

Thursday, December 4, 2008

The Board of County Commissioners met in regular session on **Thursday, December 4, 2008 at 9:20 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

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It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the December 2, 2008 meeting. Commissioner Smeiles absent, motion carries

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

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WATER RESOURCES

Present: Harold Huff

Director Huff attending to discuss his request that the Board of Commissioners rescind Resolution 08-1152/08-1164

The Board of Commissioners accepted the recommendation of Portage County Water Resources Department Director Harold Huff and authorized sewer customer Thomas Dudick, 1818 Miller Parkway, Streetsboro, (Account Number 499-18300-00) to pay his \$3,475.43 utility bill over a two-year period with no penalty charged for the back due amount. The Board of Commissioners noted that the customer was under billed due to an incorrect meter account setup/Journal Entry

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HUMAN RESOURCES

Present: Karen U’Halie, Jim Manion

Resolution to change the mileage reimbursement to match the IRS Rate/08-HOLD and bring back on December 11th.

10:50 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 employment and health benefit issues. **Also present: Human Resources Department Director Karen U’Halie and Jim Manion.** Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:10 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners approved two Journal Entries.

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11:13 AM Recessed to Solid Waste Management District

11:45 AM Board of Commissioners Reconvened

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INTERNAL SERVICES

Present: JoAnn Townend

Discussion

- 1. The Board of Commissioners Director Townend’s recommendation and authorized the use of Fund 4002 for the Economic Development construction project/ Journal Entry
- 2. JoAnn Townend noted that the Software support agreement for the Solid Waste Management District will not be signed by Prosecutor as to form.

Resolutions

- 1. Authorize payment of claim on release for Steven P. Oravec arising from sewer related problems./08-1170
- 2. Enter into amendment no. 1 with Dr. Mary Ference, Child Health Services Medical Director to terminate existing agreement on 12/31/08./08-1171
- 3. Enter into an agreement with Children’s Advantage for Family Team Meeting Facilitator services for Job & Family Services 11/1/08 to 10/31/09./08-1172
- 4. Enter into an agreement with Children’s Advantage for Residential Step-down services for Job & Family Services 11/1/08 to 10/31/09./08-1173
- 5. Authorizing the Portage County Board of Commissioners to sign a Letter of Intent with the US Army Corps of Engineers for the design and construction of the Ravenna Training & Logistics Site Sanitary Sewer and Water Main Installation, Phase 1 Project in Portage County./08-1174

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RAVENNA TOWNSHIP TRUSTEES

Present: Trustees Pat Artz, Bob Cherry and Office of Homeland Security & Emergency Management Director Jon Barber

The Township Trustees requested this meeting to discuss the FireCom Issue. The Board of Commissioners agreed to host an evening meeting, inviting all local elected officials and police and fire officials to discuss how to proceed with centralized dispatching.

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RESOLUTION No. 08-1162 - 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 December 4,

2008 in the total payment amount of **\$414,117.76 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. 08-1163 - 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 December 4, 2008 in the total payment amount as follows:

1. \$263,115.47 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, December 5, 2008 \$ 263,115.47

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. 08-1164 - RE: RESCIND RESOLUTION 08-1152, ADOPTED NOVEMBER 25, 2008 REQUIRING CONSTRUCTION SERVICE FEES FOR ENGINEERING, INSPECTION AND ADMINISTRATION FUNCTIONS PERFORMED BY THE PORTAGE COUNTY WATER RESOURCES DEPARTMENT FOR PRIVATE PROJECTS.

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

WHEREAS, the Board of Commissioners adopted Resolution 08-1152 on November 25, 2008 requiring construction service fees for engineering, inspection and administrative functions performed by the Portage County Water Resources Department for private projects; now therefore be it

RESOLVED, that the Board of Commissioners agrees to rescind Resolution No. 08-1152; and be it further

RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees on or after November 28, 1975, that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

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

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RESOLUTION No. 08-1165 - 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 **\$22,508.19** as set forth in Exhibit "A" dated **December 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, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1166 - RE: ACCEPT BUCKEYE BOULEVARD, PISTACHIO PLACE AND HAZELNUT ROAD IN THE BUTTERNUT RIDGE SUBDIVISION, IN BRIMFIELD TOWNSHIP, PORTAGE COUNTY.

