND

ORGCODE - 00100009

Debit Expense Account

Object 920000 - Advances-Out \$ 36,000.00

TO:

1123 COMMUNITY INTEGRATION SOC CISP

ORGCODE - 11235952

Credit Revenue Account

Revenue Source 290000 - Advances-In \$ 36,000.00

and be it further

RESOLVED, the advance will be repaid to the General Fund upon the close of the Community Integration and Socialization Program (CISP) grant, and be it further

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

Christopher Smeiles, Yea;

Charles W. Keiper II, Absent;

Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1004

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RE:

**CASH ADVANCE REPAYMENT - FROM FUND
5507, PCW CLEVELAND TO AURORA TO FUND
5400, PCW GENERAL ADMINISTRATION**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the following resolution be adopted:

WHEREAS, Resolution No. 08-0709, adopted on August 5, 2008, authorized a cash advance in the amount of \$ 1,498,823.00 from Fund 5400, PCW General Administration, to Fund 5507, Cleveland to Aurora Water Line, Phase 1 until permanent financing was obtained, and

WHEREAS, note proceeds were obtained for the Cleveland to Aurora Water Line, Phase 1 Construction Project; now therefore be it

RESOLVED, that the following cash advance repayment be authorized in the amount of \$ 1,498,823.00:

FROM:

FUND 5507, PCW CLEVELAND TO AURORA

ORGCODE - 55070602

Project: 06290

Debit Revenue Account

Revenue Source 290000 - Advances In \$ 1,498,823.00

TO:

FUND 5400, PCW GENERAL ADMINISTRATION,

ORGCODE – 540040W9

Project: 06290

Credit Expense Account

Object 920000 Advances Out \$ 1,498,823.00

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 as follows:

Christopher Smeiles, Yea;

Charles W. Keiper II, Absent;

Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1005

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RE:

ENTER AN AGREEMENT FOR PROFESSIONAL SERVICES WITH SCAVDIS & SCAVDIS LLC FOR

6. The County Engineer presents a resolution to authorize the Portage County Engineer to return Grant Number CGR16, in the amount of \$62,500, to the Ohio Public Works Commission (OPWC), covering the **Knowlton Road Bridge Replacement Project (NEL 181, TH 295D)** in Nelson Township, Portage County/08-0999.
7. Resolution presented by the Grants Coordinator to transfer and appropriated \$100,000 from the CDBG Economic Development Loan Funds to be used in conjunction with the 2008 CHIP/08-HOLD
8. Resolution presented by the County Engineer to authorize him to generate a purchase order to pay United States Surety Company for the completion of the Tallmadge Road Bridge replacement project (ROO 255 CH18H) over the Norfolk Southern Railroad in Rootstown Township/08-1000.
9. The County Engineer presents a resolution to authorize the Portage County Engineer to execute a Local Public Agency (LPA) Agreement No. 22200 with the Director of the ODOT for a guardrail location inventory and inspection study throughout Portage County/08-1001.
10. The County Engineer presents a resolution to authorize the Portage County Engineer to execute a Local Public Agency (LPA) Agreement No. 22201 with the Director of the ODOT for a roadside hazard inventory study throughout Portage County/08-1002

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INVITATIONS/MEETING NOTICES

October 7, 2008

1. Invitation to the 2008 Akron Small Business Succession Planning Program on November 6, 2008 and November 20, 2008.
2. Notice of the MADD Appreciation Dinner thanking officers who ticketed the most OVI offenders in 2007 on Thursday, October 16, 2008 at 6:30 PM at Maplewood.
3. Notice of the Thursday, November 13, 2008 at 8:00 AM in Fairlawn of the *Making Sense of the Economic Puzzle* Seminar, presented by the Greater Akron Chamber.
4. Streetsboro Chamber, Monday Messages – September 29, 2008.
5. Invitation to the 2008 Seniors' Harvest Ball on Friday, October 31, 2008 from 10 AM to 1:30 PM at the Kent American Legion Post.
6. Invitation from Kent State University to the ribbon cutting ceremony at Kent Displays. Inc. in Brimfield Township at 2 PM on Monday, October 27, 2008.
7. Notice from the ODJFS of the November 13th Veterans Career Fair at the National Guard Armory in North Canton from 2-8PM.
8. Notice of the Northeast Ohio Regional International Education Summit on Thursday, October 30th from 8:30 AM – 3:00 PM in Cleveland.
9. Notice of the Minority Achievers' Saturday, October 18th celebration at 6:00 PM at Tangier Restaurant.

