

**Tuesday, February 24, 2009**

The Board of County Commissioners met in regular session on **Tuesday, February 24, 2009 at 9:55 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 meeting minutes of the February 19, 2009 meeting. Commissioner Keiper absent, motion carries

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Commissioner Keiper absent, attending the 13th Annual Ohio Energy Management & Restructuring Conference with NOPEC.

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

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**PROSECUTOR**

Present: Denise Smith

**Review of Prosecutor's Pending List**

1. Attorney Smith advised that the Board of Commissioners may sign the Farm Service Agency FSA-155 for Blair Kotkowski, noting that the intent of this form is to indicate to the FDA that the crop land is part of a farming operation that, in total, is large enough to meet the federal criteria necessary to receive money that comes from the federal government. The signature is to a certification that the information on the form is correct./Journal Entry
2. The Board of Commissioners agreed to remove from the pending list the cases: Portage County Common Pleas Civil Complaint US Bank GMAC Mtg LLC and Portage County Common Pleas Civil Complaint JP Morgan Chase Bank, which are both Neighborhood Development Services foreclosures.

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**Prosecutor Correspondence**

February 24, 2009

1. February 13, 2009 correspondence from Denise Smith, regarding a license agreement for use of the Courthouse Lawn for Christian prayer/Information only
2. February 17, 2009 correspondence from Leigh Prugh to John Montello, City of Streetsboro, regarding the draft water agreement between Streetsboro and Portage County/Information only.
3. February 19, 2009 confidential e-mail from Denise Smith, regarding an appellate court order for State of Ohio vs. Frank Dengg Jr./Clerk to draft a letter to Judge Plough.

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Commissioner Frederick asked Denise Smith what the Board of Commissioners' obligation is when funding the Regional Planning Commission. Attorney Smith responded that the Board of Commissioners is obligated to pay their pro-rated share as a member of the Regional Planning Commission.

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Glenda Enders, Board of Elections, has asked that in lieu of the customary \$250.00 retirement gift she be given the old bench that was in the smoke shack. Attorney Smith advised that the Board of Commissioners may give the bench to Ms. Enders, if they so desire.

The Board of Commissioners agreed that JoAnn Townend should prepare the resolution necessary to declare this bench excess and/or obsolete and give it to Ms. Enders as her going away gift.

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The Commissioners noted that the County Auditor has asked for authorization to hire outside counsel for tax advice and wondered if a CPA could be hired instead. Attorney Smith responded that only an attorney can give legal advise.

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**DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis

Resolutions

1. General Fund Amendments to the Annual Appropriation Resolution:/09-158
  - a. Commissioners Other, Supplemental & Transfer – BOC External Agency Alloc c/o, Insurance Claim for Elevator Repair, and BOC Appr 2-12-09 J/E #15
  - b. Building Security, Transfer – BOC Appr 2-12-09 J/E #15
  - c. Sheriff's Department, Supplemental – Declare Necessity 2 Vehicles
  - d. Public Defender Commission, Supplemental – BOC Resol. 09-0080 PD Legal
  
2. Other Funds Amendments to the Annual Appropriation Resolution:/09-159
  - a. Fund 1201, Motor Vehicle and Gas Tax – Supplemental, Crain Avenue Design
  - b. Fund 1262, Chip CDBG – Supplemental, New Grant
  - c. Fund 1263, Chip Home – Supplemental, New Grant
  - d. Fund 1271, RLF CDBG – Supplemental, 09 Budget Adjustment
  - e. Fund 1272, RLF Section 17 – Supplemental, 09 Budget Adjustment
  - f. Fund 1273, RLF Foreclosure – Supplemental, 2009 Budget Adjustment
  - g. Fund 1274, RLF Home Rehab – Supplemental, 2009 Budget Adjustment
  - h. Fund 1275, RLF CDBG Economic Development – Supplemental, 2009 Budget Adjustment and KBA RLF & CHIP Grant
  - i. Fund 1330, Dog and Kennel – Transfer, To Cover New PT Employee
  - j. Fund 1364, Child Health Grant – Supplemental, Projected Need
  - k. Fund 1491, Family Community SVS Po Co Inc – Supplemental, Adjustment for 09 Grant
  - l. Fund 4209, Tallmadge Rd Bridge Replacement – Supplemental, To Cover Remaining Costs
  - m. Fund 4211, Tallmadge Bridge EDI 16 CH18L – Supplemental, To Cover Remaining Costs