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

WHEREAS, the following roads in **BRIMFIELD TOWNSHIP** have been built in accordance with the specifications for allotment roads of Portage County, and have gone through a one year maintenance period:

T.H. 1171 Buckeye Boulevard
T.H. 1177 Pistachio Place
T.H. 1183 Hazelnut Road

and

WHEREAS, the Portage County Engineer has agreed to accept these roads as identified above, and

WHEREAS, the Brimfield Township Trustees were notified, via an October 30, 2008 correspondence from the Portage County Engineer, that the Portage County Engineer was preparing to recommend the Board of Portage County Commissioners accept these newly constructed roads in Brimfield Township; now therefore be it

RESOLVED, that the Board of Portage County Commissioners accept these newly constructed roads in Brimfield Township as identified above; and be it further

- RESOLVED,** that the acceptance of these roads makes **BRIMFIELD TOWNSHIP** responsible for their maintenance effective **DECEMBER 4, 2008**, and be it further
- RESOLVED,** that the Clerk of this Board be and is hereby directed to file a certified copy of the above Resolution with the Portage County Engineer and, 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. 08-1167 - RE: ACCEPT DEER CROSSING ROAD AND DEER RUN CIRCLE IN THE DEER CROSSING ESTATES SUBDIVISION, IN SUFFIELD TOWNSHIP, PORTAGE COUNTY.

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

WHEREAS, the following roads in **SUFFIELD TOWNSHIP** have been built in accordance with the specifications for allotment roads of Portage County, and were completed by the Portage County Engineer through an outside contract:

T.H. 1992 Deer Crossing Road
T.H. 1993 Deer Run Circle

and
WHEREAS, the Portage County Engineer has agreed to accept these roads as identified above, and

WHEREAS, the Suffield Township Trustees were notified, via an October 24, 2008 correspondence from the Portage County Engineer, that the Portage County Engineer was preparing to recommend the Board of Portage County Commissioners accept these newly constructed roads in Suffield Township; now therefore be it

RESOLVED, that the Board of Portage County Commissioners accept these newly constructed roads in Suffield Township as identified above; and be it further

RESOLVED, that the acceptance of these roads makes **SUFFIELD TOWNSHIP** responsible for their maintenance effective **DECEMBER 4, 2008**, and be it further

RESOLVED, that the Clerk of this Board be and is hereby directed to file a certified copy of the above Resolution with the Portage County Engineer and, 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. 08-1168 - RE: APPOINTMENT TO THE PORTAGE COUNTY TERRORISM ADVISORY TEAM.

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

WHEREAS, that the Board of Commissioners agrees to appoint members to serve on the Portage County Terrorism Advisory Team for funding year 2008 (FY08) for the State Homeland Security Grant (SHSP); now therefore be it

RESOLVED, by the Board of Commissioners that the appointee terms commence immediately; and be it further

RESOLVED, that the Board of Commissioners appoints the following to serve on the Portage County Terrorism Advisory Team:

Discipline	Name	Title	Community/Department
Fire Services	Jim Williams	Chief	Kent Fire Department
EMS Service	Bob Rasnick	Chief	Suffield Fire Dept
Police Department	Seth Riewaldt	Chief	Aurora Police Department
Police Department	Dean Tondiglia	Officer	KSU Police Department
County Sheriff	Dave Doak	Sheriff	Portage County
Emergency Management Agency	Jon Barber	Director	Portage County
Public Works	Bryan Ford	General Superintendent	Portage County Engineer's Office
Transportation	Jim Smith	Security Officer	PARTA
Public Health	DuWayne Porter	Health Commissioner	Portage County
Public Health	Lynette Blasiman	Health Commissioner	City of Ravenna
Public Health	John Ferlito	Health Commissioner	City of Kent
Public Health	Robert Walker	EMS Coordinator	Robinson Memorial Hospital

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

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RESOLUTION No. 08-1170 - RE: AUTHORIZE PAYMENT OF CLAIM ON RELEASE FOR STEVEN P. ORAVEC.

