

Thursday, November 13, 2008

The Board of County Commissioners met in regular session on **Thursday, November 13, 2008 at 9:05 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

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Absent: Commissioner Smeiles on vacation

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It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the November 6, 2008 meeting. Commissioner Smeiles, absent, motion carries

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

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Commissioner Keiper attended the Regional Planning Commission Executive Committee meeting last night and noted that the Commission intends to make an offer to a candidate for Executive Director at an amount less than he would like. However, the Commission will offer to increase his salary permanently or via a bonus, should he be able to raise dues collected. The new Director would start on February 1, 2009, giving the Regional Planning Commission about \$6,800 in savings for the month of January, with current Director Lynne Erickson leaving December 31, 2008.

The Board of Commissioners agreed to send a letter to the Budget Commission advising that the Portage County Department of Economic Development will remain in their offices located in the Regional Planning Commission building until the end of May, 2009. That would give the Regional Planning Commission an additional \$1400 in revenue/rent in 2009.

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JOB & FAMILY SERVICES

Present: Anita Herington

- I. The Director presented the Federal Food Stamp Report, which showed that Portage County has had nine months in a row there were no errors.
- II. Penny Ray and Kathy Franz will attend the February 2009 Child Welfare League of America 2009 National Conference in Washington DC to make a presentation.
- III. Staffing Update – The Director advised that one IM Worker 2 will move to a newly created Food Stamps position. The Director met with the Union members yesterday to discuss how to move forward. IM Control is a problem with the state cuts. She added that the request for food stamps rose 14.6% in September. The Director added that the job abolishment letters will be hand delivered to Child Health employees today.
- IV. The Director is working to create an inventory of items to sell to the Medical Clinic like baby scales and tables, with the closing of the Child Health Clinic.
- V. The Director noted that the Health Department may want to use some of the space to be vacated by the Child Health Clinic for clinics and the Child Obesity Program. The Board of Commissioners agreed to

discuss this issue with JoAnn Townend and schedule some time to discuss the permanent, long and short term needs of the Department of Job and Family Services.

Now that the Prosecutor has moved to his new facility, the Director asked what the Board of Commissioners' plan is for that area. Commissioner Keiper responded that the architect has advised that the basement is crumbling and has black mold. During the walk-through of the new Prosecutor's facility last week, architect Eric Droll recommended that the current building be torn down since the cost to repair would be similar to new construction.

JoAnn Townend has advised the Director that the Board does not intend to make improvements to the Help Me Grow house or the house that was recently vacated just north of the Administration Building. The Help Me Grow house has electrical issues, which must be addressed.

The Board of Commissioners agreed that Director Herington should obtain a key from Tim Miller to check the Prosecutor's conference room in the old facility for storage of car seats.

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Department of Budget & Finance Director Tillis attending to discuss the Western Reserve Land Conservancy request to the Board of Commissioners for \$230,000 in local match funds for the purchase of 558 acres of land in Shalersville Township. Commissioner Frederick stated that she is having difficulty in making this support since the only way to support it is with a bond issue. Commissioner Frederick asked what loans the Park District owes the county. Director Audrey Tillis responded that the Park District has a \$177,000 loan, which is due in 2009 and another \$40,000. Commissioner Frederick asked if the \$230,000 is to be a loan or a gift. Commissioner Keiper responded, a gift. Commissioner Keiper noted that he was surprised at the request for \$230,000 when he thought the amount would be more in line with a \$10,000 amount.

The Board of Commissioners agreed to adopt the resolution without naming an amount until the Board meets with Department of Budget & Finance to discuss the 2009 budget./Resolution 08-1118

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

The Board of Commissioners approved the Change Order for \$1150 for the Senior Center, noting that the architect did not include the tap-in and inspection fees in the original bid, assuming that the City would do the tap-in and inspection/Journal Entry

The Prosecutor's Office move to his new facility is completed with few issues. JoAnn Townend to walk through the former area today. JoAnn Townend agreed to work with Anita Herington to determine a good location for the car seats, perhaps the dock area.