10. Notice of the Tuesday, October 21, 2008 GlobalReach Program at Cleveland State University from 8:00 AM – 2:30 PM.

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INCOMING CORRESPONDENCE

DISCUSSION

October 7, 2008

1. September 17, 2008 correspondence from Matthew Wenham, C&S Companies, regarding Airport Consulting and Business Services/Bring back on October 14, 2008.
2. Notice from WKYC-TV of their purchase of a new I-Alert System. Instructions for use will be sent to the Board of Commissioners in October/Information only at this time.
3. Notice from The Trust for Public Land of New York, New York of the 5th Annual County Leadership in Conservation Award, with a nomination deadline of November 21, 2008. Awards to be presented at the NACo Legislative Conference in Washington DC in March 2009/Forward to the Executive Assistant.
4. Request from PCDED Director Bill Ulik for Board approval of reimbursement for one night of lodging for two-day Leadership Portage County Opening Retreat, which was rejected by the Auditor's Office in accordance with the Commissioners' Personnel Policy Manual/Hold for Commissioner Smeiles to discuss with Director Ulik.
5. Notice from PCDED Director Bill Ulik of the proposed ribbon cutting ceremony at the former Ravenna Aluminum in Rootstown on Monday, November 10, 2008 at 9:30 AM. Director Ulik presents a proposed invitation list for Commissioners' approval/The Board of Commissioners will attend.
6. Invitation from the Portage County JFS to the 6th Annual Fall Fest on Saturday, October 11th from 10-Noon. The Executive Assistant has prepared a Proclamation honoring a foster family and the Director asks if a Commissioner can present it at this event/the Board of Commissioners is not available to attend due to a prior commitment.
7. Discussion: PCDED support of the KSU/Indian Classical Music Society of Cleveland's India Musicfest. (Referred to the PCDED by Commissioner Keiper on October 3, 2008)/Bring back on October 14th.
8. October 1, 2008 memo from Sheriff Kaley advising of the October 1, 2008 start of the Portage County Pay-to-Stay Program in the Jail/Information only
9. October 1, 2008 email from JoAnn Townend regarding a meeting with Financial Network of America, the county's new deferred comp provider/Journal Entry
10. October 7, 2008 memo from Director Harold Huff, Portage County Water Resources, recommending that the Board of Commissioners request that Mahoning County provide sanitary sewer service to Portage County residents who live along County Line Road in Palmyra Township, along the Mahoning County-Portage County line, who have failing septic systems. Director Huff notes that Portage County does not have sanitary sewer facilities to service these residents and does not plan to bring sanitary sewer service to this area in the foreseeable future/Journal entry.

11. October 2, 2008 notice from Attorney Antonios Scavdis, Jr. regarding his representation of Sheriff's Lieutenant Gregory Johnson in Patrick A. Peddicord v. Gregory A. Johnson, et al. Case Number 2008CV01443/08-1005
12. October 3, 2008 correspondence from Ravenna Mayor Kevin Poland requesting a meeting to discuss the Board of Commissioners' request for reimbursement of \$8,680.89 associated with the Prosecutor's Project/The Board of Commissioners agreed to discuss this again on October 14, 2008 when Commissioner Keiper is back. Commissioner Smeiles noted that the City contacted Mark Frisone regarding the requirement of a second water line to the Family & Community Services Facility on Oakwood Street. Mr. Frisone advised that the City approved the current plan but now proposes the additional water line at an estimated cost of \$20,000.

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JOURNAL ENTRIES

October 7, 2008

1. The Board of Commissioners received the Weekly Report for the week ending September 28, 2008, as presented by the Portage County Dog Warden.
2. The Board of Commissioners acknowledged the receipt of the September 29, 2008 correspondence from the Portage County Board of Elections noting that the galley proofs of all ballots for the November 4, 2008 election are now on display.
3. The Portage County Regional Airport Authority presents a September 26, 2008 invoice for \$79.30 for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008.
4. September 30, 2008 email from Grants Administrator Dan Banks to the Ohio Department of Development in response to the request that Portage County provide our Data Universal Numbering System (DUNS) number.
5. The Portage County Department of Economic Development requests a Journal Entry authorizing payment to the Record-Courier in an amount not to exceed \$835 for the purchase of an ad in the Portage Area Chamber Directory, noting that the county will be invoiced once the final determination is made of ad placement.
6. The Board of Commissioners acknowledged receipt of the September 30, 2008 Amended Certificate of Estimated Resources for the year beginning January 1, 2008 as submitted by the Portage County Budget Commission (cc: Department of Budget & Financial Management).
7. In accordance with Ohio Revised Code 325.07, the Board of Commissioners acknowledged the receipt of the Monthly Record of Proceedings and Transactions of the Sheriff's Office – Civil Division for the month of September 2008.
8. The Board of Commissioners acknowledged the receipt of the October 1, 2008 Certificate of County Auditor that the Total Appropriations from each fund do not exceed the official estimate of resources.