- n. Fund 5200, PCS General Administration – Supplemental & Transfer, To Move Budget to Where Needed
  - o. Fund 5400, PCW General Administration – Transfer, To Move Budget to Where Needed
  - p. Fund 5440, PCW OWDA 1988 – Supplemental, To Close Debt Fund
  - q. Fund 5600, Sts General Administration – Transfer, To Move Budget to Where Needed
  - r. Fund 5704, Sts Generator – Supplemental, Close Construction Fund
  - s. Fund 6800, Storm Water Management – Supplemental, PERS for M. Marozzi
  - t. Fund 7002, Central Vehicle Maintenance – Transfer, Transfer to Overtime Line
3. Transfer from Fund 0001, General Fund to Fund 1166, EMPG Homeland Security Grant/09-160

Other

4. Journal entry approval(s):
- a. Processing Local Match – Portage Soil & Water Conservation District – Storm Water, PH II
  - b. Processing Annual Contribution – Portage County Park District
  - c. Processing Annual Contribution – Portage County Park District
  - d. Processing Annual Contribution – Portage County Regional Planning Commission
  - e. Processing Local Match – Portage Soil & Water Conservation District
  - f. Processing Local Match – Portage Soil & Water Conservation District – Storm Water Specialist Grant
5. Discussion Memos:
- a. The Director presented the supporting documents for the Freedom Secondary Railroad Timeline Summary/The Board of Commissioners agreed to meet with city officials in September to discuss the UDAG loan (through the City of Ravenna as an RLF) to request that the city forgive this loan. The Director will contact the County Auditor to discuss this issue.
  - b. Commissioner Frederick advised the Director that State Representative Steve Dyer told her that the federal government Medicaid reimbursement rate will be higher effective July 1, 2009.

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**RESOLUTION No. 09-0149 - 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 24, 2009 in the total payment amount of **\$654,875.31 for Funds 0001-8391** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further



**RESOLUTION No. 09-0151 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

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

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

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

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

**RESOLVED,** that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$76,567.58** as set forth in Exhibit "A" dated **February 24, 2009** shall be paid; and be it further

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

Voice Vote as Follows:

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

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**RESOLUTION No. 09-0152 - RE: RESCIND RESOLUTION 09-0102 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 Maureen T. Frederick that the following Resolution be adopted:

**WHEREAS,** the Portage County Board of Commissioners, by Resolution 09-0102 adopted on February 5, 2009, authorized 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; and



1. To purchase an estimated salt tonnage, indicated below, exclusively from the vendor awarded the rock salt 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 be responsible for resolving disputes arising out of participation in the contract and, to the extent allowable under Ohio law, hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in the 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,**

by executing this agreement and providing an estimated tonnage, the Political Subdivision recognizes that Contract 18 will contain a minimum/maximum provision, as determined by the Director at the time of bid but will not exceed 80/120 respectively, for which the Political Subdivision will be responsible; 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 or comply with the terms of this contract may 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.

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*(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, OHIO 44266  
*(City) (State) (Zip)*

BRYAN R. FORD (330) 296-6411  
*(Contact Name Responsible for Ordering Salt)*

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, Absent; Maureen T. Frederick, Yea; Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0154 - RE: DECLARE THE NECESSITY TO PURCHASE VEHICLES FOR USE BY THE PORTAGE COUNTY SHERIFF'S OFFICE**

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

**WHEREAS,** pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to purchase two (2) 2009 Ford Crown Victoria, police pursuit vehicles, for use by the Portage County Sheriff's office; and

**WHEREAS,** the purchase of the vehicles will be made from State of Ohio contract no. #RS903908; and

**WHEREAS,** the estimated cost of the each vehicle is Twenty thousand, four hundred ninety-eight and 50/100) \$20,498.50, now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners declares it necessary to purchase two (2) 2009 Ford Crown Victoria, police pursuit vehicles, for the Portage County Sheriff at the



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

**WHEREAS:** the Economic Development Administration has designated the NEFCO region as an Economic Development District (EDD) based on the incidence of unemployment rates; and

**WHEREAS:** the EDA requires the submittal of the NEFCO Comprehensive Economic Development Strategy Report to maintain Economic Development District designation and eligibility for EDA funding; now therefore be it

**RESOLVED:** that the Portage County Board of Commissioners does hereby approve and support the Northeast Ohio Four County Regional and Development Organization and will continue to participate in the NEFCO Economic Development District Program; and be it further

**RESOLVED:** that the Portage County Board of County Commissioners hereby concurs with and approves of the goals and objectives of the 2009 - 2010 NEFCO Comprehensive Economic Development Strategy; 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, Absent; Maureen T. Frederick, Yea; Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0157 - RE: APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST, AND SETTING THE DATE AND TIME FOR ACCEPTANCE OF BIDS FOR THE CONSTRUCTION OF PROJECT NO. PC (09-010), COUNTY WIDE LINE MAINTENANCE PROGRAM, CLEANING AND JET FLUSHING, ZONE 3 - FRANKLIN HILLS, BOLINGBROOK, RED FOX, IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT; FRANKLIN, SHALERSVILLE AND RAVENNA TOWNSHIPS.**

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

**WHEREAS,** pursuant to authorization by the Board, the County Water Resources has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No. PC (09-010), County Wide Line Maintenance Program, Cleaning And Jet Flushing, Zone 3 - Franklin Hills, Bolingbrook, Red Fox, hereinafter referred to as the



RESOLUTION No. 09-0158

RE: AMENDMENT TO THE GENERAL FUND 2009 ANNUAL APPROPRIATION RESOLUTION NO. 08-1181 ADOPTED DECEMBER 11, 2008

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

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

		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 0001 General Fund</b>			
<b>010 Commissioners Other</b>			
00104	Commissioner Other CS	213,757	1,904
00107	Commissioner Other OE	0	105,640
00108	Commissioner Other DE	177,000	0
00109	Commissioner Other ME	73,000	0
<b>MEMO TOTAL</b>		<b><u>\$ 463,757</u></b>	<b><u>\$ 107,544</u></b>

Note: BOC External Agency Alloc C/Insurance Claim for Elevator Repair, BOC Appr 2-12-09

<b>015 Building Security</b>			
00155	Building Security MS	9,840	0
<b>MEMO TOTAL</b>		<b><u>\$ 9,840</u></b>	<b><u>\$ -</u></b>

Note: BOC Appr 2-12-09 JE #15

<b>700 Sheriff's Department</b>			
07006	Sheriff-General Admin CO	41,000	0
<b>MEMO TOTAL</b>		<b><u>\$ 41,000</u></b>	<b><u>\$ -</u></b>

Note: Declare Necessity 2 Vehicles

<b>920 Public Defender Commission</b>			
09204	Public Defender CS	22,800	0
<b>MEMO TOTAL</b>		<b><u>\$ 22,800</u></b>	<b><u>\$ -</u></b>

Note: BOC Resol. 09-0080 PD Legal

<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<b><u>\$ 537,397</u></b>	<b><u>\$ 107,544</u></b>
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and be it further

**RESOLVED,** that the notes stated in the resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; 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;

RESOLUTION No. 09-0159

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

It was moved by Christopher Smeiles, second by Maureen T. Frederick 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,

	<u>Increase</u>	<u>Decrease</u>
<b>Fund: 1201 Motor Vehicle And Gas Tax</b>		
<b>800 Engineer's Department</b>		
12016 Motor Vehicle/Gas Tax CO	702,000	0
<b>MEMO TOTAL</b>	<u><u>\$ 702,000</u></u>	<u><u>\$ -</u></u>

Note: CRAIN AVENUE DESIGN

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<b>Fund: 1262 CHIP CDBG</b>		
<b>010 Commissioners Other</b>		
12624 CHIP CDBG CS	267,600	0
<b>MEMO TOTAL</b>	<u><u>\$ 267,600</u></u>	<u><u>\$ -</u></u>

Note: NEW GRANT

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<b>Fund: 1263 CHIP Home</b>		
<b>010 Commissioners Other</b>		
12634 CHIP Home CS	99,850	0
<b>MEMO TOTAL</b>	<u><u>\$ 99,850</u></u>	<u><u>\$ -</u></u>

Note: NEW GRANT

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<b>Fund: 1271 RLF CDBG</b>		
<b>001 Commissioners</b>		
12714 RLF CDBG CS	5,000	7,000
12718 RLF CDBG DE	38,242	0
<b>MEMO TOTAL</b>	<u><u>\$ 43,242</u></u>	<u><u>\$ 7,000</u></u>

Note: 09 BUDGET ADJUSTMENT

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		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 1272</b>	<b>RLF Section 17</b>		
	<b>001 Commissioners</b>		
12724	RLF Section 17 CS	100	0
12728	RLF Section 17 DE	0	4,813
	<b>MEMO TOTAL</b>	<u><u>\$ 100</u></u>	<u><u>\$ 4,813</u></u>

Note: 09 BUDGET ADJUSTMENT

<b>Fund: 1273</b>	<b>RLF Foreclosure</b>		
	<b>001 Commissioners</b>		
12734	RLF Foreclosure CS	7,000	500
12738	RLF Mortgage Loan DE	32,435	0
	<b>MEMO TOTAL</b>	<u><u>\$ 39,435</u></u>	<u><u>\$ 500</u></u>

Note: 2009 BUDGET ADJUSTMENT

<b>Fund: 1274</b>	<b>RLF Home Rehab</b>		
	<b>001 Commissioners</b>		
12744	RLF Home Rehab CS	14,000	0
12748	RLF Home Rehab DE	17,203	0
	<b>MEMO TOTAL</b>	<u><u>\$ 31,203</u></u>	<u><u>\$ -</u></u>

Note: 2009 BUDGET ADJUSTMENT

<b>Fund: 1275</b>	<b>RLF CDBG Economic Devlpmt</b>		
	<b>001 Commissioners</b>		
12754	RLF CDBG Economic Devlpmt CS	255,975	48,000
12758	RLF CDBG Economic Devlpmt DE	0	68,282
	<b>MEMO TOTAL</b>	<u><u>\$ 255,975</u></u>	<u><u>\$ 116,282</u></u>

Note: 2009 BUDGET ADJUSTMENT                      KBA RLF & CHIP GRANT

<b>Fund: 1330</b>	<b>Dog And Kennel</b>		
	<b>045 Dog And Kennel</b>		
13303	Dog Kennel-Warden Fringes	1,854	0
13306	Dog Kennel - Warden CO	0	13,854
1330E	Dog Kennel - Warden Part Time	12,000	0
	<b>MEMO TOTAL</b>	<u><u>\$ 13,854</u></u>	<u><u>\$ 13,854</u></u>

Note: To Cover New PT Employee

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1364</b>	<b>Child Health Grant</b>		
	<b>051 Job And Family Services</b>		
13643	Child Health Grant Fringes	488	5,126
13644	Child Health Grant CS	37,590	0
13645	Child Health Grant MS	0	9,091
1364D	Child Health Grant Full-Time	0	8,912
1364E	Child Health Grant Part-Time	0	12,073
1364M	Child Health Grant Overtime	0	500
13640	Child Health Grant Retirement	0	442
	<b>MEMO TOTAL</b>	<b>\$ 38,078</b>	<b>\$ 36,144</b>

Note: Projected Need

<b>Fund: 1491</b>	<b>Family Community SVS Po Co Inc</b>		
	<b>001 Commissioners</b>		
14914	Family Community SVS Po Co CS	2,381	0
	<b>MEMO TOTAL</b>	<b>\$ 2,381</b>	<b>\$ -</b>

Note: ADJUSTMENT FOR 09 GRANT

<b>Fund: 4209</b>	<b>Tallmadge Rd Bridge Replacmt</b>		
	<b>800 Engineer's Department</b>		
42096	Tallmadge Rd Bridge Replacm CO	70,122	0
	<b>MEMO TOTAL</b>	<b>\$ 70,122</b>	<b>\$ -</b>

Note: To Cover Change Order

<b>Fund: 4211</b>	<b>Tallmadge Bridge EDI 16 CH18L</b>		
	<b>800 Engineer's Department</b>		
42116	Tallmadge Brdg EDI 16 CH18L CO	33,636	0
	<b>MEMO TOTAL</b>	<b>\$ 33,636</b>	<b>\$ -</b>

Note: To Cover Remaining Costs

		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 5200</b>	<b>PCS General Administration</b>		
	<b>060 Water Resources</b>		
52003	Portage County Sewer Fringes	700	0
52004	Portage County Sewer CS	2,500	0
52005	Portage County Sewer MS	900	0
52006	Portage County Sewer CO	1,000	0
52009	Portage County Sewer ME	700,000	705,100
	<b>MEMO TOTAL</b>	<u><u>\$ 705,100</u></u>	<u><u>\$ 705,100</u></u>

Note: TO MOVE BUDGET TO WHERE NEEDED

<b>Fund: 5400</b>	<b>PCW General Administration</b>		
	<b>060 Water Resources</b>		
54003	Portage County Water Fringes	475	0
54004	Portage County Water CS	5,000	0
54005	Portage County Water MS	12,000	0
54006	Portage County Water CO	8,700	0
54007	Portage County Water OE	8,255	0
54009	Portage County Water ME	0	34,430
	<b>MEMO TOTAL</b>	<u><u>\$ 34,430</u></u>	<u><u>\$ 34,430</u></u>

Note: TO MOVE BUDGET TO WHERE NEEDED

<b>Fund: 5440</b>	<b>PCW OWDA 1988</b>		
	<b>060 Water Resources</b>		
54409	PCW OWDA 1988 ME	1	0
	<b>MEMO TOTAL</b>	<u><u>\$ 1</u></u>	<u><u>\$ -</u></u>

Note: TO CLOSE DEBT FUND

<b>Fund: 5600</b>	<b>StS General Administration</b>		
	<b>060 Water Resources</b>		
56003	Streetsboro Sewer Fringes	500	0
56004	Streetsboro Sewer CS	1,200	0
56006	Streetsboro Sewer CO	22,000	0
56009	Streetsboro Sewer ME	0	23,700
	<b>MEMO TOTAL</b>	<u><u>\$ 23,700</u></u>	<u><u>\$ 23,700</u></u>

Note: TO MOVE BUDGET TO WHERE NEEDED

	<u>Increase</u>	<u>Decrease</u>
<b>Fund: 5704 StS Generator</b>		
<b>060 Water Resources</b>		
57049 StS Generator ME	23,361	0
<b>MEMO TOTAL</b>	<u><u>\$ 23,361</u></u>	<u><u>\$ -</u></u>

Note: CLOSE CONSTRUCTION FUND

<b>Fund: 6800 Storm Water Management</b>		
<b>800 Engineer's Department</b>		
68003 Storm Water Mgmt Fringes	1,183	0
<b>MEMO TOTAL</b>	<u><u>\$ 1,183</u></u>	<u><u>\$ -</u></u>

Note: PERS FOR M. MAROZZI

<b>Fund: 7002 Central Vehicle Maintenance</b>		
<b>014 Motor Pool</b>		
7002D Motor Pool Full Time	0	100
7002M Motor Pool Overtime	100	0
<b>MEMO TOTAL</b>	<u><u>\$ 100</u></u>	<u><u>\$ 100</u></u>

Note: Trans to overtime line

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<u><u>\$ 2,385,351</u></u>	<u><u>\$ 941,923</u></u>
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and be it further,

**RESOLVED,** that the notes stated in the resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; 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. 09-0160 - RE: TRANSFER FROM FUND 0001 GENERAL FUND TO FUND 1166, EMPG HOMELAND SECURITY GRANT**

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

**WHEREAS,** the Ohio Emergency Management Agency each year awards Portage County an Emergency Management Performance Grant, and

**WHEREAS,** this grant partially supports EMA operations, and the general fund provides annual support for expenses which exceed the grant award, and

**WHEREAS,** grant activity is required to be accounted for in a special revenue fund; now therefore be it

**RESOLVED,** that the following transfer of funds be made in the amount of \$ 58,000.00:

**FROM:**  
FUND 0001, COUNTY GENERAL FUND  
 ORGCODE - 00100009  
 Debit Expense Account  
 Object 910000- TRANSFERS OUT \$ 57,486.00

**TO:**  
FUND 1166, EMPG HOMELAND SECURITY GRANT  
 ORGCODE - 11669302  
 Revenue Account  
 Object 280000 - TRANSFERS IN \$ 57,486.00  
 Project 8A042 -EMPG HOMELAND SECURITY GRANT

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 Homeland Security and Emergency Management 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.

Roll call vote as follows:

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

\* \* \* \* \*

**RESOLUTIONS**

February 24, 2009

1. Approval of Meeting Minutes from the February 19, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-149
3. Approve the Journal Vouchers as presented by the County Auditor./09-150
4. Approve the Then & Now as presented by the Portage County Auditor./09-151
5. Rescind Resolution No. 09-0102 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./09-152
6. 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./09-153
7. Declare the necessity to purchase vehicles for use by the Portage County Sheriff’s Department./09-154
8. Approve specifications and set bid date for the purchase of one (1) either new or used four (4) wheel drive utility vehicle for use by the Portage County Sheriff’s Department./09-155
9. A resolution of support and concurrence with the NEFCO Comprehensive Economic Development Strategy, as presented by the Regional Planning Commission. The Board of Commissioners noted that Bill Ulik and Dan Banks reviewed the EDA list and have no objection to any of the other projects being included on the CEDS list/09-156
10. Approving the plans, specifications, and estimate of cost and setting the date and time for acceptance of bids for the construction of Project No. Portage County (09-010) County wide line maintenance program, cleaning and jet flushing, zone 3 Franklin Hills, Bolingbrook, Red Fox, in the Portage County Regional Sewer District; Franklin, Shalersville, and Ravenna Townships (Water Resources Department)./09-157

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**INVITATIONS/MEETING NOTICES**

February 24, 2009

1. Invitation from the Ravenna Memorial Day Association for the 2009 Memorial Day Parade on Monday, May 25, 2009, 8:30 AM at the American Legion (corner of Main & Elm Street), step off at 10:00 AM.

\* \* \* \* \*

**INCOMING CORRESPONDENCE**

**DISCUSSION**

February 24, 2009

1. February 13, 2009 correspondence from Chris Korleski, Ohio EPA, regarding Federal Stimulus package/Forward to Dan Banks and Harold Huff for immediate review.
2. February 18, 2009 memo from Charlene Badger, Executive Assistant, regarding printing costs for the 2008 annual report/Journal Entry.
3. February 17, 2009 memo from Jim Manion, General Services, regarding parking lot security/Jim Manion to contact the Directors of Maintenance and Security.

4. February 19, 2009 e-mail from Janet Esposito, County Auditor, regarding a request for outside legal counsel/The Board of Commissioners agreed to wait for the County Auditor's recommendation as to the hire of outside counsel.
5. February 12, 2009 correspondence from Lt. Rick Gray, Streetsboro Fire Department, to Jon Barber, Office of Homeland Security and Emergency Management, regarding the storage of the County HazMat vehicle/Hold for a recommendation from the Office of Homeland Security & Emergency Management Director.

\* \* \* \* \*

**JOURNAL ENTRIES**

February 24, 2009

1. Board of Commissioners' authorization requested to pay Invoice No. 000000011 dated January 23, 2009 for Professional Services rendered through January 17, 2009 for the expanded Storm Water Management Program for \$30.24, as presented by MS Consultants, Inc. and authorized by Resolution No. 07-1213. The Board of Commissioners noted that County Engineer Mickey Marozzi reviewed the invoice and recommends payment. (Project No. 61-44004-00).
2. The Board of Commissioners received the Portage County Investment Reconciliation for the month of January 2009, as presented by the County Treasurer and County Auditor.
3. Board of Commissioners' authorization requested to pay real estate taxes for county owned property for the first half of 2008, as presented by the Executive Assistant, as follows:

Parcel #	Location	Full Year
29-312-11-00-069-000	Proctor; Mc E P Ext Lot 270	\$ 5.44

4. The Board of Commissioners received the Petition for Decertification Election from Petitioner Michael Church. Referred to Human Resources Department 2-20-09. Human Resources Department Director Karen U'Halie advises that there is no Board action required at this time.

\* \* \* \* \*

**REFERRED**

February 24, 2009

1. February 6, 2009 correspondence from Dave Vaughan, Neighborhood Development, requesting administrative payments from Portage County to Neighborhood Development. Referred to Internal Auditor.
2. February 17, 2009 correspondence from Elizabeth Toth, requesting a certificate for Boy Scout Cody Hall and Ethan White. Referred to Executive Assistant.
3. February 13, 2009 correspondence from Michael Hiler, Ohio Department of Development, regarding the closing binder for the County Fire Protection Inc. Project B-E-08-062-1. Referred to Grants Administrator, Department of Budget and Financial Management, and Internal Auditor. Forwarded to the Neighborhood Development Services for their files and information.

\* \* \* \* \*

**INFORMATION ONLY**

February 24, 2009

1. February 13, 2009 correspondence from Sally Kelly, Senior Center to Mrs. Kane, thanking her for the donation of \$ 2400 for exercise and Tai Chi classes for the center.
2. January 30, 2009 memo from County Commissioners' Association of Ohio, including a copy of the minutes from the December 8, 2008 CCAO Board of Trustee meeting.
3. February 12, 2009 correspondence from Roger Obenauf, Laurel Health Care Company, regarding opportunities to acquire or lease nursing facilities.
4. February 18, 2009 correspondence from Joseph Hadley, NEFCO, including a full packet from today's General Policy Board meeting. Next meeting is Wednesday, March 18, 2009 at 8:30 AM at Summa Health Center, Green.

\* \* \* \* \*

**Journal Entry**

February 24, 2009

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

1. The Board of Commissioners authorized payment of Invoice No. 000000011 dated January 23, 2009 for Professional Services rendered through January 17, 2009 for the expanded Storm Water Management Program for \$30.24, as presented by MS Consultants, Inc. and authorized by Resolution No. 07-1213. The Board of Commissioners noted that County Engineer Mickey Marozzi reviewed the invoice and recommends payment. (Project No. 61-44004-00).
2. The Board of Commissioners acknowledged the receipt of the Portage County Investment Reconciliation for the month of January 2009, as presented by the County Treasurer and County Auditor.
3. The Board of Commissioners authorized payment of real estate taxes for county owned property for the first half of 2008, as presented by the Executive Assistant as follows:

Parcel #	Location	Full Year
29-312-11-00-069-000	Proctor; Mc E P Ext Lot 270	\$ 5.44

4. The Board of Commissioners acknowledged the receipt of the Petition for Decertification Election from Petitioner/Portage County Motor Pool employee Michael Church. Human Resources Department Director Karen U'Halie advises that there is no official Board action required at this time.
5. The Board of Commissioners accepted the February 18, 2009 recommendation of Executive Assistant Charlene Badger and authorized the hire of American Solutions for Business of Ravenna for the printing of 29,000 copies of the 2008 Annual Report at a cost of \$11,890, which includes delivery.
6. The Board of Commissioners authorized Commissioner Frederick to sign the Farm Service Agency Form FSA-155 and the required Certification, as presented by Blair Kotkowski for farmland that he leases from Portage County. The Board of Commissioners noted that Attorney Denise Smith reviewed the documents, advising that the intent of this form is to indicate to the FDA that the crop land is part of a farming operation that, in total, is large enough to meet the federal criteria necessary to receive money that comes from the federal government. The signature is to a certification that the information on the form is correct.

7. The Board of Commissioners signed the February 24, 2009 correspondences to County Auditor Janet Esposito requesting that the Auditor debit the General Fund and credit the following funds:

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b>	00100004	492300	\$ 3,677.00	GF – Soil & Water Contribution
<b>Credit:</b>	87009071	194000	\$ 3,677.00	GF – Soil & Water Contribution

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b>	00100004	492300	\$40,000.00	Annual Contribution
<b>Credit:</b>	86009091	188500	\$40,000.00	Annual Contribution

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b>	00100004	492300	\$60,000.00	Annual Contribution
<b>Credit:</b>	86009091	188500	\$60,000.00	Annual Contribution

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b>	00100004	492300	\$60,000.00	Annual Contribution
<b>Credit:</b>	85009061	188500	\$60,000.00	Annual Contribution

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b>	00100004	492300	\$92,036.00	GF – Soil & Water Contribution
<b>Credit:</b>	87009071	194000	\$92,036.00	GF – Soil & Water Contribution

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b>	00100004	492300	\$ 9,500.00	GF – Soil & Water Contribution
<b>Credit:</b>	87009071	194000	\$ 9,500.00	GF – Soil & Water Contribution

Commissioner Keiper absent, motion carries

\* \* \* \* \*

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **February 24, 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 **11:00 AM**. Commissioner Keiper absent, motion carries.

ABSENT

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

\* \* \* \* \*