Director Townend noted that the Motor Pool is acquiring tools as they need them although each mechanic has brought their own tools on site, which are covered by the county insurance.

JoAnn Townend noted that the new Auditor's Weights and Measures vehicle needed work before going on the road as well as normal gas use for the rest of the year/Journal Entry today.

The Director advised the Board of Commissioners that the Economic Development Office project started Monday, November 10th.

RESOLUTIONS

1. Authorize sale of obsolete equipment by public auction./08-1114

2. Enter into amendment No. 1 with Portage County Information Technology and JFS./08-1115
3. Enter into lease amendment No. 9 with the Columbiana County Commissioners for lease of lower level WIC building./08-1116

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HUMAN RESOURCES – Cancelled

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Commission Keiper attended the Airport Board meeting last night where the Board discussed the possibility of eliminating the 1% of gross sales tax for commercial users at the Airport. The Board was split on the elimination but agreed to suspend the 2009 collection of the 1% of gross sales from the existing fee structure to allow for the creation of the Strategic Plan. Commissioner Keiper also noted that the Airport Board understands that the Board of Commissioners does not intend to forgive the \$416,000 county debt.

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WATER RESOURCES

Present: Harold Huff, Louie Munoz

1) Steve and Noelle Oravec of 1856 Annalane in Streetsboro had a sewer backup on September 4, 2008 into their basement. The County sewer pump station failure was a result of a generator transfer switch malfunction. There was \$7,291.87 in damages, of which their insurance company covered \$5,000.00. The Oravecs will settle for \$1,658.88 of the remaining \$2,041.87/Harold Huff requests approval to settle for \$1,658.88 with implemented proper prosecutor's office waiver/Journal Entry.

2) Harold Huff recommends amending Journal Entry of May 13, 2008 Item 10. In 2001, a front foot assessment of \$6,612.54 was paid by Mr. & Mrs. Michael Nelson of 1200 Howe Road in Kent for the installation of the sanitary sewer. Since the sanitary sewer was not installed in a location readily accessible to the Nelsons, Portage County Water Resources Department agrees to pay a frontage fee of \$4,300.00 to Mr. Frank Arthur for the fair share cost of installing a sanitary sewer line that can be utilized by the Nelsons and himself. In addition, Portage County will accept \$3,045.00 from the Nelsons as full payment of the trunk and plant tap-in fee/The Board of Commissioners agreed to settle with implemented proper Prosecutor's Office waiver/Journal Entry

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RESOLUTION No. 08-1107 - 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 November 13, 2008 in the total payment amount of **\$810,596.87 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, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1108 - 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 November 13, 2008 in the total payment amount as follows:

1. \$68,153.50 for Medical Mutual Claims-Fund 7101; and
2. \$5,433.37 MHM Resources, Inc for processing 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 Friday, November 14, 2008	\$ 68,153.50
Wire Transfer on Friday, November 14, 2008	\$ 5,433.37

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

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RESOLUTION No. 08-1109 - 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:

11/12/08	616	\$ 17,152.81
11/12/08	610	3,803.99
11/12/08	609	1,110.00
11/12/08	500	70.00
01/13/08	671	7,874.84
Total		30,011.64

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

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RESOLUTION No. 08-1110 - 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 **\$18,830.93** as set forth in Exhibit "A" dated **November 13, 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, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1111 - RE: APPOINTMENT TO THE PORTAGE COUNTY PORT AUTHORITY.

