

Thursday, December 18, 2008

The Board of County Commissioners met in regular session on **Thursday, December 18, 2008 at 9:14 AM** with the following members present:

Christopher Smeiles

Charles W. Keiper II

Maureen T. Frederick

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It was moved by Charles W. Keiper II, seconded by Maureen T. Frederick to approve the meeting minutes of the December 16, 2008 meeting. All in favor, motion carries

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

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RESOLUTION No. 08-1205 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on December 18, 2008 in the total payment amount of **\$486,028.38 for Funds 0001-8391** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Christopher Smeiles, Yea;

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1206 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on December 18, 2008 in the total payment amount as follows:

this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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RESOLUTION No. 08-1208 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

WHEREAS, the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

WHEREAS, there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

WHEREAS, the Journal Vouchers/Entries are recommended by the County Auditor’s Office for review and approval by the Board of Commissioners; now therefore be it

RESOLVED, that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor’s Office:

12/17/08	1773	\$ 109,485.39
12/17/08	1775	504.32
12/17/08	1777	4,589.92
12/17/08	1778	200.50
12/17/08	1783	58.42
12/17/08	1784	7.81
12/17/08	1786	9,230.41
12/17/08	1787	83,073.68
12/17/08	1788	740.88
12/18/08	1866	9,600.37
12/18/08	1867	7,679.29
12/18/08	1868	3,461.64
12/18/08	1869	317,357.34
Total		\$ 545,989.97

and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were

in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;
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RESOLUTION No. 08-1209 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (Then and Now Certification), and

WHEREAS, the Then and Now Certification is recommended by the State Auditor’s Office, the Portage County Auditor’s Office, and the Portage County Prosecutor’s Office, and

WHEREAS, a listing of expenditures, attached hereto as Exhibit “A” and incorporated herein by reference, has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

RESOLVED, that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$15,874.01** as set forth in Exhibit “A” dated **December 18, 2008** shall be paid; and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;
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RESOLUTION No. 08-1210 - RE: ACCEPT CARLISLE WAY AND LEEDS COURT IN THE HIGHLANDS OF EDINBURG SUBDIVISION, IN EDINBURG TOWNSHIP, PORTAGE COUNTY.

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

WHEREAS, the following roads in **EDINBURG 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. 955 Carlisle Way
T.H. 956 Leeds Court

and

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

WHEREAS, the Edinburg Township Trustees were notified, via a November 17, 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 Edinburg Township; now therefore be it

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

RESOLVED, that the acceptance of these roads makes **EDINBURG TOWNSHIP** responsible for their maintenance effective **DECEMBER 18, 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, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1211 - RE: 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 Charles W. Keiper II, and seconded by Maureen T. Frederick that the following resolution be adopted:

WHEREAS, any and all persons constructing privately financed water or sanitary sewer projects within the Portage County Regional Sewer District or the Streetsboro Sanitary Sewer District No. 4,

either tributary or integral to those systems, shall pay a construction service fee to cover all engineering, inspection and administrative functions performed by the Portage County Water Resources Department related to the project; and

WHEREAS, the construction services are necessary to ensure the integrity of the County systems; and

WHEREAS, these fees are necessary so that those receiving the construction services pay their proper share of the costs without additional burden to the existing customers; and

WHEREAS, the Portage County Sanitary Engineer has reviewed the schedule of construction service fees for the Portage County Water Resources Department and recommends that this Board adopt the fees and charges herein provided for; now therefore be it

RESOLVED, by the Board of Commissioners of Portage County, Ohio:

Section 1. That the fees shown herein are adopted for persons, firms, corporations or organizations utilizing the construction services of the Portage County Water Resources Department:

Year	Water Mains (cost per linear foot) (3% increase)	Sanitary Sewer Mains and Force Mains (cost per linear foot) (3% increase)	Sanitary Pump Stations (cost per gpm of capacity) (3% increase)
2009	1.65	3.38	12.66
2010	1.70	3.48	13.04
2011	1.75	3.58	13.43
2012	1.80	3.69	13.83
2013	1.85	3.80	14.24

Section 2. That the construction service fees shall be paid at the time of the pre-construction conference after the Water Resources Department has approved the project for construction.

Section 3. That the project construction approval issued by the Water Resources Department shall be valid for a period of one (1) year.

Section 4. That the regular hours of the Inspectors employed by the Water Resources Department are established under the Rules and Regulations governing the Portage County Regional Sewer District and the Streetsboro Sanitary Sewer District No. 4.

Section 5. That any resolution or resolutions heretofore adopted by this Board fixing or revising rates to be charged for construction service fees be and the same are hereby repealed as of the effective date of this Resolution; and such repeal shall not affect any rights, obligations or liabilities which may have accrued while in any such resolutions were in effect; it being the intent of this Board that such repeal shall operate only in a prospective manner and with respect to rights, obligations or liabilities which thereafter may accrue.

Section 6. That this resolution shall take effect and be in full force as of January 1, 2009 on any new projects.

Section 7. 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, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea;

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RESOLUTION No. 08-1212 - RE: PRE-HOLIDAY OFFICE CLOSING

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

WHEREAS, the Portage County Auditor, Recorder, Treasurer, Engineer's Tax Map Department at the Portage County Administration Building, Clerk of Courts' Auto Title Office at the Portage County Administration Building, and the Portage County Health Department have announced that their offices will close on December 24, 2008 at noon; now therefore be it

RESOLVED, that the Board of Portage County Commissioners agrees, in conjunction with other Elected County Officials, to close their departments, the Portage County Administration Building, the Portage County One Stop Facility, and Commissioners' Departments located in the Riddle Block Building at noon on Wednesday, December 24, 2008; and be it further

RESOLVED, that the Board of Commissioners further agrees to pay Commissioners' Department employees, both non-bargaining employees and those participating in a Collective Bargaining Agreement, as follows:

1. Employees who work on Wednesday, December 24, 2008 will work four (4) hours and be paid for eight (8) hours of work; and
2. Employees who are off work on Wednesday, December 24, 2008 may take four (4) hours of leave and be paid for eight (8) hours of work; 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:

3. Approve the wire transfer as presented by the County Auditor./08-1206
4. Approve the wire transfer to Ohio Water Development Authority Services approved and certified to the Portage County Auditor for payment. /08-1207
5. Approve the Journal Vouchers as presented by the County Auditor./08-1208
6. Approve the Then & Now as presented by the Portage County Auditor./08-1209
7. Accept Carlisle Way and Leeds Court in the Highlands of Edinburg Subdivision, Edinburg Township, Portage County (County Engineer)./08-1210
8. Resolution to close the Board of Commissioners' Departments on Christmas Eve at 12:00 Noon in conjunction with the Treasurer, Clerk of Courts, Auditor and Recorder./08-1212
9. Resolution to close the Board of Commissioners' Departments on New Years Eve at 12:00 Noon in conjunction with the Treasurer, Clerk of Courts, Auditor and Recorder./Commissioner Keiper voting no./08-1213
10. Resolution requiring construction service fees for engineering inspection and administration functions performed by the Portage County Water Resources Department for private projects (Water Resources Department)./08-1211

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INVITATIONS/MEETING NOTICES

December 18, 2008

1. Meeting notice for the Community Corrections Board on Friday, January 9, 2009, 8:00 AM in Judge Enlow's Jury Room.
2. Invitation from the Ohio EPA for a Tinkers Creek Stressor Identification meeting on Wednesday, January 21, 2009, 5:00-7:00 PM at the Ohio EPA's Northeast District Office, Twinsburg.
3. Invitation from International Trade Assistance Center (ITAC) for the Global Supply Chain Management meeting on Tuesday, January 27, 2009, 8:00 AM-2:30 PM, CSU Glickman Miller Hall, Cleveland.
4. Meeting notice for the Greater Akron Chamber Board of Director's meeting on Thursday, December 18, 2008, 7:30 AM at John S. Knight Center.

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INCOMING CORRESPONDENCE

DISCUSSION

December 18, 2008

1. December 16, 2008 correspondence from Steve Pisarchik, an Apprentice Falconer, requesting Board authorization to walk county owned property with his hawk during falconry season which runs through March 15, 2009./Journal Entry

2. December 16, 2008 e-mail from Audrey Tillis, Department of Budget and Financial Management, in response to the Board's request for review and comment on the Public Defender's request to modify budget./Journal Entry
3. December 16, 2008 e-mail from Bob Wrentmore, Building Department, requesting pay increases for employees who have obtained their notary license./Clerk to schedule appointment.

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JOURNAL ENTRIES

December 18, 2008

1. The Board of Commissioners received the Portage County Regional Planning Commission Regular Audit for the years ended December 31, 2007-2006.
2. The Board of Commissioners received the Portage-Geauga Juvenile Detention Center Regular Audit for the year ended December 31, 2007.
3. The Board of Commissioners received the Weekly Report of Kennel population for the week ending December 14, 2008 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$450.00 in Court Donations.
4. The Board of Commissioners received the December 12, 2008 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2008 as presented by the Portage County Budget Commission.
5. The Board of Commissioners received the December 15, 2008 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2009 as presented by the Portage County Budget Commission.
6. The Board of Commissioners received the December 16, 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. The Board of Commissioners acknowledged with regret receipt of the December 16, 2008 letter of resignation from Cheri Mikula, Accounting Specialist for the Portage County Water Resources Department, effective December 30, 2008.

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REFERRED

December 18, 2008

1. December 12, 2008 correspondence from Steve Colecchi, Robinson Memorial Hospital, regarding the Robinson Memorial Hospital Board of Trustee meeting March 2, 2009. Executive Assistant to contact re-appointment applicants for letter of interest. Clerk to publish advertisement for meeting.

PLEASE ADD TO YOUR AGENDA

December 18, 2008

- 1. December 17, 2008 e-mail from Joe Mayernick, regarding GAPP, Inc. website./Forward to Job and Family Services for next agenda.
- 2. December 17, 2008 e-mail from T.N. Bhargava, regarding Port Authority conference call on Friday, December 19, 2008 at 10:00 AM.
- 3. December 17, 2008 e-mail from Dawn Pechman, regarding One Stop.

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INFORMATION ONLY

December 18, 2008

- 1. December 2008 correspondence (received December 15, 2008) from Clear Channel Communications and WKYC-TV, regarding I-Alert School closing system which goes online January 5, 2008 at 10:00 AM.
- 2. The Board of Commissioners received the About our Family newsletter Volume 5, Issue 4 December 2008 as presented by Family & Community Services.
- 3. The Board of Commissioners received the Next Generation newsletter for Fall 2008 as presented by the Generation Foundation.
- 4. December 8, 2008 correspondence from Rich Sarafian, Penske Trucking Leasing, regarding outsource fleet leasing and maintenance.
- 5. The Board of Commissioners received a notice announcing Todd Bergstrom has joined URS Corporation.
- 6. December 15, 2008 e-mail from Mickey Marozzi, County Engineer to Leigh Prugh, Prosecutor’s Office, regarding Harvest Rose (Prospect underpass sewer).
- 7. The Board of Commissioners received the Community Quilt newsletter for Fall 2008 Volume 4, Issue 1 as presented by Child Guidance & Family Solutions.
- 8. The Board of Commissioners received the Outlook to Safer Futures newsletter for October 2008 as presented by Safer Futures.
- 9. The Board of Commissioners received a copy of the December 10, 2008 correspondence from Timothy Perrin, Perrin Asphalt and Concrete to Director Tim Miller, Portage County Maintenance, thanking Portage County for choosing Perrin for the County’s parking lot needs.
- 10. December 15, 2008 e-mail from Michelle Ripley, Human Resources Department, regarding an accident involving a County Engineer’s vehicle.

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PROSECUTOR’S CORRESPONDENCE

December 18, 2008

1. December 15, 2008 e-mail from Denise Smith, regarding a resident concern.

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Journal Entry

December 18, 2008

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

1. The Board of Commissioners acknowledged receipt of the Portage County Regional Planning Commission Regular Audit for the years ended December 31, 2007-2006.
2. The Board of Commissioners acknowledged receipt of the Portage-Geauga Juvenile Detention Center Regular Audit for the year ended December 31, 2007.
3. The Board of Commissioners acknowledged receipt of the Weekly Report of Kennel population for the week ending December 14, 2008 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$450.00 in Court Donations.
4. The Board of Commissioners acknowledged receipt of the December 12, 2008 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2008 as presented by the Portage County Budget Commission.
5. The Board of Commissioners acknowledged receipt of the December 15, 2008 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2009 as presented by the Portage County Budget Commission.
6. The Board of Commissioners acknowledged receipt of the December 16, 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. The Board of Commissioners acknowledged receipt of the December 16, 2008 letter of resignation from Cheri Mikula, Accounting Specialist for the Portage County Water Resources Department, effective December 30, 2008 as presented by the Water Resources Department.
8. The Board of Commissioners approved the December 16, 2008 request from Steve Pisarchik, an Apprentice Falconer, to walk county owned property behind the Portage County Water Resources Department Laboratory, Portage County Justice Center, Portage County Juvenile Detention Center and Dog Warden Facility located on Infirmary Road, during falconry season which runs through March 15, 2009. The Board further directs the Internal Services Department to prepare the necessary resolution and agreement for processing.
9. The Board of Commissioners approved the Portage County Public Defender Commission's recommendation (via Resolution dated December 10, 2008), to modify the Public Defender's FY 2008 and FY 2009 budgets for the purpose of compensating Public Defender Investigator Matthew J. Myers from \$ 14.50 per hour to \$ 15.21 per hour as presented by Dennis Lager, County Public Defender.

10. The Board of Commissioners signed the Personnel Action form acknowledging the resignation of Jessica Mobley as Clerical Specialist for the Portage County Department of Job and Family Services effective December 26, 2008 as presented by the Human Resources Department Director Karen U’Halie and approved by the Department of Job and Family Services Director Anita Herington.

11. The Board of Commissioners approved the following Personnel Requisitions, as presented by the Portage County Human Resources Director Karen U’Halie and approved by Department of Job & Family Services Director Anita Herington:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Water Resources	Accounting Specialist I (Replacing Cheri Mikula)	AS1/1	Post Internally and Externally

All in favor, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners’ meeting on **December 18, 2008**. There being no further business to come before the Board, it was moved by Charles W. Keiper II, seconded by Maureen T. Frederick to adjourn the official meeting at 9:41 AM. All in favor, motion carries.

Christopher Smeiles, President

Charles W. Keiper II, Vice President

Maureen T. Frederick, Board Member

Amy Hutchinson, Acting Clerk

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