

**Tuesday, April 7, 2009**

The Board of County Commissioners met in regular session on **Tuesday, April 7, 2009 at 9:41 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

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It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the April 2, 2009 meeting. All in favor, motion carries

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

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**PROSECUTOR**

Present: Denise Smith, Attorney Jeff Miller & Anita Herington

9:41 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the Board of Commissioners move into executive session to conference with an attorney for the public body concerning a JFS mediation. Also present: Attorney Jeff Miller, Attorney Denise Smith and JFS Director Anita Herington. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

9:45 AM Commissioner Smeiles attending

9:50 AM Upon conclusion of the above referenced discussion, it was moved by Maureen T. Frederick, seconded by Christopher Smeiles that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

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

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**Review of Prosecutor's Pending List**

1. Daniel E. Toth vs. Portage County Sheriff's Dept. Deputy M. Zwick/Removed from pending list since a judgment was granted to the Board of Commissioners.
2. Review of Neighborhood Development Services, Inc. mortgage loan agreement/David Brode has advised that he reviewed the Mortgage Loan Agreement between the Board of Commissioners and Neighborhood Development Services, Inc. in the amount of \$80,000.00. He noted that the agreement is acceptable as to form when properly executed.

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The Board of Commissioners discussed the draft MOU prepared by Attorney Smith for the Joint Safety Center project. Ms. Smith noted that the Board of Commissioners has applied for stimulus funding for this project, which is a regional effort between Portage County, the City of Kent and Kent State University. Attorney Mike Sharb has advised that there is precedence for the county and city to partner on such a project but will

investigate the participation of Kent State. Ms. Smith added that the problem with the application is that there is not an address for the proposed facility yet since neither KSU Board of Trustees or the Kent City Council have committed financially to the project yet. The Board of Commissioners agreed to get their comments to Attorney Smith by April 14, 2009.

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The Board of Commissioners agreed to send a request to Attorney Smith asking if the ORC requires/compels Portage County political subdivisions to participate in countywide dispatch, should Portage County move forward.

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The Board of Commissioners discussed the request to Attorney Smith from the County Auditor regarding 9-1-1 funding/distribution. Attorney Smith will discuss this issue with Attorney Leigh Prugh and Homeland Security and Emergency Management Office Director Jon Barber.

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Commissioner Keiper noted that he met with NOPEC and representatives of Roadsalt.org on April 6, 2009. NOPEC plans to join the organization so that their members may participate in the purchase of salt. Commissioner Keiper added that he has discussed this organization with the County Engineer.

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**REGIONAL PLANNING COMMISSION**

Present: Todd Peetz

The Board of Commissioners agreed to schedule an ongoing, monthly meeting with the Director prior to the monthly Regional Planning Commission meeting, which is the second Wednesday monthly.

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The Director reviewed the agenda for the Regional Planning Commission meeting on April 8, 2009. He also discussed the results of the SWOT (Strengths, Weaknesses, Opportunities, Threats), noting that the biggest weakness in his eyes is the lack of regional economic development and the opportunity to create a countywide comprehensive plan that would protect rural areas and promote development and provide a coordination of planning. Commissioner Keiper stated that he does not see a down side to regionalization. Commissioner Smeiles asked how many participated in the survey? The Director responded about 25 members. Commissioner Smeiles cautioned the Director that the General Fund cannot support the Regional Planning Commission with additional dollars. The Director responded that first we need to determine the feasibility of such a project, getting all the players in the same room as a start. Commissioner Smeiles stated that the first step might be to determine if all township zoning regulations are consistent. Commissioner Smeiles asked if the people surveyed are aware of the current ongoing regional projects like water and sewer, NEOTEC, etc. The Director noted that there is no funding/cost associated with this proposal yet. He plans to meet with PCDED Director Bill Ulik to discuss what the county is doing regionally before meeting with townships, cities and villages.

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Commissioner Smeiles suggested that the Board of Commissioners think about creating a newsletter to the townships citing what the county is doing regionally for economic development.

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The Director advised the Board of Commissioners that they county has 75 Technical Assistance Hours available for 2009. The Director suggested that the top four Farmland Preservation Grant applications be re-processed, which would require about 30 hours. The Board of Commissioners agreed that the Regional Planning Commission should proceed with the application process using up to 30 of the county's TA Hours.

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The Regional Planning Commission Director is meeting with various townships, Hiram College, etc. in an attempt to get involvement.

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The Director advised the Board of Commissioners that the roof is "holding up" and Attorney Dave Brode is working with the contractor to complete the repairs. After the roof repair, the Director plans to repaint the walls and replace the carpeting. Commissioner Smeiles suggested that the Director check with Adult Probation to determine if there is a painter or other construction workers available at any time for community service. Mr. Peetz will contact JoAnn Townend regarding the purchase of carpeting.