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

WHEREAS, the Board of Commissioners created the Portage County Port Authority within the County of Portage, in the State of Ohio, pursuant to Sections 4582.21 *through* Section 4582.59 of the Ohio Revised Code by adopting Resolution 02-0372 on April 9, 2002;

WHEREAS, that pursuant to Ohio Revised Code Section 4582.21 *et seq* the Portage County Port Authority is governed by a Board of Directors consisting of not more than seven (7) member directors. In addition, the Board of Commissioners may appoint one or more Ex Officio members to the Board of Directors. Members of the Portage County Port Authority Board of Directors shall be appointed by the Portage County Board of Commissioners and shall serve pursuant to the terms, provisions, and duties as provided for in Sections 4582.21 *through* 4582.59 of the Ohio Revised Code; now therefore be it,

RESOLVED, that the Board of Commissioners appoints the following to the Portage County Port Authority for the term effective Dec. 31, 2008 and ending Dec. 31, 2012:

Name	Position	Term Expiration Date
Thomas Chema	Legal	December 31, 2012

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

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RESOLUTION No. 08-1112 - This resolution was inadvertently omitted. This is for numbering purposes only.

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RESOLUTION No. 08-1113 - RE: APPOINTMENT OF WESTERN RESERVE RESOURCE CONSERVATION & DEVELOPMENT (RC&D) COUNCIL REPRESENTATIVE.

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

WHEREAS, The Western Reserve Resource Conservation and Development (RC&D) Council mission is to plan, promote and implement conservation and sustainable use of natural resources, in both rural and urban areas; and

WHEREAS This Council is comprised of representatives from nine counties in Northeast Ohio, and is sponsored by Soil and Water Conservation Districts and County Commissioners; now therefore be it

RESOLVED, that the Portage County Board of Commissioners, with the concurrence of the Portage County Soil and Water Conservation District, does hereby appoint:

Heather Neikirk, County Extension Director, OSU Extension Portage County, as its Member-at-Large Representative to serve on the RC&D Council; and be it further

RESOLVED, that this three-year appointment will be effective on January 1, 2009 and end on December 31, 2011; 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, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1114 - 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 have 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 November 21, 2008.

Date of Auction: Saturday - December 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:

1994	Ford	2FALP71W0RX183389
1996	Jeep	1J4FJ68SXTL266610
1998	Chevrolet	1GCGK24R0WZ269617
1998	Chevrolet pick up truck	1GCGC24RWZ277099
1998	Ford	2FAFP71W6WX152561
1999	Ford	2FTZF1829XCB17127
2002	Ford	2FAFP71W52X142940
1	7 ton air jack	
1	Snow plow	
6	Light bars	

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

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RESOLUTION No. 08-1115 - RE: ENTER INTO AMENDMENT NO. 1 BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND THE PORTAGE COUNTY AUDITOR ON BEHALF OF INFORMATION TECHNOLOGY SERVICES TO PROVIDE INFORMATION TECHNOLOGY SUPPORT AND SERVICES.

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

- WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20070438 (the "Original Contract") on December 27, 2007 by Resolution No. 07-1199 to provide information technology support and services to the Portage County Department of Job & Family Services; and
- WHEREAS,** the parties desire to amend the Original Contract to continue such services; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into Amendment No. 1 between the Board of Commissioners on behalf of the Department of Job & Family Services (PCDJFS) and the Portage County Auditor on behalf of Information Technology Services (ITS) for the period October 1, 2008 through June 30, 2009; and be it further
- RESOLVED,** that PCDJFS agrees to pay ITS an additional amount of One thousand six hundred and 00/100 dollars (\$1,600.00) for actual compensation issued to the Data Security Specialist for information technology services and support provided during the time period October 1, 2008 through December 31, 2008; and be it further
- RESOLVED,** that PCDJFS agrees to pay ITS an additional amount of Eight hundred and 00/100 dollars (\$800.00) for actual compensation issued to the Data Security Specialist for information technology services and support provided during the time period January 1, 2009 through June 30, 2009; and be it further
- RESOLVED,** that the annual service amount under this Agreement shall not exceed One hundred twelve thousand four hundred and 00/100 dollars (\$112,400.00); and be if 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, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1116 - **RE: ENTER INTO REAL ESTATE LEASE AGREEMENT AMENDMENT NO. 9 WITH THE COLUMBIANA COUNTY BOARD OF COMMISSIONERS FOR THE WIC BUILDING LOWER LEVEL, 7876 LINCOLN PLACE, LISBON, COLUMBIANA COUNTY, OHIO (COOPERATIVE EXTENSION OFFICES).**