9. The Board of Commissioners approved the request from the Portage County Veterans Services Offices for use of their third floor offices for an October 27, 2008 Veteran Service Commission Meeting from 4:30 PM – 7:00 PM, as presented by Robert F. Park.
10. The Board of Commissioners acknowledged the receipt of the letter announcing the retirement from Susan Workman, Portage County Water Resources Department, effective October 31, 2008. Forward a copy of the signed correspondence to the Human Resources Department for sick leave and vacation time pay-off.
11. September 25, 2008 request from the Neighborhood Development Services for an increase of \$6,373.50 to the Private Rehab purchase order and a decrease of \$6,373.50 of the Down Payment Assistance with Rehab purchase order to completely expend the 2006 Portage County CHIP program funds. Documents reviewed by Internal Auditor Carol Kurtz.

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REFERRED

October 7, 2008

1. September 26, 2008 notice from the Ohio Department of Transportation of the CY 2009 Ohio Coordination Program. Please note the October 24th application deadline. Referred to the Grants Administrator.
2. September 26, 2008 correspondence from the Portage County Law Library Board of Trustees requesting that the Board of Commissioners address the installation of a partially enclosed drainage pipe during the renovation of the Prosecutor’s Office. Referred to JoAnn Townend for investigation.
3. Notice from the Ohio EPA of the public comment period for the proposed Final Issuance of Certification to MFL Properties, 7282 Infirmery Road, Shalersville, for the issuance of a 401 certification and isolated wetlands Level 1 permit for a project to construct a 2300 foot long by 200 foot wide 13.54 acre recreational skiing lake, emergency spillway, entrance drive and boat ramp. Referred to Harold Huff for review and comment.
4. Notice from the Ohio EPA of the public comment period for the proposed Final Issuance of Certification to USACOE – Buffalo District in New York, for the issuance of a 401 water quality certification to establish letters of permission for seven categories of activities in surface water in all counties within the Buffalo District in the State of Ohio. Referred to Harold Huff for review and comment.
5. September 25, 2008 notice from the ODOD regarding the monitoring visit at NDS to review the CHIP. No response is necessary; referred to the Grants Coordinator, DBFM, and the Internal Auditor for their files and information.
6. September 30, 2008 request for meeting with Board of Commissioners to discuss the Boston Mutual ELO Program. Referred to the HR Department for review and comment.

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INFORMATION ONLY

October 7, 2008

1. The Board of Commissioners received the ODOT September 26, 2008 Traffic Advisory.

2. The Board of Commissioners received the AMATS Quarterly Report, Volume 31, Issue 3.
3. The Board of Commissioners received the minutes of the Monday, August 11, 2008 meeting of the Mental Health & Recovery Board.
4. September 29, 2008 correspondence from President and CEO of Summa Health System Thomas Strauss.
5. September 25, 2008 thank you letter from Matthew Slater, Program Manager of the Freedom House, for the Proclamation the Board of Commissioners presented at the September 11th Grand Opening and Dedication Ceremony.
6. October 1, 2008 memo from Water Resources Department Director Harold Huff advising the Board of Commissioners that he has contacted McMaster-Carr to obtain a 14 working day grace period for payment of invoices, which will allow a 2% discount.
7. Notice from Julie Pemberton, Branch Manger of Flagstar Bank of Ravenna, regarding available bank services.
8. October 2, 2008 notice of the upcoming events in support of Issue 32 on the November 4th election for the Portage Parks District.

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Journal Entry
October 7, 2008

Motion by Maureen T. Frederick, seconded by Christopher Smeiles to approve the following actions:

1. The Board of Commissioners acknowledged the receipt of the Weekly Report for the week ending September 28, 2008, as presented by the Portage County Dog Warden.
2. The Board of Commissioners acknowledged the receipt of the September 29, 2008 correspondence from the Portage County Board of Elections noting that the galley proofs of all ballots for the November 4, 2008 election are now on display.
3. The Board of Commissioners authorized payment of the Portage County Regional Airport Authority September 26, 2008 invoice for \$79.30 for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008.
4. The Board of Commissioners acknowledged that Grants Administrator Dan Banks sent a September 30, 2008 email to the Ohio Department of Development in response to their request that Portage County provide the Portage County Data Universal Numbering System (DUNS) number.
5. The Board of Commissioners authorized the Portage County Department of Economic Development to pay the Record-Courier an amount not to exceed \$835 for the purchase of an ad in the Portage Area Chamber Directory, noting that the county will be invoiced once the final determination is made of ad placement.

6. The Board of Commissioners acknowledged the receipt of the September 30, 2008 Amended Certificate of Estimated Resources for the year beginning January 1, 2008, as submitted by the Portage County Budget Commission.
7. In accordance with Ohio Revised Code 325.07, the Board of Commissioners acknowledged the receipt of the Monthly Record of Proceedings and Transactions of the Sheriff's Office – Civil Division for the month of September 2008.
8. The Board of Commissioners acknowledged the receipt of the October 1, 2008 Certificate of County Auditor that the Total Appropriations from each fund do not exceed the official estimate of resources, as presented by the County Auditor.
9. The Board of Commissioners approved the request from the Portage County Veterans Services Offices for use of their third floor offices for an October 27, 2008 Veteran Service Commission Meeting from 4:30 PM – 7:00 PM, as presented by Robert F. Park.
10. The Board of Commissioners acknowledged the receipt of the letter of retirement from Susan Workman, Portage County Water Resources Department, effective October 31, 2008. The Board of Commissioners agreed to forward a copy of the signed correspondence to the Human Resources Department for sick leave and vacation time pay-off.
11. The Board of Commissioners approved the September 25, 2008 request from the Neighborhood Development Services and authorized an increase of \$6,373.50 to the Private Rehab purchase order and a decrease of \$6,373.50 of the Down Payment Assistance with Rehab purchase order to completely expend the 2006 Portage County CHIP program funds, as recommended by the Neighborhood Development Services. Documents reviewed by Internal Auditor Carol Kurtz who noted that this is allowable according to the Consolidated Plan, CHIP section under the amendment procedures.
12. The Board of Commissioners accepted the recommendation from Department of Budget & Finance Director Audrey Tillis and approved an additional appropriation for part-time compensation expenses in the amount of \$8,800 for the Municipal Court for the remainder of 2008.
13. The Board of Commissioners accepted the recommendation of Director Harold Huff, Portage County Water Resources Department, and agreed to request that Mahoning County provide sanitary sewer service to Portage County residents who live along County Line Road in Palmyra Township, along the Mahoning County-Portage County line, who have failing septic systems. Director Huff notes that Portage County does not have sanitary sewer facilities to service these residents and does not plan to bring sanitary sewer service to this area in the foreseeable future.

Once the Portage County Board of Commissioners receives notice from the Mahoning County Commissioners stating a willingness to accept an area of Portage County into the Mahoning County Sewer District, the Portage County Board of Commissioners will authorize the Portage County Water Resources Department to prepare a resolution releasing such area from the Portage County Regional Sewer District.

14. The Board of Commissioners signed the Personnel Action Form acknowledging the voluntarily resignation of Sara M. Nyitray as a Social Service Worker 3, effective October 31, 2008, as presented by the Human Resources Department and approved by JFS Director Anita Herington.

15. The Board of Commissioners signed the Personnel Action Form approving the promotion of Stan Cooper from Custodial Worker to Lead Custodial Worker, effective October 13, 2008, as presented by the Human Resources Department and approved by JFS Director Anita Herington.

16. The Board of Commissioners accepted the recommendation of Financial Network of America that they host a luncheon meeting at Reed Memorial Library for Portage County Elected Officials and Department to present the new Deferred Compensation Plan Services available for Portage County employees, approved by Resolution No. 08-0666 on July 24, 2008. -Meeting details will follow.

Commissioner Keiper absent, 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 **October 7, 2008**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Christopher Smeiles to adjourn the official meeting at 10:40 AM. Commissioner Keiper absent, motion carries.

Christopher Smeiles, President

ABSENT
Charles W. Keiper II, Vice President

Maureen T. Frederick, Board Member

Deborah Mazanec, Clerk

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