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

WHEREAS, Steven P. Oravec are the owners of real property located at 1856 Anna Lane, Streetsboro, Portage County, Ohio and

WHEREAS, Steven P. Oravec arising from sewer-related problems that occurred at the residence located at 1856 Anna Lane, Streetsboro, Ohio in the month of September 2008; now therefore be it

RESOLVED, that the Portage County Board of Commissioners authorizes payment of the claim on the release for Steven P. Oravec, 1856 Anna Lane, Streetsboro 44241, in the amount of One Thousand Six Hundred Fifty-Eight Dollars and Eighty-Eight Cents (\$1,658.88); and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning end 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 an 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. 08-1171 - RE: ENTER INTO AMENDMENT NO. 1 BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES, CHILD HEALTH SERVICES DIVISION AND DR. MARY FERENGE FOR A CHILD HEALTH SERVICES MEDICAL DIRECTOR.

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. 20080372 (the "Original Contract") on September 11, 2008 by Resolution No. 08-0839 to provide the Child Health Services Division of the Portage County Department of Job & Family Services with a Medical Director; and

WHEREAS, the parties desire to amend the Original Contract; 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, the Department of Job & Family Services, Child Health Services Division and Dr. Mary Ference to terminate this contract effective December 31, 2008; 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. 08-1172

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RE: ENTER INTO AN AGREEMENT FOR FAMILY TEAM MEETING FACILITATOR SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND CHILDREN'S ADVANTAGE.

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

WHEREAS, the Portage County Department of Job & Family Services (PCDJFS) is in need of Family Team Meeting Facilitator Services to coordinate and conduct Family Team Meetings for PCJFS clients; and

WHEREAS, Requests for Proposals were sent to ten (10) potential service providers; and

WHEREAS, Two (2) proposals were received, opened and tabulated on September 26, 2008; and

WHEREAS, Children's Advantage is willing and able to provide these services; and

WHEREAS, The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Children's Advantage; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Children's Advantage with its principal place of business located at 520 North Chestnut Street, Ravenna, OH 44266, for the period November 1, 2008 through October 31, 2009, with the option of a one (1) year agreement extension; and be it further

RESOLVED, that the total amount of this Agreement is not to exceed Fifty-six thousand one hundred twenty-one and 60/100 dollars (\$56,121.60); 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. 08-1173 - RE: ENTER INTO AN AGREEMENT FOR RESIDENTIAL STEP-DOWN SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND CHILDREN'S ADVANTAGE.

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

WHEREAS, the Portage County Department of Job & Family Services (PCDJFS) is in need of Step-Down Residential Services for children in need of transition from residential treatment centers to their homes or a less restrictive setting, such as group homes, relative placements, or foster care; and

WHEREAS, Requests for Proposals were sent to ten (10) potential service providers; and

WHEREAS, Two (2) proposals were received, opened and tabulated on September 26, 2008; and

WHEREAS, Children's Advantage is willing and able to provide these services; and

WHEREAS, The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Children's Advantage; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Children's Advantage with its principal place of business located at 520 North Chestnut Street, Ravenna, OH 44266, for the period November 1, 2008 through October 31, 2009, with the option of a one (1) year agreement extension; and be it further

RESOLVED, that the total amount of this Agreement is not to exceed Eighty-two thousand five hundred twelve and 08/100 dollars (\$82,512.08); 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. 08-1174 - RE: AUTHORIZING PORTAGE COUNTY BOARD OF COMMISSIONERS TO SIGN A LETTER OF INTENT WITH THE U.S. ARMY CORPS OF ENGINEERS FOR THE DESIGN AND CONSTRUCTION OF THE RAVENNA TRAINING & LOGISTICS SITE SANITARY SEWER & WATER MAIN INSTALLATION, PHASE 1 PROJECT IN PORTAGE COUNTY.