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

WHEREAS, a lease agreement between the parties was entered into on December 2, 1998 by Resolution No. 98-751 for real estate property described as the lower level of the building located at 7876 Lincoln Place, Lisbon, Columbiana County, Ohio (Cooperative Extension Offices) for the term of January 1, 1999 until December 31, 1999; and

WHEREAS, Amendment No. 1 between the parties was entered into on September 13, 2000 by Resolution No. 00-751 for the term of January 1, 2000 until December 31, 2000; and

WHEREAS, Amendment No. 2 between the parties was entered into on December 13, 2000 by Resolution No. 00-972 for the term of January 1, 2001 until December 31, 2001; and

WHEREAS, Amendment No. 3 between the parties was entered into on January 23, 2002 by Resolution No. 02-0039 for the term of January 1, 2002 until December 31, 2002; and

WHEREAS, Amendment No. 4 between the parties was entered into on February 25, 2003 by Resolution No. 02-0938 for the term of January 1, 2003 until December 31, 2003; and

WHEREAS, Amendment No. 5 between the parties was entered into on June 2, 2004 by Resolution 03-0996 for the term of January 1, 2004 until December 31, 2005; and

WHEREAS, Amendment No. 6 between the parties was entered into on January 25, 2006 by Resolution 06-0036 for the term of January 1, 2006 until December 31, 2006; and

WHEREAS, Amendment No. 7 between the parties was entered into on March 21, 2007 by Resolution 07-0395 for the term of January 1, 2007 until December 31, 2007; and

WHEREAS, Amendment No. 8 between the parties was entered into on February 13, 2008 by Resolution 08-0224 for the term of January 1, 2008 until December 31, 2008; and

WHEREAS, the Columbiana County Board of Commissioners has an interest in leasing said property; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into said Lease Agreement Amendment No. 9 for the property listed above with the Columbiana County Board of Commissioners for a term of one (1) year, beginning January 1, 2009 and ending on December 31, 2009; and be it further

RESOLVED, that the rent shall be One thousand four hundred fifty three dollars and 05/100 (\$1,453.05) per month payable on the first day of each month beginning January 1, 2009 and continuing until the expiration of the lease; 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, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1117 - 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, Michael A. Marozzi, Portage County Engineer, has advised this Board that four (4) pieces of equipment once used by the Portage County Engineer's Department are obsolete and unfit for the use for which they were 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 items were acquired, and be it further

RESOLVED, that said items 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 December 5, 2008.

Date of Auction: Saturday, December 20, 2008

Time of Auction: 9:30 A.M.

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

All pieces of 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 are as follows:

1986 ¾ Ton Chevrolet Pick-Up Truck (No Bed)	(County Equipment #002929)
1988 1½ Ton Ford Super Duty	(County Equipment #002959)
1997 Ford Taurus (4 Door) Car	(#18)
2003 Chevrolet 8 Ft. Pick-Up Bed	(Removed from #5 Truck)

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

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RESOLUTION No. 08-1118 - RE: RESOLUTION SUPPORTING THE PURCHASE OF THE UPPER CUYAHOGA BOG PRESERVE PROPERTY IN SHALERSVILLE TOWNSHIP BY PORTAGE PARK DISTRICT.

