

**Tuesday, February 17, 2009**

The Board of County Commissioners met in regular session on **Tuesday, February 17, 2009 at 9:50 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

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Absent: Commissioner Keiper out of the office

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the February 12, 2009 meeting. Commissioner Keiper absent, motion carries

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

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**DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis

Resolutions

1. General Fund Amendments to the Annual Appropriation Resolution:
  - a. Commissioners Other, Supplemental – FireCom Grant Fund 1260/09-0138
2. Other Funds Amendments to the Annual Appropriation Resolution/09-0139
  - a. Fund 1260, Small City CDBG (NDS) – Supplemental, ADM Fees County Fire Protection Grant
  - b. Fund 1410, Job and Family Services – Supplemental, Projected Need
3. Resolution for FireCom/09-0140

Other

4. Discussion Memos:
  - a. EMA – Director – Payment for two Metal Detectors will be transferred from the General Fund to the Department of Security.
  - b. The Director will review the documents associated with the purchase of the Freedom Secondary Line to determine what debt, if any, is associated with that purchase.

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**PROSECUTOR**

Present: Denise Smith

**Indigent Defense Payments**

The Judges are presenting cases for payment for Juvenile Court cases, which are not reimbursed by the state. Commissioners' staff is holding those until the Prosecutor can determine how to proceed.

**Health Department Request for resolution**

The Health Department asks the Board of Commissioners for a resolution for an additional levy issue for the May ballot, which is due to the Board of Elections by 4:00 PM on 2/19/09.

Resolution 09-0141, adopted today, asks the Auditor to provide certification in anticipation of this resolution, which the Board of Commissioners will consider on 2/19/09.

**9-1-1 Planning Committee Work Session**

Journal Entry appointing Commissioner Frederick as the designee for the 911 Planning Committee should Commissioner Keiper be unable to attend.

**Streetsboro water agreement - Leigh Prugh**

The Mayor hopes to get this issue in front of Council ASAP. Commissioner Smeiles asked Attorney Leigh Prugh to make minor changes to the current agreement.

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**Prosecutor's Correspondence**

- 1. February 9, 2009 correspondence from Denise Smith to Ted Zawadski, Robinson Memorial Hospital, regarding Deed Restrictions for Streetsboro Medical Office Building/Information only.

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**MOTOR POOL**

Present: Joe Dillon, JoAnn Townend

**Sheriff's Vehicles**

JoAnn Townend advised that the Sheriff wants to purchase one 4-wheel drive vehicle and two (2) Dodge Chargers for his fleet. Director Dillon inventoried and evaluated the Sheriff's vehicles and presented a list of vehicles rated by condition. Mr. Dillon noted that he is comfortable getting 200,000 miles on a Crown Victoria, in most cases. Mr. Dillon discussed the policy of one car per person for a shift versus one car driven by more than one person round the clock noting that a car used round the clock will wear out faster because of the wear and tear on the vehicle. If a car used round the clock goes down, it must be repaired immediately.

The Director noted that in function and efficiency, the shop is set up for Crown Vics and not for Chargers. The horsepower and efficiency in the V6 Charger and V8 Crown Vic are the same. The Board noted that Mr. Dillon has used parts for the Crown Vics, the Charger is not large enough for larger prisoners, and Director Dillon recommended that the Board approve the purchase of Crown Vics rather than the Dodge Chargers. JoAnn Townend noted that the price is \$20,183.50 for a new Crown Vic and \$20,200 for a new Charger. The Chargers are not police option vehicles and do not carry the heavy duty packages required for police pursuit. JoAnn Townend noted that the Board bought a Chevy Uplander and a Chevy van for prisoner transport last year. Director Dillon advised that the county puts more money into Jeeps at a lower mileage than into Chevy trucks. The Sheriff needs a used 4-wheel vehicle to tow boats etc. The Board of Commissioners authorized Director Dillon to work with Major Kelly on the purchase of a 4-wheel drive truck with a cargo bed and two new or used vehicles with a police package.

The Board of Commissioners accepted Director Dillon's recommendations regarding the purchase of Crown Victorias over Chargers/Journal Entry.

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Director Dillon advised that he and his staff have made huge improvements to service on county vehicles. Each of the workers has brought their own tools in and Mr. Dillon's father allows him to use a diagnostic scan tool without charge. JoAnn Townend noted that the Motor Pool now needs to purchase large ticket items from the Internal Services fund. Director Dillon added that the garage is not now a full-service garage without the large ticket items. Certain repairs are sent out to different garages. For example, the purchase of a tire rotation machine would eliminate the need to send out all vehicles for tire rotation. He presented the Board of Commissioners with a list of his recommendations and suggestions as to how to make the facility more functional. Commissioner Smeiles asked the Director to check to see if county can lease the diagnostic scanner.

If the Board of Commissioners wants the staff to remain certified, training should continue. JoAnn Townend noted that the Board of Commissioners hired mechanics with certification so that they could perform jobs that were being sent out. The newest hire is certified in diesel engines, which will eliminate the need to send those vehicles out for service.

The Board agreed that JoAnn Townend should work on getting hot water, a sink and shelving in the facility as soon as possible.

Director Townend also noted that there are eight (8) cars that cannot be repaired to send to auction, which will bring in some funds.

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After discussing county vehicle damage by drivers, the Commissioners agreed that the Human Resources Department should send a clear message to Departments and Elected Officials about always filing accident reports for incidents in County vehicles.

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**WATER RESOURCES**

Present: Harold Huff, Jeff Lonzrick

1. Resolution- Authorizing the preparation of plans, specifications and estimate of cost for Project No. FR-2 (09-030), Twin Lakes Effluent Discharge to Cuyahoga, in the Portage County Regional Sewer District, Franklin Township/09-0135. Commissioner Smeiles asked that the Water Resources Department investigate what it would take to treat the effluent in-house versus sending it out.
2. Resolution- Extension of drug and alcohol testing consortium agreement between Robinson Health Affiliates Inc. & the Portage County Water Resources/09-0136.
3. Resolution- Accept bid and award contract in the Portage County Regional Sewer District, Project No. SH-W (08-110), Shalersville WTP Generator Improvements/09-0137.
4. Signatures- Private request to waive sanitary sewer connection fees/Journal Entry.

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**COUNTY ENGINEER**

Present: Mickey Marozzi, Attorney Denise Smith

**Discussion of the Crain Avenue Bridge Memorandum of Understanding**

The County Engineer is meeting with the Board of Commissioners today to discuss the Board authorization of the execution of a Memorandum of Understanding between the City of Kent and the County for the terms and conditions of payment of the design and construction costs associated with the Crain Avenue Bridge project. There have been a variety of cost increases to the project, which Mr. Marozzi detailed for the Commissioners. The final agreement will come to the Commissioners once ODOT has determined final costs. The Board of Commissioners would adopt a resolution to enter into this MOU, once it is reviewed and finalized by the Prosecutor's Office and City of Kent.

There were substantial project cost increases in November 2008 when ODOT reviewed and adjusted the construction cost estimate. The prior cost estimate received with the draft MOU was for \$13.4 Million; the ODOT revised estimate received in November 2008 was \$15.3 Million; a \$2.1 Million increase without federal funding. The current construction cost estimate is \$18.7 Million, which includes the contingency, ODOT construction administration fees and railroad fees. The County Engineer presented the January 2009 funding splits sheet showing the Local share County cost (unpaid) at \$2.8 Million, with about \$700,000 Million in design fees and \$2.1 Million in construction.

The Engineer outlined the funding considerations at this time:

1. He has been putting revenues aside for four years to fund this project. The prior max cap local County funding for the project was \$1.5 Million; ODOT's revised estimate for the construction cost as of November 2008 was significantly increased and the Engineer is short about the \$600,000 in local share.
2. This project is eligible and a prime candidate for stimulus funding. If received, funding issues will be resolved and the project can be funded out of current revenues.
3. The bidding climate right now is very favorable. The local share cost for the project would be reduced significantly if there is a bid under the estimate by as much as 5-10%.
4. The Engineer recently learned that it may be possible to receive additional LBR (Local Bridge Program) federal funds by pushing back one of Portage County's other federally funded projects. The Engineer is working through the CEAO to determine if this can work. The Engineer noted that he does not want to push back other county projects.
5. Lastly, if everything goes the "wrong way", the Engineer will likely be short on the local share funding starting next year. He asked if the Board of Commissioners would consider making a direct contribution to the project or at a minimum loaning him up to the \$600,000 increase in cost. He asked that the loan be interest free with five (5) years to pay back.

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**RESOLUTION No. 09-0132 - 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 February 17,









**WHEREAS,** the notice of accepting bids was advertised in the Record Courier Newspaper on January 5 and January 12, 2009; and

**WHEREAS,** twelve potential bidders received plans and specifications for the PROJECT; and

**WHEREAS,** this Board received ten sealed bids for the PROJECT on February 4, 2009, original bid date of January 28 delayed per addendum, as named below; and

Emery Electric	\$ 120,750.00
Martell Electric	\$ 129,601.50
New Creation Builders	\$ 131,250.00
Cook Paving & Construction	\$ 138,048.75
B & J Electric of Poland	\$ 144,192.30
S & M Electric	\$ 147,220.50
Valley Electrical	\$ 163,574.25
Joe Dickey Electrical	\$ 165,504.15
Thompson Electric	\$ 177,266.25
Lake Erie Electric	\$ 204,712.20

**WHEREAS,** based upon his analysis of the bid received (bid tabulation attached), the Portage County Water Resources has made a recommendation for award; and

**WHEREAS,** that the alternate bid deduction of \$15,752.00 for nonmetallic conduit, has been submitted and evaluated; now therefore be it

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

Section 1. That this Board hereby awards the PROJECT to the responsive bid of Emery Electric, 2080 Case Parkway South, Twinsburg OH 44087, in the bid amount of \$104,998.00.

Section 2. That this Board hereby authorizes Portage County Water Resources to accept the alternate bid deduct for the amount of \$ 15,752.00.

Section 3. That the Water Resources is hereby authorized and directed to issue the Notice Of Award to the contractor named in Section 1 in the amount of \$104,998.00.

Section 4. That the funds to cover the cost of the PROJECT are available in the "Shalersville WTP Generator Improvements", Fund 540040W6 685000 08110.

Section 5. That the Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Auditor and the Department Of Financial And Information Management within 15 days after its passage.

Section 6. 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:

Charles W. Keiper II, Absent;	Maureen T. Frederick, Yea;	Christopher Smeiles, Yea;
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RESOLUTION No. 09-0139

RE: AMENDMENT TO THE NON GENERAL FUND  
2009 ANNUAL APPROPRIATION RESOLUTION  
NO. 08-1182 ADOPTED DECEMBER 11, 2008

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

**RESOLVED,** that it has become necessary to amend the Non General Fund 2009 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below,

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1260 Small City CDBG (NDS)</b>		
<b>001 Commissioners</b>		
12604 Small City CDBG (NDS) CS	190,000	0
<b>MEMO TOTAL</b>	<b>\$ 190,000</b>	<b>\$ -</b>

Note: ADM FEES COUNTY FIRE PROTECTION GRANT

<b>Fund: 1410 Job And Family Services</b>		
<b>051 Job And Family Services</b>		
14103 Job & Family Services Fringes	0	69,000
14104 Job & Family Services CS	0	186,000
14105 Job & Family Services MS	0	45,000
1410D Job & Family Service Full Time	0	200,000
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 500,000</b>

Note: Projected need

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<b>\$ 190,000</b>	<b>\$ 500,000</b>
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and be it further,

**RESOLVED,** that a certified copy of this resolution be filed with the 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 as Follows:

Charles W. Keiper II, Absent;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0140 - RE: CASH ADVANCE - FROM FUND 0001, GENERAL FUND TO FUND 1260, SMALL CITY CDBG NDS**

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

**WHEREAS,** Fund 1260 is in need of interim cash until grant revenues are received; now therefore be it  
**RESOLVED,** that the following cash advance be made in the amount of \$ 190,000.00:

**FROM:**  
0001, GENERAL FUND  
 ORGCODE- 00100009  
 Debit Expense Account  
 Object 920000 - Advances-Out \$ 190,000.00

**TO:**  
1260, SMALL CITY CDBG NDS  
 ORGCODE -12600012  
 Credit Revenue Account  
 Revenue Source 290000 - Advances-In \$ 190,000.00

and be it further

**RESOLVED,** that the cash advance will be repaid when grant revenues are received; and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, and the Department of Budget & Financial Management, 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. 09-0141 - RE: PLACEMENT OF FOUR-TENTHS (0.4) MILL ADDITIONAL TAX LEVY ON MAY 5, 2009 PRIMARY ELECTION BALLOT FOR THE BENEFIT OF THE PORTAGE COUNTY COMBINED GENERAL HEALTH DISTRICT.**

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

**WHEREAS,** after its February 17, 2009 Board meeting, the Board of Health of the Portage County Combined General Health District will certify to the Portage County Board of Commissioners that the amount of money necessary to meet the expenses of its General Health District will not be forthcoming to the Board of Health of such district out of the district health fund due to insufficient amount generated by the ten-mill limitation; and

**WHEREAS,** the Board of Health of the Portage County Combined General Health District, in accordance with Section 5705.191, 5705.25, and 3709.29 of the Ohio Revised Code, requests that the Portage County Board of Commissioners place on the ballot at the next Primary Election, which is to occur on May 5, 2009, an additional four-tenths (0.4) mill for the current expenses of the Portage County Combined General Health District for the tax years 2009, 2010, 2011, 2012, and 2013; now therefore be it

**RESOLVED,** that the Board of Commissioners finds and determines that the amount of money necessary to meet the expenses of the General Combined Health District will not be forthcoming to the Board of Health of such district out of the district health fund because the taxes gained from the ten-mill limitation will be insufficient; and be it further

**RESOLVED,** that the Board shall certify the following language to the Board of Elections, Portage County, Ohio for placement on the ballot at the next primary election on May 5, 2009:

**“An additional tax for the benefit of THE PORTAGE COUNTY GENERAL HEALTH DISTRICT for the purpose of PROVIDING FUNDS FOR THE CURRENT EXPENSES OF THE PORTAGE COUNTY GENERAL HEALTH DISTRICT at a rate not exceeding FOUR-TENTHS (0.4) MILL for each one dollar of valuation, which amounts to FOUR CENTS (\$0.04) for each one hundred dollars of valuation, for five years, commencing in 2009, first due in calendar year 2010”;**

;and be it further

**RESOLVED,** that the Board of Commissioners shall deliver a certified copy of this resolution to the Board of Elections no later than 4 o'clock PM on February 19, 2009; and be it further

**RESOLVED,** that the Portage County Auditor is to certify the tax valuation and funds to be generated by the four-tenth addition; and be it further

**RESOLVED,** that the aforementioned four-tenth levy shall be placed on the tax list for the tax years 2009, 2010, 2011, 2012 and 2013; 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, Absent;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTIONS**

February 17, 2009

1. Approval of Meeting Minutes from the February 12, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor/09-0132.
3. Approve the Journal Vouchers as presented by the County Auditor/09-0133.
4. Approve the Then & Now as presented by the Portage County Auditor/09-0134.

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**INVITATIONS/MEETING NOTICES**

February 17, 2009

1. Invitation from Robinson Memorial Hospital for the Official Presentation of the 2009 Health Grades Distinguished Hospital for Clinical Excellence Award to Robinson Memorial Hospital on Tuesday, February 24, 2009, 5:00 PM, Abraham Family Room, RMAB 150, Robinson Medical Arts Building.
2. Invitation to The Maplewood Breakfast Series next meeting – Portage County’s Emergency Plan on Wednesday, February 25, 2009, 7:30 AM in the Maple Leaf Restaurant.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

February 17, 2009

1. February 10, 2009 memo from Todd Peetz, Regional Planning Commission, regarding the 2009 Formula Grant Application/Board of Commissioners to discuss with Mr. Peetz when he meets with them next week.
2. February 10, 2009 correspondence from Judge Pittman regarding the entrance gate in the rear of the Ravenna Courthouse/Director of Maintenance Tim Miller advised on February 13, 2009 that the gate was reported down on February 4, 2009 and fixed on February 10, 2009 when the necessary part was delivered.

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**JOURNAL ENTRIES**

February 17, 2009

1. In accordance with the ORC Section 325.07, the Portage County Board of Commissioners received the Corrected Transportation of Prisoners Report for January 2009 as presented by the Portage County Sheriff’s Department. Forwarded to the Internal Auditor for review.
2. The Board of Commissioners received the Monthly Portfolio Report for January 2009 as presented by the Portage County Treasurer.

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**INFORMATION ONLY**

February 17, 2009

1. February 10, 2009 memo from Karen U’Halie, Human Resources, including a revision to Section 22 (A): Paid Leaves of Absence Portage County Commissioners’ Personnel Policy Manual.
2. February 10, 2009 e-mail from Lt. Governor Lee Fisher, regarding the Ohio Federal Economic Stimulus Plan website.

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**Journal Entry**  
February 17, 2009

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

1. In accordance with Ohio Revised Code Section 325.07, the Portage County Board of Commissioners received the Corrected Transportation of Prisoners Report for January 2009, as presented by the Portage County Sheriff. Forwarded to the Internal Auditor for review.
2. The Board of Commissioners received the Monthly Portfolio Report for January 2009, as presented by the Portage County Treasurer.
3. The Board of Commissioners accepted the recommendation of Water Resources Department Director Harold Huff and approved the request from Kathy and Raul Corea to waive sanitary sewer connection fees of \$8,155.00 at 3666 Waterloo Road in Randolph Township, contingent upon their purchase of that residence. The Commissioners noted that this will be an owner-occupied residence and that approvals for any other existing homes located on this gravity system will be considered on a case-by-case basis.
4. The Board of Commissioners appointed Commissioner Frederick as the alternate on the 9-1-1 Planning Committee to serve if the Board President is unavailable.
5. After meeting today with Internal Services Director JoAnn Townend and Motor Pool Director Joe Dillon, the Board of Commissioners authorized the purchase of one 4-wheel drive utilitarian vehicle, possibly with a cargo bed, and two new or used Crown Victorias with a police package for the Sheriff’s Department.

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 **February 17, 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 12:27 PM. Commissioner Keiper absent, motion carries.

<p>ABSENT Charles W. Keiper II, President</p>	<p>Maureen T. Frederick, Vice President</p>
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<p>Christopher Smeiles, Board Member</p>	<p>Deborah Mazanec, Clerk</p>
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