

Thursday, February 5, 2009

The Board of County Commissioners met in regular session on **Thursday, February 5, 2009 at 9:40 AM** with the following members present:

Charles W. Keiper II

Christopher Smeiles

Absent: Commissioner Frederick

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It was moved by Christopher Smeiles, seconded by Charles W. Keiper II to approve the meeting minutes of the February 3, 2009 meeting. Commissioner Frederick absent, motion carries

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

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INTERNAL SERVICES

Present: JoAnn Townend

Discussion

1. The Director discussed the furniture purchase for the Sheriff. The insurance claim brought in \$3,500 for the replacement of the furniture ruined when the sprinkler head broke. There is nothing left in the Prosecutor’s Office. The Board of Commissioners agreed to authorize the purchase of new furniture for the Sheriff pending receipt of the request in writing/Journal Entry.

Director Townend advised the Board that she is meeting today with the Sheriff’s staff to discuss the vehicle situation.

2. The Director to prioritize the pending projects for a possible bond issue in the fall, including the Riddle Block windows and roof, the courthouse parking lot, etc. Director Townend noted that there is only \$600,000 in the capital budget.
3. Director Townend advised the Board of Commissioners that she received a notice from an environmental company that notes there is an open BUSTR enforcement issue at the former County Engineer’s facility on Cleveland Road. The Board of Commissioners agreed that JoAnn Townend should contact the Ohio Department of Commerce Bureau of Underground Storage Tanks (BUSTR) and ask for an extension for the Tier I Inspection and the waiver of any fines.

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Resolutions

1. Enter into a license agreement with Doug McGee and Budd Curfman for a day of Christian prayer on May 7, 2009/09-104
2. Enter into an agreement to allow the automatic renewal of MHM Resources to provide administrative services for the employee flexible spending account plan for 2009./09-105

3. Enter into an agreement for alcohol & drug screening services with Townhall II for referrals by JFS./09-106
4. Enter into an amendment no. 4 with the Prosecutor for legal representation for child abuse cases in JFS./09-107
5. Enter into an amendment no. 1 with KSU School of Family & Consumer studies for the nutrition outreach project for JFS (Child Health Services)./09-108
6. Enter into an agreement with Children’s Advantage for mental health consultation for the Help Me Grow Program./09-109
7. Approve specifications and set bid date for providing a three year biosolids disposal contract for the Portage County Water Resources Dept./09-110

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10:15 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider an employment issue. **Also present: Internal Services Director JoAnn Townend.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

10:30 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

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

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HUMAN RESOURCES

Present: Karen U’Halie, Jim Manion, Tim Miller

10:35 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider a discipline issue. **Also present: Human Resources Department Director Karen U’Halie, General Services Director Jim Manion, Director of Maintenance Tim Miller.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

11:37 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

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

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The Human Resources Department Director presented the draft resolution to approve the revision to Section 22(A) – Paid Leave of Absence - of the Portage County Board of Commissioners’ Personnel Policy Manual./09-111

The Commissioners agreed that the Director should send this new verbiage to all Elected Officials and have the Commissioners' Departments sign-off on the policy.

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GRANTS ADMINISTRATOR

Present: Dan Banks

The Board discussed, in no particular order, the following projects for submission for the federal appropriations budget and the federal stimulus package:

1. Shalersville Business Park
2. Portage County Solid Waste Management District Warehouse
3. Portage County Solid Waste Management District Research & Development for a carpet recycling program.
4. Aurora Meadows Subdivision Sanitary Improvements
5. Cleveland–Aurora Water Line Phase 2.
6. Lake Royale pump station in Franklin Township – the Board of Commissioners does not want to submit this project.
7. Chapman Farms Pump Station Elimination
8. Portage County Water Resources O & M Equipment Building
9. Portage County Board of Commissioners purchase of the former Havre Chevrolet building and grounds in Ravenna, Ohio for a new County motor pool and possible Portage County Office of Homeland Security & Emergency Management housing of current (and future) assets
10. Portage County Dog Warden parking area
11. Portage County Dog Warden – addition of an outside Kennel
12. Joint (Kent) Justice Center project
13. County Records Center
14. Portage County Board of Commissioners - Razing of five (5) county owned houses on both Meridian and South Chestnut Streets in Ravenna
15. Portage County Airport land leveling
16. Coit and Crane Avenue bridges
17. Reconfiguration and paving of the Ravenna courthouse parking lot where houses were razed
18. Tuck & point, roof, gutters, downspouts and windows at Riddle Block

Mantua Village Projects

19. The Village of Mantua proposes a water/sewer/storm sewer line replacement of their 106 year old lines, which the village cannot fund. The Board agreed that the replacement would help with the Shalersville JRS site. CT Consultant's Brian Rogers is to advise of the project cost.
20. Mantua would like to replace the Mats Road Bridge, which connects the water facility to SR 44
21. Franklin storm sewer
22. Crestwood water line

Director Banks to submit these projects for federal funding.

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Executive Assistant Charlene Badger attending to discuss the Annual Report. The Board of Commissioners had asked that the Board of Commissioners approve Ken McGregor as the designer for under \$10,000 and get quotes on the printing/Journal Entry.

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12:15 PM Lunch recess
1:10 PM Board of Commissioners reconvened

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CHIEF BUILDING OFFICER/GENERAL SERVICES

Present: Bob Wrentmore, Jim Manion

Discussion of the possible takeover by the Portage County Building Department of area building departments. The Board of Commissioners agreed to continue those discussions with local Mayors. The CBO to work with the Prosecutor to create an agreement/Journal Entry

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COUNTY ENGINEER

Present: Mickey Marozzi

The County Engineer requested this meeting to discuss the Portage County/City of Kent agreement regarding the Crain Avenue Bridge. The county is at a point to execute an agreement with the City for the payment of local share. The city of Kent will be the lead agency.

Mr. Marozzi gave a brief history of the bridge project, which began in 1994, with the county replacing some of the steel beams to get through to this point.

The city has held public meetings regarding the moving of the bridge with the City voting to not approve the chosen alternate. The city appointed a committee to find another alternate/design, at which point the County Engineer removed himself from the project. The city's newest version, at a cost of \$122,000 to the city, extends Fairchild Avenue to Water Street. The only change in the new plan from the approved alternate is the termini of the bridge. Detail design has begun and Portage County has gotten back into the project.

The County Engineer has an agreement for signature, but the agreement must be updated before he can present it to the Board of Commissioners. The city of Kent as the lead agency will enter into an agreement with the Ohio Department of Transportation (ODOT). The county/city agreement will detail the local share due from the county. ODOT will do the construction and administration for this project since it is a large and significant project.

The project schedule has been bumped to a 2 ½ year schedule with three full construction seasons starting in mid-April 2009 and completion scheduled for Fall 2011. The existing Crane Avenue Bridge will remain in place until it is necessary to close it or for at least one year. After that year, the bridge will close for street construction to begin. It is more cost effective to take down the existing bridge and build a new pedestrian (with no utilities) bridge. Bike paths are being built into the project, as well, with the city of Kent paying 100% of that cost. The county will share in the cost of 35% of the 20% of the local share for the building of the pedestrian bridge that will be owned and maintained by the city.

Mickey Marozzi to bring back the agreement for Board of Commissioners consideration. The agreement will detail the 65% city portion and the 35% county local share.

All right of way and purchases are acquired without county funding – the entire project will cost \$25 million. There are four lanes on the new bridge and for a portion of Water Street between Crane Avenue and the Fairchild Bridge, which will alleviate traffic tie ups for at least the next 20 years. The streets belong to the City and the bridge belongs to the County. All residents of Kent are also County taxpayers and they are getting their money's worth. The city residents are getting what they want.

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RESOLUTION No. 09-0097 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, 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 February 5, 2009 in the total payment amount of **\$243,501.24 for Funds 0001-8800** 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, Yea; Maureen T. Frederick, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 09-0098 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, 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 February 5, 2009 in the total payment amount as follows:

- 1. \$115,710.72 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, February 6, 2009 \$ 115,710.72

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

WHEREAS, Resolution 06-1038, adopted by the Portage County Board of Commissioners on November 16, 2006, authorized the execution of the agreement with Davey resource Group to prepare and submit a Nationwide 404 Wetland Permit Application and Individual Section 401 Water Quality Permit to U.S. Army Corp. of Engineers and Ohio EPA, and

WHEREAS, the Ohio EPA and U.S. Army Corp. of Engineers upon review of the above mentioned permit application has agreed that a Conservation Easement would be acceptable wetland mitigation for the RAV 111 CH151D Bridge Replacement Project, and

WHEREAS, a technical and fee proposal to provide professional services to prepare a Conservation Easement was received by the Portage County Engineer from **Davey Resource Group**, and

WHEREAS, the Portage County Engineer, upon review of the proposal from **Davey Resource Group**, recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby accept the proposal of **Davey Resource Group** to provide said consulting services for the RAV 111 CH151D Bridge Replacement Project, and be it further

RESOLVED, that said services will be performed by **Davey Resource Group, 1500 North Mantua Street, Kent OH 44240-5193**, at a cost not to exceed \$1,530.00.

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, Absent;

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RESOLUTION No. 09-0102

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RE: AUTHORIZING THE PORTAGE COUNTY ENGINEER TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S SODIUM CHLORIDE (ROCK SALT) CONTRACT 18 FOR THE 2009-2010 WINTER SEASON.

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

DATE SUBMITTED: _____

WHEREAS, the Portage County Engineer recommends that the Board of Commissioners authorize a participation agreement for the purchase of sodium chloride through the Ohio Department of Transportation. Effective period: twelve months from date of award, inclusive.

WHEREAS, Section 5513.01 (B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, materials, supplies, or other articles; now therefore be it

RESOLVED, that the Portage County Engineer is authorized to participate in the ODOT Sodium Chloride (Rock Salt) Purchasing Contract #18 on behalf of the Portage County Board of Commissioners; and be it further

RESOLVED, that the Portage County Engineer agrees to the terms of participation as follows:

1. To purchase a minimum of 80 percent up to 120 percent of the estimated salt tonnage requirements indicated below, exclusively from the vendor awarded the sodium chloride contract for the County in which said political subdivision is located.
2. To be bound by the terms and conditions of the contract.
3. To be responsible for payment directly to the vendor for the quantities purchased under the contract.
4. To hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to Ohio Revised Code Section 5513.01 (B).
5. Minimum Order – One (1) Truckload - 22 Tons without Piler/200 Tons with Piler

<u>Stockpile Locations</u>	<u>Stockpile Capacity</u>	<u>Tons Required (Estimated)</u>
5000 Newton Falls Road Ravenna, Ohio 44266	4,000 Tons	10,000 Tons

and be it further

RESOLVED, that participating Political Subdivisions are intended beneficiaries under this contract and are real parties in interest with the capacity to sue and be sued in their own name without joining the state of Ohio, Ohio Department of Transportation. By signing and returning this agreement, we will be bound to participate in this contract during the upcoming winter season, upon award of the contract to a successful vendor. As a participating Political Subdivision, we cannot change our position during this contract period. Termination of participation is effective upon the expiration date of the

contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor shall invalidate participation for the following winter season.

Political Subdivisions will be required to submit a new participation agreement form every year, indicating storage capacity and stating salt needs for the contract period.

(Authorized Signature and Title)

MICHAEL A. MAROZZI, P.E., P.S. – PORTAGE COUNTY ENGINEER

(Print Exactly as Signed Above)

PORTAGE

(County Location)

PORTAGE COUNTY ENGINEER

(Political Subdivision)

5000 NEWTON FALLS ROAD

(Street)

RAVENNA,

(City)

OHIO

(State)

44266

(Zip)

BRYAN R. FORD

(Contact Name Responsible for Ordering Salt)

(330) 296-6411

;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, Absent;

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RESOLUTION No. 09-0103

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RE:

AMEND RESOLUTION 08-1253, DATED DECEMBER 30, 2008, TO CHANGE AMOUNT OF RECORDER'S OFFICIAL BOND.

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

WHEREAS,

the Ohio Revised Code stipulates that County Elected Officials be bonded by a surety company and that the Bond amount be set by the Board of Commissioners; and

- WHEREAS,** the Board of Commissioners adopted Resolution No. 08-1253 on December 30, 2008 setting the Bond amount for the County Recorder at \$50,000, in accordance with the Recorder's request; and
- WHEREAS,** a review of the Bonds by Commissioners' staff showed a discrepancy between the Recorder's Bond No. 8864464 for \$25,000 and the Resolution amount set at \$50,000; and
- WHEREAS,** the Jack Kohl Agency has confirmed the Recorder's Bond amount at \$25,000; the Prosecutor's Office has confirmed the minimum/maximum Recorder's Bond amount required is \$10,000 in accordance with ORC Section 317.02; now therefore be it
- RESOLVED,** that the Board of Commissioners does hereby amend Resolution No. 08-1253 dated December 30, 2008 decreasing the Bond Amount for Portage County Recorder Bonnie Howe from \$50,000 to \$25,000, as per the January 3, 2005 Change Order for Bond No. 8864464, as presented by the Jack Kohl Agency; 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 was as follows:

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

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RESOLUTION No. 09-0104 - RE: ENTER INTO LICENSE AGREEMENT BETWEEN THE PORTAGE COUNTY COMMISSIONERS AND DOUG MCGEE AND BUDD CURFMAN FOR CHRISTIAN PRAYER

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

- WHEREAS,** the County owns property located at 203 W. Main St., Ravenna, Ohio known as the Portage County Courthouse; and
- WHEREAS,** Doug McGee and Budd Curfman wish to use the Courthouse outside steps, lawn and surrounding Courthouse grounds on Thursday, May 7th 2009 from 11:30 AM to 1:30 PM for Christian Prayer; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into a License Agreement between the Board and Doug McGee and Budd Curfman, P.O. Box 11211, Brady Lake OH 44211 for use of the Courthouse outside steps, lawn and surrounding Courthouse grounds on Thursday May 7th, 2009, from 11:30 AM to 1:30 PM for Christian Prayer; 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:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0105

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RE: ALLOW AUTOMATIC RENEWAL OF CONTRACT WITH MHM RESOURCES, INC. TO PROVIDE ADMINISTRATIVE SERVICES FOR THE PORTAGE COUNTY EMPLOYEE SECTION 125 FLEXIBLE SPENDING ACCOUNT (FSA) PLAN FOR 2009.

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

WHEREAS,

the original agreement between the parties was entered into by Resolution No. 07-0010 on January 4, 2007, and known as Portage County Contract No. 20070184 to provide third party administrative services in the processing of Section 125 Flexible Spending Account (FSA) Plan claims; and

WHEREAS,

the Original Contract automatically renews every twelve months if it has not been terminated, and

WHEREAS,

renewal fees for 2009 have been determined to be \$9,060 for administrative services, \$118,301 for employee elections for medical expense reimbursements and \$15,902 for employee elections for dependent care expense reimbursements; now therefore be it

RESOLVED,

that the Board of Portage County Commissioners does hereby agree to allow the agreement between the Board of Commissioners and MHM Resources, Inc. for the provision of FSA third party administrative services to automatically renew at an annual fee of \$143,263 for 2009; 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 §121.22 of the Ohio Revised Code.

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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It was moved by Christopher Smeiles, 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. 20070198 (the "Original Contract") on January 1, 2007 by Resolution No. 07-0072 to provide legal representation in the presentation of evidence in cases alleging the abuse, neglect or dependency of children pursuant to Ohio Revised Code 2151.40 and Juvenile Rule 29(E); and

WHEREAS, an Amendment No. 1 was entered into on February 19, 2008 through Resolution No. 08-0109; and

WHEREAS, an Amendment No. 2 was entered into on October 7, 2008 through Resolution No. 08-0957; and

WHEREAS, an Amendment No. 3 was entered into on January 29, 2009 through Resolution No. 09-0009; and

WHEREAS, the parties desire to amend the Original Contract to continue such services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into Amendment No. 4 between the Board of Commissioners, the Portage County Department of Job & Family Services and the Portage County Prosecuting Attorney for the time period from January 1, 2009 to December 31, 2009; and be it further

RESOLVED, that the parties mutually agree that the annual service cost of the agreement shall not exceed One hundred eighty-three thousand and 00/100 dollars (\$183,000.00); and be it further

RESOLVED, that the Portage County Prosecuting Attorney shall provide the Portage County Department of Job & Family Services with a monthly invoice reflecting the actual compensation of the assistant prosecuting attorneys assigned to represent the Portage County Department of Job & Family Services; 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:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0108

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RE:

ENTER INTO AMENDMENT NO. 1 BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY

WHEREAS, the Portage County Department of Job & Family Services is in need of Mental Health Consultation services for the Help Me Grow program of Portage County for families with children from birth to age three (3); and

WHEREAS, Requests for Qualifications were sent to eight (8) potential service providers; and

WHEREAS, One proposal was received, opened and tabulated on November 21, 2008 from Children's Advantage; 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, Ohio 44266, for the period February 1, 2008 through June 30, 2009, with a one (1) year extension option subject to funding availability; and be it further

RESOLVED, that the total amount of this Agreement is not to exceed Six thousand six hundred ninety-five and 94/100 dollars (\$6,695.94); 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:

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

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RESOLUTION No. 09-0110 RE: APPROVE SPECIFICATIONS AND SET BID DATE FOR PROVIDING A THREE YEAR BIOSOLIDS DISPOSAL CONTRACT FOR THE PORTAGE COUNTY WATER RESOURCES DEPARTMENT.

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

RESOLVED, that the bid specifications, as submitted for receiving bids for providing a three year biosolids disposal contract for the Portage County Water Resources Department be and hereby are approved; and be it further

For purposes of this policy, the term *unexcused absence* shall be defined as any absence from work that exceeds a full- or part-time employee’s available balance of sick leave, vacation time, compensatory time or personal time in a given pay period. Those hours not covered by sick leave, vacation time, compensatory time or personal time are hours for which the full-time employee will not be paid. The term *leave without pay* occurs when the employee has exhausted all of their paid time off available to them and continues to report off from work. The term *excessive* shall be based on the occurrence of an unexcused absence. It is the employee’s responsibility to track his/her leave balances and to request/take only that time which is available.

Attendance Tracking

Employees will be permitted to incur three unexcused absences during any twelve-month period. This twelve-month period will be calculated as a rolling twelve-month period measured backward from the date the employee incurs an unexcused absence. If the employee incurs a fourth unexcused absence during any rolling twelve- month period, his/her employment will be terminated.

Disciplinary Action

Disciplinary action shall be administered as follows:

First occurrence of an unexcused absence in a rolling twelve-month period	Verbal Warning reduced to Writing
Second occurrence	Written warning, with employee being advised that the next offense will result in a suspension
Third occurrence	Three Day Suspension without Pay
Fourth Occurrence	Termination

The Director reserves the right in all cases to determine if disciplinary action is appropriate; 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:

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

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RESOLUTION No 09-0112 - RE: ACCEPT THE OHIO DEPARTMENT OF DEVELOPMENT'S, GRANT AWARD FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ON BEHALF OF COUNTY FIRE PROTECTION

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

WHEREAS, the Portage County Board of Commissioners adopted Resolution 08-1161 on December 2, 2008 and approved an application for the 2008 Community Development Block Grant Program in an amount not to exceed Two Hundred Thirty Five Thousand Dollars and No Cents(\$235,000) committing Two Hundred Twenty Five Thousand Dollars and No Cents (\$225,000) of the award to County Fire Protection Inc. in the form of a loan, and Ten Thousand Dollars (\$10,000) of award funds to Neighborhood Development Systems for the administration of the grant; and

WHEREAS, the Portage County Board of Commissioners received an award letter from the Ohio Department of Development's Office of Housing and Community Partnerships awarding Portage County One Hundred Ninety Thousand Dollars (\$190,000), One Hundred Eighty Five Thousand Dollars (\$185,000) for the purpose of direct assistance to County Fire Protection Inc, and Five Thousand Dollars (\$5,000) for administrative costs; and

WHEREAS, Five Thousand Dollars (\$5,000) is needed from the Portage County Economic Development Revolving Loan Fund to bridge the gap between the Ten Thousand Dollars (\$10,000) of Administrative costs requested in the grant application and the Five Thousand Dollars (\$5,000) of administrative costs awarded by the Ohio Department of Development, now therefore be it;

RESOLVED, the Board of Portage County Commissioners accepts the 2008 Community Development Block Grant, grant number B-E-08-062-1 in an amount of One Hundred Ninety Thousand Dollars and No Cents (\$190,000) with the grant period beginning January 16th, 2009 and ending March 16th, 2010; and be it further

RESOLVED, that the Board of Commissioners commits \$5,000 of the Economic Development Revolving Loan Fund to this project; and be it further

RESOLVED, that the Board of Commissioners agrees that the grant will be administered and implemented by the Neighborhood Development Services Inc. (NDS, Inc.); and be it further

RESOLVED, Portage County agrees to comply with all State and Federal Regulations and Guidelines in the administration and implementation of these funds and designate the President of the Portage County Board of Commissioners, or his/her designee, as the Chief Elected Official to sign all necessary documents in connection with this grant; and be it further

2. Invitation from the Aurora Historical Society Inc. for a dinner meeting on Thursday, February 19, 2009, 6:00 PM, Independence Village of Aurora.
3. Invitation from Robinson Memorial Hospital for the HealthGrades Distinguished Hospital for Clinical Excellence Award Ceremony on Tuesday, February 24, 2009, 5:00 PM at the Robinson Medical Arts Building Abraham Family Room 150.

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INCOMING CORRESPONDENCE

DISCUSSION

February 5, 2009

1. Discussion: Sheriff’s Department collective bargaining agreement. Commissioner Keiper to contact Attorney Habowski/Bring back on 2/10/09
2. Does the Board wish to attend the Northern Portage Council of Governments meeting on Monday, February 23, 2009 at 8:00 AM at the Mantua-Shalersville Fire Department/Add to the calendar and Board of Commissioners will attend if their calendars allow.
3. The Board of Commissioners received a Public Notice to consider whether to issue or deny a Clean Water Act Section 401 Certification for the SR 43 upgrade project as presented by the Ohio EPA. Written comments requested within 30 days/Forward to Harold Huff for comment.
4. January 28, 2009 correspondence from Chris Korleski, Ohio EPA, regarding water quality project for economic stimulus assistance in 2009. Electronic replies requested by Friday, February 13, 2009/Forward to Harold Huff and Dan Banks for review and comment.
5. Discussion: Draft resolution to authorize the adoption of the model system of preferences and amending the current Portage County procurement status and regulations to reflect the model system of preferences/Board of Commissioners agreed not to move forward with the adoption of this resolution.

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JOURNAL ENTRIES

February 5, 2009

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending February 1, 2009, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$650.00 in Court Donations.
2. Board of Commissioners’ signature requested on the purchase requisition for Hirst Construction for the installation of sewer lateral for homeowner, Christine Skiba for \$ 2,307 as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor with comments noted.
3. Board of Commissioners’ signature requested on the purchase requisition for Hirst Construction for the installation of sewer lateral for homeowner, Christine Skiba for \$ 93.00 (balance of B-F-07 funds) as requested by the Regional Planning Commission. The B-F-07-062-1 Formula Grant Activity #05

Home/Building Repair is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor with comments noted.

4. Board of Commissioners' authorization requested to have Commissioner Keiper sign the Ohio Community Development Block Grant Program Final Performance Report for January 1, 2006-August 29, 2008 for Grant No. B-M-05-062-1 as presented by the Kent Regional Business Alliance. Documents reviewed by Carol Kurtz, Internal Auditor noting the report appears to be appropriate and complete.

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REFERRED

February 5, 2009

1. The Board of Commissioners received a Motion to Continue for the Portage County Board of Commissioners and Barbicas Construction Company vs. Deer Crossing Estates LLC et al as presented by the Portage County Common Pleas Court. Referred to Denise Smith.

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INFORMATION ONLY

February 5, 2009

1. January 30, 2009 correspondence from Evelyn Beeman, Regional Planning Commission, regarding technical assistance hours available as of January 1, 2009.
2. January 24, 2009 correspondence from Shirley Mars, Leadership Portage County, thanking Commissioner Keiper for his participation. (NOTE: Comment section included suggested changes for next year.)
3. January 30, 2009 correspondence from Christine Bluso, Friends of Cleveland School of the Arts, including the 2008-2009 Annual Message to the Community booklet and a request for support of the Cleveland School of the Arts.

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Journal Entries

February 5, 2009

Motion by Christopher Smeiles, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending February 1, 2009, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners also acknowledged the receipt of \$650.00 in Court Donations.
2. The Board of Commissioners signed the purchase requisition for \$2,307 for Hirst Construction of Ravenna for the installation of a sewer lateral for homeowner Christine Skiba, 1735 Luke Drive, Streetsboro, as presented by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor with comments noted.
3. The Board of Commissioners signed the purchase requisition for \$93.00 (balance of B-F-07 funds) for Hirst Construction of Ravenna for the installation of a sewer lateral for homeowner Christine Skiba, 1735

Luke Drive, Streetsboro, as presented by the Regional Planning Commission. The B-F-07-062-1 Formula Grant Activity #05 Home/Building Repair is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor with comments noted.

4. The Board of Commissioners authorized Commissioner Keiper to sign the Ohio Community Development Block Grant Program Final Performance Report for January 1, 2006-August 29, 2008 for Grant No. B-M-05-062-1, as presented by the Kent Regional Business Alliance. Documents reviewed by Carol Kurtz, Internal Auditor noting the report appears to be appropriate and complete.
5. The Board of Commissioners agreed to purchase office furniture for the Portage County Sheriff in an amount not to exceed \$5,005 from Kent Office Supply (dba M.O.M.S.). The Board of Commissioners noted that an insurance claim brought in \$3,500 for the replacement of the furniture ruined when the sprinkler head broke. The Board of Commissioners agreed to authorize the purchase of new furniture for the Sheriff pending receipt of the request in writing.
6. The Board of Commissioners accepted the November 15, 2008 proposal from the Art Armory of Kent for the layout and production of the 2008 Annual Report for a total of \$9,800, as presented by the Executive Assistant.
7. After meeting today with Portage County Building Department CBO Bob Wrentmore and General Services Director Jim Manion, the Board of Commissioners authorized the CBO to work with the Portage County Prosecutor's Office to create an agreement to allow the Portage County Building Department to provide building services for the City of Ravenna to include accepting applications for new, additions and alterations for residential and non-residential construction projects, provide plan review, collect fees and issue permits, conduct inspections, and issue occupancy certificates.

Commissioner Frederick 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 **February 5, 2009**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Charles W. Keiper II to adjourn the official meeting at **2:00 PM**. Commissioner Frederick absent, motion carries.

Charles W. Keiper II, President

ABSENT
Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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