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

WHEREAS, the U.S. Army Engineer has determined that the Ravenna Training & Logistics Site Sanitary Sewer & Water Main installation phase 1 in Windham, Portage County, Ohio is eligible for implementation under Section 594 that provides assistance for a water related environmental infrastructure and federal funding; and

WHEREAS, the U.S. Army Corp of Engineers has determined that a Project Partnership Agreement shall be entered into by all parties; now therefore be it

RESOLVED, that the Portage County Board of Commissioners of Portage County, Ohio will sign a letter of intent to enter into a Project Partnership Agreement with the U.S. Army Corp of Engineers, Neighborhood Development Services, Inc. and the Portage County Board of Commissioners to design & construct the Ravenna Training & Logistics site sanitary & water main installation phase 1 project; and be it further

RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

Christopher Smeiles, Absent;

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1175

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RE: ACCEPT THE DEED OF AGRICULTURAL EASEMENT FROM JOHN R. GROSELLE AND AGREE TO CO-HOLD THE EASEMENT WITH THE OHIO DEPARTMENT OF AGRICULTURE

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

WHEREAS, the Director of the Ohio Department of Agriculture, with monies from the Clean Ohio Fund, may purchase Agricultural Easements from qualifying land owners through the Ohio Agricultural Easement Purchase Program (AEPP); and

WHEREAS, the Ohio Administrative Code provides that in order for the Ohio Department of Agriculture to purchase an agricultural easement, the applicant sponsor must agree to be named as the local holder of the Deed of Agricultural Easement and share the legal responsibility to monitor, supervise, and enforce the provisions of the easement with the Ohio Department of Agriculture; and

WHEREAS, the Board of Commissioners supported the 2007 AEPP applications to Ohio Department of Agriculture for the purchase of agricultural easements, agreeing to co-hold, monitor and enforce the terms of the easements in perpetuity should any purchase of agricultural easements be approved; and

WHEREAS, with Resolution 07-0534 adopted May 31, 2007, the Portage County Board of Commissioners authorized the submittal of these applications to the AEPP program to the Ohio Department of Agriculture, Office of Farmland Preservation; and

WHEREAS, the Board of Commissioners has been notified that the application for John R. Groselle, 6741 Pioneer Trail, Hiram, Ohio for property located at 11204 Ryder Road in Hiram Township for farmland totaling 85.714 acres, has been approved by the Ohio Department of Agriculture for agricultural easement purchase in the amount of \$166,835.00; now therefore be it

RESOLVED, that the Board of Commissioners accepts the Deed of Agricultural Easement from John R. Groselle and agree to co-hold this easement with the Ohio Department of Agriculture; and be it further

RESOLVED, that the Board of Commissioners agrees to sign the Deed of Agricultural Easement, which has been reviewed by the Portage County Prosecutor's Office, in coordination with the Ohio Department of Agriculture and authorizes Commissioner Smeiles to sign said easement on behalf of the Commissioners; 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

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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RESOLUTIONS

December 2, 2008

1. Approval of Meeting Minutes from the November 25, 2008 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./08-1162
3. Approve the wire transfer as presented by the County Auditor./08-1163
4. Approve the Journal Vouchers as presented by the County Auditor./08-1164
5. Approve the Then & Now as presented by the Portage County Auditor./08-1165
6. Accept Buckeye Boulevard, Pistachio Place and Hazelnut Road in the Butternut Ridge Subdivision in Brimfield Township, Portage County (County Engineer)./08-1166
7. Accept Deer Crossing Road and Deer Run Circle in the Deer Crossing Estates Subdivision in Suffield Township, Portage County (County Engineer)./08-1167
8. Appointment to the Portage County Terrorism Advisory Team, as presented by Kellie Kepple/08-1168

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INVITATIONS/MEETING NOTICES

December 4, 2008

1. Invitation from the Portage County Bicentennial for the sealing of the Time Capsule on Saturday, December 13, 2008 at 4:00 PM at the Portage County Historical Society Museum.
2. Invitation from the Ohio Rail Development Commission for the presentation railroad traffic signals in the State of Ohio on Wednesday, January 21, 2009, 10:00 AM at Ohio Department of Transportation, Columbus.
3. Invitation from Financial Network of America Ltd., for the Deferred Comp presentation on Friday, December 12, 2008, 9:30 AM, 11:30 AM and 1:30 PM in the PCAB Administration Building Room 703.
4. Invitation from Jackson Lewis Attorneys at Law for a complimentary, special Breakfast Series outlining the key changes to the FMLA regulation on Monday, December 15th and/or Tuesday, December 16, 2008, 8:30-10:30 AM, at Jackson Lewis Park Center Plaza 1, Conference Center, Cleveland.

5. Invitation for the Swearing in Ceremony of Sheriff Elect David Doak on Friday, December 19, 2008, 4:30 PM at the Portage County Regional Airport Authority.

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INCOMING CORRESPONDENCE

DISCUSSION

December 4, 2008

1. November 20, 2008 correspondence from Daniel Smith, City of Kent to Triangle Cleaners regarding the impact of Crain Avenue Bridge project/Information only.
2. November 26, 2008 e-mail from Al Tharp, regarding the Courthouse floors/Information only.
3. DRAFT RESOLUTION: November 26, 2008 correspondence from Richard Clough, Robinson Memorial Hospital, requesting a resolution of approval of Robinson Memorial Hospital Board of Trustees Bidding Procedure and Purchasing Policies for Calendar Year 2009. /08-1169
4. Does the Board of Commissioners wish to vote for the Rootstown Area Chamber of Commerce Trustees? Nomination must be received by Friday, December 5, 2008/The Board of Commissioners agreed not to vote.
5. November 25, 2008 memo from Cheryl Subler, County Commissioners' Association of Ohio, including a draft CCAO legislative platform for the upcoming 128th Ohio General Assembly for consideration at the CCAO Winter Conference on Tuesday, December 9, 2008/Information only.
6. December 1, 2008 correspondence from Karen Carmany, Portage Animal Protective League, requesting a written response by Monday, December 15, 2008 regarding Humane Officer compensation/Board of Commissioners agreed to wait for the Prosecutor's response.
7. Does the Board wish to advertise in the 2009 Randolph Fair Premium Book? Payment must be received by Friday, February 13, 2008/Commissioners to share the cost.

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JOURNAL ENTRIES

December 4, 2008

1. The Board of Commissioners received the November 26, 2008 correspondence from Jennifer White, Portage Soil & Water Conservation District, to Mark Forni, Ohio Department of Agriculture, including the 2008 Annual Monitoring Reports for the following Portage County farms: Groselle, Knippenberg, Moore, Rodenbucher, and Wise.
2. November 25, 2008 memo from Michael Hiler, Ohio Department of Development, including a signed copy of the grant agreement extension form for Grant No. B-F-07-062-1 and amended to read as follows:

Project Completion :	March 31, 2009
Payment Requests:	April 30, 2009
Final Performance Report:	May 31, 2009

3. The Board of Commissioners received the Portage Family & Children First Council Portage County Regular Auditor for the years ended December 31, 2005-2006 as presented by Canter and Company.
4. The Board of Commissioners received the collective bargaining agreement executed for the Portage County Nursing Home as presented by Ron Habowski, Christley, Herington & Pierce.
5. The Board of Commissioners received the Weekly Report of Kennel population for the week ending November 30, 2008 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$225.00 in Court Donations.
6. Board of Commissioners' authorization requested to have Commissioner Smeiles sign the request for response to pre-award condition for OCJS Grant No. 2008-JG-D01-6467, The Children's Advocacy Center of Portage County as requested by Lucy Wagener, Children's Advocacy Center. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
7. Board of Commissioners' authorization requested to pay the following Invoices for bond renewal for County Elected Officials, as presented by the Jack Kohl Insurance Agency:

Invoice No	Date	Elected Officials Bond	Elected Official	Term	Bond Amt
82385	11-24-08	Clerk Common Pleas Court	Linda Fankhauser	1-3-09 to 1-3-13	\$ 40,000
82381	11-24-08	Clerk, Municipal Court	Linda Fankhauser	1-3-09 to 1-3-13	\$10,000
82384	11-24-08	Recorder	Bonnie Howe	1-3-09 to 1-3-13	\$ 25,000
82386	11-24-08	Coroner	Roger Marcial	1-4-09 to 1-4-13	\$ 5,000
82383	11-24-08	Prosecutor – FOJ Allowance	Victor Vigluicci	1-1-09 to 1-1-11	\$ 89,930
82383	11-24-08	Prosecutor – Oath	Victor Vigluicci	12-13-08 to 12-13-10	\$ 1,000
82270	11-14-08	Commissioner	Christopher Smeiles	1-3-09 to 1-3-13	\$ 5,000
82382	11-24-08	Commissioner	Maureen T. Frederick	1-1-09 to 1-1-13	\$ 5,000

8. Board of Commissioners' authorization requested to have Commissioner Smeiles sign the EEO Compliance Form, Pre-Award Condition requirements for receiving Byrne/JAG funds Subgrant No. 2008-JG-D01-6473 as requested by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
9. Board of Commissioners' authorization requested to have Commissioner Smeiles sign the EEO Compliance Form, Pre-Award Condition requirements for receiving VAWA Funds Subgrant No. 2008-WF-VA8-8222 as requested by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
10. Board of Commissioners' authorization requested for two (2) new computers and printer for a total of \$4,367.04 as requested by the Economic Development Director William Ulik.

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REFERRED
December 4, 2008

1. The Board of Commissioners received a notice from Vanguard Utility Service, Inc., regarding the City-wide water meter conversion program. Referred to Internal Services.

2. November 19, 2008 correspondence from Peter Orlando, Venture Crew 2257, requesting a Certificate for Peter Euclide's achievement of Eagle Scout award. Referred to Executive Assistant.

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PLEASE ADD TO YOUR AGENDA

December 4, 2008

6. December 2, 2008 e-mail from Denise Smith, Prosecutor's Office, regarding the Portage County Humane Officer/Clerk to respond.
7. DRAFT RESOLUTION: December 2, 2008 e-mail from Lynne Erickson, Regional Planning Commission, regarding the John R. Groselle agricultural easement./08-1175
8. December 2, 2008 e-mail from Dawn Pechman, a County citizen, requesting a meeting with the board to discuss communications/The Board of Commissioners agreed to schedule time with Ms. Pechman.
9. December 2, 2008 e-mail from Janet Esposito, County Auditor, regarding the Portage County Audit 2007/Board of Commissioners agreed to meet with State Auditor Gary Alger to discuss the increase to the audit charges.
10. November 26, 2008 e-mail from Vickie Steiner, Human Resources Department, regarding Delta Dental waiting period/Board of Commissioners to discuss today with the Human Resources Department Director.
11. December 3, 2008 fax from Judge Carnes, approving the surety company for both Commissioner Smeiles and Commissioner Frederick./Journal Entry
12. Board of Commissioners' authorization requested to authorize payment to Neighborhood Development Services Inc. for \$ 500.00 for foreclosure counseling and to Saxon Mortgage Services Inc. for \$ 3,000.00 for mortgage catch up for Client Couple 2008-012C and 2008-012P 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 purpose of this activity./Journal Entry

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INFORMATION ONLY

December 4, 2008

1. November 21, 2008 correspondence from Michael Hiler, Ohio Department of Development, including a Notice of Project Specific Release of Funds Respecting Environmental Grant Conditions for the Revolving Loan Fund Private Rehab and Revolving Loan Fund Home Repair.
2. November 21, 2008 correspondence from Michael Hiler, Ohio Department of Development, including a Notice of Project Specific Release of Funds Respecting Environmental Grant Conditions for Private Rehabilitation.

3. November 21, 2008 correspondence from Michael Hiler, Ohio Department of Development, including a Notice of Project Specific Release of Funds Respecting Environmental Grant Conditions for Home/Building Repair.
4. November 21, 2008 correspondence from Michael Hiler, Ohio Department of Development, including a Notice of Project Specific Release of Funds Respecting Environmental Grant Conditions for the Revolving Loan Fund Private Rehab and Revolving Loan Fund Home Repair.
5. November 24, 2008 correspondence from the Coleman Foundation, requesting a charitable gift for the Foundation.
6. The Board of Commissioners received The Air You Breathe newsletter for November 2008.
7. November 21, 2008 correspondence from Sandra Harbrecht, Paul Werth Associates, regarding Issue 2.
8. The Board of Commissioners received additional information from Katie Hill, LNE Group, regarding Federal and State of Ohio Advocacy.
9. December 1, 2008 Press Release from Karen Carmany, Portage Animal Protective League, regarding administrative restructuring.
10. December 1, 2008 correspondence from Child Guidance & Family Solutions, requesting a contribution for families in the community.

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Journal Entry

December 4, 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 November 26, 2008 correspondence from Jennifer White, Portage Soil & Water Conservation District, to Mark Forni, Ohio Department of Agriculture, including the 2008 Annual Monitoring Reports for the following Portage County farms: Groselle, Knippenberg, Moore, Rodenbacher, and Wise.
2. The Board of Commissioners acknowledged receipt of the November 25, 2008 memo from Michael Hiler, Ohio Department of Development, approving the grant agreement extension form for Grant No. B-F-07-062-1 and amended to read as follows:

Project Completion:	March 31, 2009
Payment Requests:	April 30, 2009
Final Performance Report:	May 31, 2009

3. The Board of Commissioners acknowledged the receipt of the Portage Family & Children First Council Portage County Regular Auditor for the years ended December 31, 2005-2006, as presented by Canter and Company and reviewed and accepted by the Auditor of the State of Ohio.

4. After receiving the December 2, 2008 Journal Entries from Portage County Court of Common Pleas Probate Division Judge Thomas Carnes approving the Cincinnati Insurance Company as the surety company for both Commissioner Smeiles and Commissioner Frederick (IAW ORC Section 305.04, which requires that the surety company used by each of the Commissioners for their bonds is to be approved by the probate judge of the county), the Board of Commissioners authorized payment of the Jack Kohl Agency Invoices #82270 for \$266 and #82382 for \$266 for the continuation of their bond coverage from 2009-2013.
5. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending November 30, 2008, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$225.00 in Court Donations.
6. The Board of Commissioners authorized Commissioner Keiper to sign the request for response to pre-award condition for OCJS Grant No. 2008-JG-D01-6467, The Children's Advocacy Center of Portage County, as presented by Lucy Wagener, Children's Advocacy Center. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
7. The Board of Commissioners authorized payment of the following Invoices for bond renewal for County Elected Officials, as presented by the Jack Kohl Insurance Agency:

Invoice No	Date	Elected Officials Bond	Elected Official	Term	Bond Amt
82385	11-24-08	Clerk Common Pleas Court	Linda Fankhauser	1-3-09 to 1-3-13	\$ 40,000
82381	11-24-08	Clerk, Municipal Court	Linda Fankhauser	1-3-09 to 1-3-13	\$10,000
82384	11-24-08	Recorder	Bonnie Howe	1-3-09 to 1-3-13	\$ 25,000
82386	11-24-08	Coroner	Roger Marcial	1-4-09 to 1-4-13	\$ 5,000
82383	11-24-08	Prosecutor – FOJ Allowance	Vic Viglucci	1-1-09 to 1-1-11	\$ 89,930
82383	11-24-08	Prosecutor – Oath	Vic Viglucci	12-13-08 to 12-13-10	\$ 1,000
82270	11-14-08	Commissioner	Chris Smeiles	1-3-09 to 1-3-13	\$ 5,000
82382	11-24-08	Commissioner	Maureen T. Frederick	1-1-09 to 1-1-13	\$ 5,000

8. The Board of Commissioners authorized Commissioner Keiper to sign the EEO Compliance Form, Pre-Award Condition requirements for receiving Byrne/JAG funds Subgrant No. 2008-JG-D01-6473, as presented by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
9. The Board of Commissioners authorized Commissioner Keiper to sign the EEO Compliance Form, Pre-Award Condition requirements for receiving VAWA Funds Subgrant No. 2008-WF-VA8-8222, as presented by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
10. The Board of Commissioners authorized the Portage County Department of Economic Development to purchase two (2) new computers and a printer for a total of \$4,367.04, as requested by Portage County Department Economic Development Director William Ulik.
11. The Board of Commissioners authorized Administrative Assistant Amy Hutchinson to work overtime as needed while the Clerk is on vacation from December 15, 2008 through December 19, 2008.

12. The Board of Commissioners authorized payment to Neighborhood Development Services Inc. for \$500.00 for foreclosure counseling and to Saxon Mortgage Services Inc. for \$3,000.00 for mortgage catch up for Client Couple 2008-012C and 2008-012P, as presented by the Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting all documents appear to agree and to be properly prepared for the purpose of this activity.
13. The Board of Commissioners authorized the part-time hire of Sarah Hansford as a Portage County Dog Warden Facilities Keeper, contingent upon a pre-employment physical and drug and alcohol testing. The Board of Commissioners noted that the rate of pay is \$11.00/hour with a 120 day probationary period. Funds are available in the Dog Warden's budget.
14. After meeting today in an Executive Session with Human Resources Department Director Karen U'Halie and General Services Director Jim Manion, the Board of Commissioners authorized the placing of a Commissioners' employee on a six-month unpaid leave of absence. [HR 08-002]
15. The Board of Commissioners accepted the recommendation of Portage County Water Resources Department Director Harold Huff and authorized sewer customer Thomas Dudick, 1818 Miller Parkway, Streetsboro, (Account Number 499-18300-00) to pay his \$3,475.43 utility bill over a two-year period with no penalty charged for the back due amount. The Board of Commissioners noted that the customer was under billed due to an incorrect meter account setup.
16. The Board of Commissioners authorized Commissioner Keiper to sign the November 10, 2008 Change Order No. 2 for the State Route 44 Vacuum Sewer Installation, Contract A – Pump Station for Contractor Bochert Excavating, Inc. of Kent, Ohio, authorizing a project increase of \$4,586.85 for a total contract price of \$682,492.70, as presented by the Portage County Department of Budget & Finance. The Board of Commissioners noted that the contract is modified to allow 1) wire gas detectors into the SCADA and add a visual alarm signal; 2) the installation of 40' of C900 drainage pipe at the drive entrance to the chain link fence enclosure; 3) to reroute duct work to the basement for an exhaust fan; and 4) to increase the SCADA antenna pole from 60' to 75'.
17. The Board of Commissioners accepted the recommendation of Internal Services Director JoAnn Townend and authorized her to pay the costs for the Department of Economic Development Riddle Block Construction from Fund 4002, to be replenished by the Economic Development departmental general fund carryover in 2009.

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 **December 4, 2008**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to adjourn the official meeting at **11:55 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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