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**IT DIRECTOR**

Present: Brian Kelley, Internal Services Director JoAnn Townend, DBFM Director Audrey Tillis

Director Kelley attending today to discuss the email server and present a revised quote of \$108,269. Commissioner Smeiles noted that, if the Indirect Cost Allocation Plan is used, the General Fund would have to upfront the money. Audrey Tillis reminded the Board of Commissioners that they have set aside funding for this purchase.

Director Kelley advised that the largest problem with the current email server is improper use of the email system by county employees. Some of the emails are racially discriminating, sexist, or otherwise offensive. Director Kelly and Human Resources Department Director Karen U'Halie plan to host a seminar for Elected Officials and Department Directors to discuss this issue.

The current server is six years old and planned for use by 400 email accounts. There are 574 mailboxes currently on the system. Although all incoming junk mail can be automatically deleted, that would also delete some legitimate emails. A new server would have new technology that would handle emails better.

The Board of Commissioners agreed that Brian Kelley and Audrey Tillis should discuss funding with other non-general fund agencies and other elected officials/Journal Entry.

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**DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis

**Resolutions**

1. Other Funds Amendments to the Annual Appropriation Resolution:/09-310
  - a. Fund 3112, SA PCS Bond 1982 - Supplemental, Anticipated Increase
  - b. Fund 3170, SA Sts Bond 1999 - Supplemental, Anticipated Increase
  - c. Fund 3212, SA PCS OWDA 1994 - Supplemental, Anticipated Increase
  - d. Fund 3213, SA PCS OWDA 1998 - Supplemental, Anticipated Increase
  - e. Fund 5276, PCS OPWC 2009 CG211 - Supplemental, New OPWC Loan







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

- WHEREAS,** Ohio Revised Code Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles, and
- WHEREAS,** Michael A. Marozzi, Portage County Engineer, would like to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the purchase of machinery, material, supplies or other articles; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners hereby authorizes the Portage County Engineer to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B), and be it further
- RESOLVED,** that the Board of Portage County Commissioners hereby agree, in the name of the Portage County Engineer, to be bound by all terms and conditions as the Director of Transportation prescribes, and be it further
- RESOLVED,** that the Board of Portage County Commissioners hereby authorize the Portage County Engineer to directly pay vendors under each such contract of the Ohio Department of Transportation in which the Portage County Engineer participates, for items it receives pursuant to the contract, and be it further
- RESOLVED,** that the Portage County Engineer agrees to be responsible for resolving all claims or disputes arising out of its participation in the Ohio Department of Transportation Cooperative Purchasing program under Section 5513.01 (B) of the Ohio Revised Code. The Portage County Engineer releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the Ohio Department of Transportation Cooperative Purchasing Program which the Portage County Engineer may have or claim to have against the Ohio Department of Transportation or its employees, unless such liability is the result of negligence on the part of the Ohio Department of Transportation or its employees, 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.



RESOLUTION No. 09-0306

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RE: ACCEPT BIDS FOR FURNISHING VARIOUS SIZES OF GRAVEL FOR USE BY THE PORTAGE COUNTY ENGINEER.

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

**WHEREAS,** notice of receiving bids for furnishing various Aggregate Materials for use by the Portage County Engineer was published in the Record Courier on **March 13, 2009** and **March 20, 2009**, and

**WHEREAS,** three (3) sealed bids for furnishing **Various Sizes of Gravel** for use by the Portage County Engineer were received, tabulated and recorded on March 31, 2009; and

**WHEREAS,** after reviewing said bids, the Portage County Engineer recommended the following bids be accepted as the lowest and best bids received in accordance with the following stipulations:

1. All gravel is to be ordered as needed and in quantities needed at that time. F.O.B. Plant.
2. Payment of the order is to be made upon receipt of the invoice.
3. Bids of alternate suppliers be accepted to ensure continuity of the Engineer's work program;

now therefore be it

**RESOLVED,** that bids be accepted as follows:

**7,000 Tons, More or Less, #304 Gravel, FOB Plant**

**LaFarge North America (LOW BID)**

**\$7.35Per Ton**

555 Frost Road, Suite #100

Streetsboro, Ohio 44241

Oscar Brugmann Sand & Gravel, Inc. (ALTERNATE)

**\$8.50 Per Ton**

3828 Dudley Road

Mantua, OH 44255

**3,000 Tons, More or Less, #4 Gravel, FOB Plant**

**LaFarge North America (LOW BID)**

**\$9.15Per Ton**

555 Frost Road, Suite #100

Streetsboro, Ohio 44241

Oscar Brugmann Sand & Gravel, Inc. (ALTERNATE)

**\$9.25 Per Ton**

3828 Dudley Road

Mantua, OH 44255





3. