

Tuesday, January 13, 2009

The Board of County Commissioners met in regular session on **Tuesday, January 13, 2009 at 9:42 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the organizational day meeting minutes of January 12, 2008 meeting. Commissioner Keiper absent, motion carries

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Absent: Commissioner Keiper on vacation

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

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GRANTS ADMINISTRATOR

Present: Dan Banks

The Mayor of Ravenna and the City of Kent have provided letters of intent to participate in the Ohio Department of Development's Neighborhood Stabilization Program (NSP). The Board of Commissioners approved the draft correspondence to the state advising of the decision by the three communities that Portage County will be the lead agency in this program/Journal Entry

Dan Banks to attend the January 16, 2009 meeting in Columbus to learn the details of the program.

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PROSECUTOR

Present: Denise Smith, Tommie Marsilio

10:00 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to consider a discipline issue. **Also present: Attorneys Denise Smith and Tommie Marsilio.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

10:45 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners took no action.

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Review of Prosecutor's Pending List

1. The Board of Commissioners agreed to remove the issue regarding the adoption of a system of preferences to purchase items within Ohio. Clerk to draft a resolution and bring back for Board consideration.
2. Remove review of the MOU for the Justice Center/Prosecutor will sign as to form should the Board of Commissioners agree to move forward.
3. Remove the question of support for the APL to purchase equipment for the Humane Officer. Dave Brode notes that the General Fund may not purchase equipment for the Humane Officer.
4. Remove the request for investigation of the use of the Portage County logo by E-Portage. The company owner has changed his logo so that it no longer resembles the Portage County logo.
5. Add to the pending list a discussion between Office of Homeland Security & Emergency Management Director Jon Barber and Attorney Denise Smith regarding wireless 911 funding.
6. Add to the pending list a determination as to a Countywide 911 Dispatch – should Sheriff Doak want to revisit this issue, does the ORC allow

Prosecutor's Correspondence

1. January 9, 2009 e-mail from Tommie Marsilio, regarding the MOU for the Justice Center/Information only, noting that the MOU is not binding but Attorney Marsilio will sign it as to form, should the Board of Commissioners move forward.
2. The Board of Commissioners received a copy of the Kent Division of the Portage County Municipal Court "Motion for Reconsideration" in the case of Michael Pealer vs. Kaytee Kilburn as presented by Denise Smith/Attorney Smith noted that this is not an indigent defense case as it was presented by Judge Oswick.
3. The Board of Commissioners received a confidential correspondence from Leigh Prugh to Harold Huff, Director of Water Resources Department, regarding Shady Lake/Information only.
4. January 8, 2009 e-mail from Denise Smith, regarding Jacqueline Buemi vs. Portage County Engineer/Information only..
5. January 8, 2009 e-mail from David Brode, regarding the Animal Protective League request for General Fund monies to purchase equipment for the Humane Officer/Information only..

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KENT STATE UNIVERSITY

Present: Dr. John Hoornbeek, Director of the KSU Center for Public Administration; Kerry Macomber, Senior Research Associate; Dan Banks, Grants Administrator

Dr. Hoornbeek introduced himself and Ms. Macomber and described the other staff associated with the Center. He noted that Kent State recognizes the past relationship between the Center and the Board of Commissioners and would like to see that relationship continue.

Dr. Hoornbeek advised that the Center is currently involved in a variety of research, educational and training programs offered at the Center for Public Administration and Public Policy including the Mayor's Think Tank, and the new issue of Water Resource Management in Northeast Ohio. There is a program coming up that will be training for newly elected officials, for professional certifications such as the Ohio and West Virginia

Municipal Clerks Career Development Program and the Master Municipal Clerk Academy, and training for supervisors.

Dr. Hoornbeek presented reports entitled “Exploring the Balance of Power between Local and State Government” for the Northeast Ohio Mayors’ Thinktank, “Implementing Total Maximum Daily Loads: Understanding and Fostering Successful Results” and “Water Resource Management in Northeast Ohio: Opportunities for Environmental Protection and Sustainable Economic Growth”. Commissioner Smeiles suggested that the reports presented today should be forwarded to Joe Hadley at NEFCO for a possible coordination of efforts. Ms. Macomber noted that she is in touch with Mr. Hadley periodically.

Dr. Hoornbeek noted that regionalism is an area that the Center has taken seriously with a focus on collaborative enterprises and collaboration. The Fund for Our Economic Future’s Advance Northeast Ohio Call to Action Program is being assisted by the Center with the focus on intergovernmental/regional cooperation. Townships may benefit from involvement in this cooperative. Any input and guidance from the Board of Commissioners that would allow the Center to serve better would be appreciated.

Ms. Macomber noted that the Fund for Our Economic Future's Advance Northeast Ohio's Call to Action program is a small grant program of up to \$300,000 available for three new government collaborations that lead to cost savings and efficiency. These funds are for implementation of new ideas that can be replicated across the region and that involve at least two governmental units. Funds cannot be used for planning or studies. Commissioner Smeiles suggested perhaps the centralized dispatch for Portage County would be eligible. Dr. Hoornbeek and Ms. Macomber agreed that the dispatch project may be a good one.

Commissioner Smeiles noted that the Board has availed itself of the expertise at Kent State and profited greatly. Also, the University’s Dr. Patricia Book serves on NEFCO for the Board, Tom Clapper sits on the AMATS committee, and Yank Heisler meets with the Board of Commissioners periodically.

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

Resolutions

1. Cash Advance from Fund 7201, WC RR P General Administration to Fund 7217, WC Retro Rating Plan 2008/09-032
2. Annual Transfer from Fund 5200, PCS General Administration to Fund 5240, PCS OWDA 1994 Ravenna City/09-033

Other

3. Discussion Memos:
 - a. The Director presented the 4th Quarter Review.
 - b. The Director presented the Work Session agenda noting that the session will be held once Commissioner Keiper returns.
 - c. Office of Homeland Security & Emergency Management Director Barber has asked for additional funding of \$2,224 for the changes to the Security/Maintenance Agreement for the second floor Administration Building renovation. Director Tillis to see which departments are impacted by the increase and if that department can pay the difference.

Updates

4. The Director presented the Compensation Report by Payroll Location

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DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT WORK SESSION

Discussion Items – On hold until Commissioner Keiper returns

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RESOLUTION No. 09-0027 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, 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 January 13, 2009 in the total payment amount of **\$139,795.36 for Funds 0001-5600** 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:

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

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RESOLUTION No. 09-0028 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, 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 January 13, 2009 in the total payment amount as follows:

- 1. \$202,057.51 for Medical Mutual Claims-Fund 7101; and
- 2. \$164,856.14 for Medical Mutual Claims-Fund 7101; and
- 3. \$151,007.90 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

FRANKLIN TOWNSHIP.

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

- WHEREAS,** this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District, hereinafter called the "SEWER DISTRICT"; and
- WHEREAS,** pursuant to authorization by the Board contained in Resolution 06-0434 adopted May 23, 2006, the Water Resources Department has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No. FR-2 (06-120), Twin Lakes WWTP Preliminary Treatment, hereinafter referred to as the "PROJECT" and copies of said plans, specifications and estimate of cost on file in the office of the Clerk and Water Resources Department and are available for examination therein; and
- WHEREAS,** the PROJECT will construct a new headworks of the Twin Lakes WWTP, including influent screen, flow splitter, and building; and
- WHEREAS,** the PROJECT will also include the installation of a new blower, blower piping modification, diffusers and skimmers modifications within the aeration tanks; and
- WHEREAS,** the PROJECT has been submitted and received approval for Round 22 Ohio Public Works Commission funding; now therefore be it
- RESOLVED,** by the Board of Commissioners of Portage County, Ohio:
- Section 1. That said plans, specifications and estimate of cost for said PROJECT hereto be and the same are hereby approved.
- Section 2. That said plans, specifications and estimate of cost shall be filed in the office of the Clerk of this Board and in the office of the Water Resources Department and kept continuously on file for inspection by all persons interested therein.
- Section 3. That sealed bids for the construction of the PROJECT will be accepted by the Portage County Commissioners until 3:00 PM on February 18, 2009, at their office on the seventh floor of the County Administration Building, 449 South Meridian Street, Ravenna, Ohio.
- Section 4. That the Notice of receiving bids shall be posted in the Record Courier on January 26 and February 2, 2009 and the Clerk of this Board is directed to post said Notice on the official bulletin board in the office of the County Commissioners.
- Section 5. 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 was as follows:

Charles W. Keiper II, Absent;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0033

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RE:

ANNUAL TRANSFER - FROM FUND 5200, PCS GENERAL ADMINISTRATION TO 5240, PCS OWDA 1994 RAVENNA CITY

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

WHEREAS, in order to meet OWDA loan payment obligations to the City of Ravenna, due January 31 and July 31, 2009, it is necessary to transfer funds in the amount of \$78,881.92 to Fund 5240, PCS OWDA 1994 RAVENNA CITY; now therefore be it

RESOLVED, that the following transfer of funds in the amount of \$78,881.92 be and is hereby made:

FROM:

FUND 5200 PCS GENERAL ADMINISTRATION

ORGCODE - 52004009

Debit Expense Account

Object 910000 - TRANSFER OUT \$ 78,881.92

TO:

FUND 5240, PCS OWDA 1994 RAVENNA CITY

ORGCODE - 52400602

Credit Revenue Account

Revenue Source 280000 - TRANSFER IN \$ 78,881.92

and be it further

RESOLVED, that the County Auditor is hereby requested to make said transfer by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Water Resources Department, and be it further

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

Roll call vote as follows:

Charles W. Keiper II, Absent;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTIONS

January 13, 2009

1. Approval of Meeting Minutes from the January 13, 2009 regular Board Meeting as presented.

2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./08-027
3. Approve the wire transfer as presented by the County Auditor./08-028
4. Approve the Journal Vouchers as presented by the County Auditor./08-029
5. Approve the Then & Now as presented by the Portage County Auditor./08-030
6. Resolution presented by the Portage County Water Resources Department approving the plans, specifications and estimate of cost and setting the date and time for acceptance of bids for the construction of Project No. FR-2 (06-120), Twin Lakes WWTP Preliminary Treatment, in the Portage County Regional Sewer District, Franklin Township./08-031

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INVITATIONS/MEETING NOTICES

January 13, 2009

1. Invitation from the County Commissioners' Association of Ohio for the Commissioners Training Seminar at the Deer Creek Resort and Conference Center, Mt. Sterling, Ohio, Monday-Wednesday, February 23-25, 2009.
2. Meeting notice for the Mental Health & Recovery Board meeting on Monday, January 12, 2009, 6:30 PM, 155 E. Main St, Kent.

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INCOMING CORRESPONDENCE

DISCUSSION

January 13, 2009

1. January 6, 2009 correspondence from Robert Park, Veterans Service Commission, regarding space issues/Clerk to draft a response to Mr. Park.
2. January 7, 2009 e-mail from Charlene Badger, Executive Assistant, regarding the Portage County Regional Airport Board appointments/Bring back on January 20, 2009.
3. January 7, 2009 e-mail from Susan Blair, Park District, requesting Board authorization to hang a flyer on the Portage County Administration Building's 1st Floor lobby bulletin board/The Board of Commissioners agreed to allow the hanging of the flyers for January and February.
4. January 6, 2009 e-mail from Lynn Erickson, Regional Planning Commission, regarding the Farmland Preservation Advisory Board/Information only.
5. January 6, 2009 correspondence from Tom Harrison, Ohio Department of Agriculture, regarding the 2009 Apiary Inspector/Executive Assistant to contact the current inspector to determine his interest in serving for 2009
6. January 5, 2009 memo from the County Commissioners' Association of Ohio, requesting completion of the Management Improvement Questionnaire by Monday, January 19, 2009/Information only

7. January 5, 2009 memo from County Commissioners' Association of Ohio, regarding appointment of Standing Committees for 2009. Completed forms requested by Thursday, January 15, 2009/Information only
8. December 11, 2008 memo from Auditor of State Mary Taylor, regarding on-line data collection form procedures/Forward to the Internal Auditor and Grants Administrator to determine what, if any, Board action is necessary.

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JOURNAL ENTRIES

January 13, 2009

1. Board of Commissioners' authorization requested to pay the January 5, 2009 Invoice #30198 for \$1,961.00 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of December 2008 for General Labor matters.
2. Board of Commissioners' authorization requested to hire the full time permanent hire of Janice Delisle as Account Specialist 1 as presented by the Water Resources Director Harold Huff. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment physical and drug screen.
3. Board of Commissioners' authorization requested to have the President of the Board sign the Ohio Public Works Commission Appendix E Disbursement Request Form and Certification, Disbursement Request No. 1 for the KEN 193 Middlebury Road Bridge Replacement, CGS07 as presented by the County Engineer.
4. The Portage County Health Department presents Invoice #5 for \$20.00 for one (1) flu shot given on December 9, 2008 to a Portage County employee as presented by the Portage County Combined General Health District. Original invoice forwarded to the Portage County Human Resources Department for payment.
5. The Board of Commissioners received the Portage County Investment Reconciliation for the month of December 2008 as presented by the County Auditor and County Treasurer.
6. The Board of Commissioners received the Portfolio Report for December 2008 as presented by the Portage County Treasurer's Office.
7. Board of Commissioners' authorization requested to reimburse \$805.39 to the United States Department of Housing and Urban Development for interest earned in excess of \$100 [CDBG grants B-F-06-062-1, B-F-07-062-1] from October 1, 2008 through December 31, 2008, as presented by Portage County Auditor Janet Esposito.
8. Board of Commissioners' authorization requested to reimburse \$510.28 to the United States Department of Housing and Urban Development for interest earned in excess of \$100 [CHIP grants 2006-B-C-06-062-2] from October 1, 2008 through December 31, 2008, as presented by Portage County Auditor Janet Esposito.

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REFERRED

January 13, 2009

1. December 31, 2008 correspondence from Richard Warren, regarding unpaid court costs. Referred to Executive Assistant.

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INFORMATION ONLY

January 13, 2009

1. January 7, 2009 memo from Carol Kurtz, Internal Auditor, regarding the December 30, 2008 correspondence from Ohio Department of Development regarding amendment approval for Grant No. B-F-08-062-1/Clerk to bring back resolution to amend the acceptance resolution.
2. Undated correspondence (received January 9, 2009) from Mary Boston, Portage Workforce Connection, in response to a complaint received by the Commissioners on December 23, 2008.
3. January 8, 2009 correspondence from Sal Pitera, e-portage.us, regarding the news and information website change.
4. The Board of Commissioners received an informational notice from the Ravenna Army Ammunition Plant (RVAAP) indicating the US Army Tank Automotive & Armaments Command has contracted PIKA to dispose of various munitions components at the Ravenna Army Ammunition Plan. The work is expected to begin during the week of January 19th and completed by January 23, 2009.

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Journal Entry

January 13, 2009

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

1. The Board of Commissioners authorized payment of the January 5, 2009 Invoice #30198 for \$1,961.00 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of December 2008 for General Labor matters.
2. The Board of Commissioners authorized the full time permanent hire of Janice Delisle as an Account Specialist 1, as recommended by Portage County Water Resources Department Director Harold Huff. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment physical and drug screen. Original document forwarded to the Human Resources Department to process.
3. The Board of Commissioners authorized Commissioner Smeiles to sign the Ohio Public Works Commission Appendix E Disbursement Request Form and Certification, Disbursement Request No. 1 for the KEN 193 Middlebury Road Bridge Replacement, CGS07, as presented by the Portage County Engineer.
4. The Board of Commissioners authorized payment of Invoice #5 for \$20.00 for one (1) flu shot given on December 9, 2008 to a Portage County employee, as presented by the Portage County Combined General Health District. Original invoice forwarded to the Portage County Human Resources Department for payment.
5. The Board of Commissioners acknowledged the receipt of the Portage County Investment Reconciliation for the month of December 2008, as presented by the County Auditor and County Treasurer.
6. The Board of Commissioners acknowledged the receipt of the Portfolio Report for December 2008, as presented by the Portage County Treasurer.

7. The Board of Commissioners authorized reimbursement of \$805.39 to the United States Department of Housing and Urban Development (HUD) for interest earned in excess of \$100 [CDBG grants B-F-06-062-1, B-F-07-062-1] from October 1, 2008 through December 31, 2008, as presented by Portage County Auditor Janet Esposito.
8. The Board of Commissioners authorized reimbursement of \$510.28 to the United States Department of Housing and Urban Development (HUD) for interest earned in excess of \$100 [CHIP grants 2006-B-C-06-062-2] from October 1, 2008 through December 31, 2008, as presented by Portage County Auditor Janet Esposito.
9. The Board of Commissioners signed the January 13, 2009 correspondence to Michael Hiler, Office Chief for the Ohio Department of Development Office of Housing and Community Partnerships, advising that Portage County accepts the offer to participate in the Neighborhood Stabilization Program (NSP), partnering with the City of Kent and the City of Ravenna. The Commissioners noted that the three communities met on January 6, 2009 to discuss the program and agreed that Portage County will act as the designated lead community for this regional collaboration, and will address the administrative responsibilities for the region.

The Board of Commissioners acknowledged the receipt of the January 9, 2009 correspondence from the City of Ravenna to Mr. Hiler and the January 8, 2009 correspondence from the City of Kent, both agreeing to collaborate with Portage County and that Portage County will serve as the lead agency in this application process.

Commissioner Keiper absent, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **January 13, 2009**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Maureen T. Frederick to adjourn the official meeting at 11:37 AM. Commissioner Keiper absent, motion carries.

ABSENT

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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