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 recognizes the wishes of the County residents to preserve open space and create opportunities for passive outdoor recreation; and

WHEREAS, conservation and linkage of open space areas is one of the primary goals and guiding policies of Portage County documented in the 2006 Portage County Watersheds Plan; and

WHEREAS, the proposed 558-acre Upper Cuyahoga Bog Preserve property provides important habitat for several State-listed rare species, offers scenic views and opportunities for passive recreation, and preserves high quality wetland habitat; and

- WHEREAS,** the Upper Cuyahoga Bog Preserve is directly adjacent to the Buckeye Trail and will increase the amount of interconnected greenspace in Portage County; and
- WHEREAS,** the Portage County Board of Commissioners concur with the goals of Portage Park District to preserve and promote the enjoyment of the County's natural resources; and
- WHEREAS,** this project will directly implement recommendations from the 2006 Portage County Watersheds Plan and advance the County's goal to conserve and link open space areas; now therefore be it
- RESOLVED,** that the Portage County Board of Commissioners supports the purchase of the Upper Cuyahoga Bog Preserve property by the Portage Park District; 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.

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Voice vote as follows:

Christopher Smeiles, Absent;	Charles W. Keiper II, Yea;	Maureen T. Frederick, Yea;
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RESOLUTIONS
November 13, 2008

1. Approval of Meeting Minutes from the November 6, 2008 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./08-1107
3. Approve the wire transfer as presented by the County Auditor./08-1108
4. Approve the Journal Vouchers as presented by the County Auditor./08-1109
5. Approve the Then & Now as presented by the Portage County Auditor./08-1110
6. Appointment to Portage County Port Authority – Thomas Chema with a term expiring December 31, 2012, as presented by the Executive Assistant/08-1111
7. Amendment to the Non General Fund 2008 Annual Appropriation Resolution No. 07-1209 adopted December 18, 2007, as presented by the Department of Budget & Finance/08-1105 was adopted on November 6, 2008
8. Appointment of Western Resource Conservation & Development (RC&D) Council Representative – Heather Neikirk as its Member at Large Representative, as presented by the Executive Assistant./08-1113

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INVITATIONS/MEETING NOTICES

November 13, 2008

1. Invitation from the American Cancer Society for the 5th Annual Relay for Life of Aurora on May 30-31, 2009.
2. The Mental Health & Recovery Board presents the agenda for the November 10, 2008 Board meeting.
3. Delta Systems invites the Board of Commissioners to the Ribbon Cutting Ceremony and Open House on Saturday, December 6, 2008 from 3:00 – 6:00 PM. Details to follow.
4. Invitation from the County Engineer for the Portage County Township Association Dinner Meeting on Saturday, November 15, 2008 at 6:00 PM at the Ravenna Elks Lodge #1076, 776 N. Freedom St., Ravenna.

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INCOMING CORRESPONDENCE

DISCUSSION

November 13, 2008

1. November 5, 2008 request from the RC & D (Western Reserve Resource Conservation & Development Council) for \$250 for county dues for 2009/Clerk to draft letter asking when the dues were establish and the reason for the dues.
2. November 10, 2008 memo from Department of Budget and Financial Management, regarding the Auditor’s Office request for an additional \$ 1,200 to fund vehicle maintenance and repairs for the Weights and Measurers Department/Journal Entry
3. November 6, 2008 correspondence from Joseph Hadley Jr., NEFCO, requesting the CY2009 General Policy Board appointment/Executive Assistant to investigate and bring back to the Board of Commissioners.
4. November 7, 2008 memo from Lt. Governor Lee Fisher, regarding the draft Ohio Neighborhood Stabilization Program Action Plan – substantial amendment to the FY 2008 Ohio Consolidated Plan. Comments must be received by Friday, November 28, 2008/Forward to the Regional Planning Commission, Neighborhood Development Services, William Ulik and Dan Banks for review and comment to the Board of Commissioners by November 21, 2008.

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JOURNAL ENTRIES

November 13, 2008

1. The Board of Commissioners received the Portage County Agricultural Society Regular Audit for the years ended November 30, 2006-2005, as presented by the Auditor of the State of Ohio.
2. The Board of Commissioners approved the payment of charges for tuberculosis testing for four male patients ages 19-22 and two female patients ages 19 and 31, as presented by the Portage County Combined General Health Department. Documents reviewed by Internal Auditor Carol Kurtz who noted that the Portage County Health Department has approved payment of these charges.

3. The Regional Planning Commission presents the final Environmental Review forms for the Habitat for Humanity of Portage County's activities of the 2008 Formula Grant and the 2008 CHIP Grant for signature by Commissioner Keiper. Documents reviewed by Carol Kurtz, Internal Auditor noting the submission is conforming with requirements

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REFERRED

November 13, 2008

1. Undated memo from the Ohio Department of Development including the signed Grant Agreement for B-C-08-062-1 grant. Referred to the Grants Administrator, DBFM, and the Internal Auditor.
2. November 7, 2008 e-mail from Brian Kelley, ITS, requests the Board declare November 19, 2008 as GIS Day in Portage County. Referred to the Executive Assistant.

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PLEASE ADD TO YOUR AGENDA

November 13, 2008

1. DRAFT RESOLUTION: Authorize the sale of obsolete equipment by public auction (County Engineer)/08-1117
2. DRAFT RESOLUTION: Supporting the purchase of the Upper Cuyahoga Bog Preserve property in Shalersville Township by Portage County Park District/08-1118
3. The Adult Probation Department presents the Financial Status Report for Grant #2008-DD-BX-0486, Community Integration and Socialization Program (CISP) to be submitted to the Office of Justice Programs, United States Department of Justice. Internal Auditor Carol Kurtz reviewed the report noting that the report is due electronically by November 14, 2008 and that it appears appropriate for filing/Journal Entry.

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INFORMATION ONLY

November 13, 2008

1. The Board of Commissioners received the thank you letter from the Center of Hope for the donation of left over food from the October 29th luncheon.
2. The Board of Commissioners received the Fall 2008 issue of *The Innovator*.
3. The Board of Commissioners received the October 29, 2008 correspondence from Woodrow Whitlow, Director of the National Aeronautics and Space Administration including the report entitled "The NASA Glenn Research Center: An Economic Impact Study Fiscal Year 2007".
4. November 7, 2008 correspondence from Heather Angus, Child Health Services, regarding the merger with the Portage County Community Health Center on November 3, 2008.
5. The Board of Commissioners received the request for donations as presented by the Garrettsville Area Chamber of Commerce People Tree Sharing Program.
6. November 5, 2008 correspondence from Alan Schriber, The Public Utilities Commission of Ohio, regarding FirstEnergy's Electric Security Plan (ESP) application.

7. November 4, 2008 correspondence from Michael Hiler, Ohio Department of Development, including the Notice of Project Specific Release of Funds Respecting Environmental Grant Conditions for Revolving Loan Fund – Fair Housing. (cc: Neighborhood Development Services).

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PROSECUTOR'S CORRESPONDENCE

November 13, 2008

1. November 4, 2008 correspondence from Attorney Leigh Prugh including a set of plans for the Home Savings Bank project, which were given to JoAnn Townend/Information only
2. November 4, 2008 correspondence from Attorney Leigh Prugh including the Mylar for the replat of property along Iroquois Drive in Brady Lake Village for the Commissioners' files/Information only.

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Journal Entry

November 13, 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 Portage County Agricultural Society Regular Audit for the years ended November 30, 2006-2005, as presented by the Auditor of the State of Ohio.
2. The Board of Commissioners approved payment of charges for tuberculosis testing for four male patients (ages 19-22) and two female patients (ages 19 and 31), as presented by the Portage County Combined General Health Department. D/documents reviewed by Internal Auditor Carol Kurtz who noted that the Portage County Health Department has approved payment of these charges.
3. The Board of Commissioners authorized Charles W. Keiper II, Vice President of the Board, to sign the final Environmental Review forms for the Habitat for Humanity of Portage County's activities of the 2008 Formula Grant and the 2008 CHIP Grant, as presented by the Regional Planning Commission. Documents reviewed by Carol Kurtz, Internal Auditor noting the submission conforms with requirements.
4. The Board of Commissioners accepted the recommendation of Water Resources Department Director Harold Huff and authorized the Portage County Prosecutor's Office to prepare the paperwork necessary for payment to Steve and Noelle Oravec, 1856 Annalane in Streetsboro for a sewer backup in their basement on September 4, 2008 when the county sewer pump station failed as a result of generator transfer switch malfunction. Director Huff noted that there were \$7,291.87 in damages, with the insurance company covering \$5,000.00. The Oravecs have agreed to accept \$1,658.88 of the remaining \$2,041.87 as payment in full for this event. The Water Resources Department is to work with the Prosecutor's Office to prepare the necessary waiver.
5. On May 13, 2008, the Board of Commissioners accepted the recommendation of Portage County Water Resources Director Harold Huff and authorized a sewer tap fee reduction of \$3,045 for Jayne Nelson, 1200 Howe Road, Brimfield Township, noting that Ms. Nelson did pay an assessment of \$6,612.54 in 2001 for a different line.

Today, the Board of Commissioners accepted the recommendation of Water Resources Department Director Harold Huff and agreed to amend the May 13, 2008 Journal Entry, noting that, in 2001, a front foot assessment of \$6,612.54 was paid by Mr. & Mrs. Michael Nelson, 1200 Howe Road in Brimfield Township, for the installation of the sanitary sewer. Since the sanitary sewer was not installed in a location

readily accessible to the Nelsons, the Portage County Water Resources Department now agrees to pay a frontage fee of \$4,300.00 to Mr. Frank Arthur, owner of Leon Co. LTD located on Parcel No. 04-023-00-00-097-000 at 1234 Howe Road, for the fair share cost of installing a sanitary sewer line, which can be then utilized by the Nelsons and Mr. Frank. In addition, the Board of Commissioners agreed that Portage County will accept \$3,045.00 from the Nelsons as full payment of the trunk and plant tap-in fee. The Water Resources Department is to work with the Prosecutor's Office to prepare the necessary paperwork.

- 6. The Board of Commissioners authorized payment of a Change Order in the amount of \$1,150 for the waterline connection for the Portage County Senior Center Project, as presented by Internal Services Director JoAnn Townend.
- 7. The Board of Commissioners authorized payment to CEDCorp in the amount of \$612.00 for a rehab project advance it made to McLean Home Improvement of Ravenna on or about July 27, 2005 for work performed at 3051 Lake Rockwell Road in Shalersville Township, as presented by the Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized. The Board of Commissioners noted that CEDCorp paid the McLean Home Improvement Invoice with Check No. 5364 dated August 11, 2005 with the understanding that the \$612 would be reimbursed at a later date, which did not occur.
- 8. The Board of Commissioners accepted the recommendation of Department of Budget & Finance Director Audrey Tillis and authorized an additional \$1,200 to fund vehicle maintenance and repairs for the Weights and Measures Department within the Portage County Auditor's Office, to be funded from the Vehicle and Equipment reserve in the Commissioners' Other line.
- 9. The Board of Commissioners authorized the Portage County Adult Probation Department to electronically file the Financial Status Report for Grant #2008-DD-BX-0486, Community Integration and Socialization Program (CISP), with the Office of Justice Programs, United States Department of Justice. Internal Auditor Carol Kurtz reviewed the report noting that the report is due electronically by November 14, 2008 and that it appears appropriate for filing.

Commissioner Smeiles 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 **November 13, 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 10:30 AM. Commissioner Smeiles, absent, motion carries.

ABSENT

Christopher Smeiles, President

Charles W. Keiper II, Vice President

Maureen T. Frederick, Board Member

Deborah Mazanec, Clerk

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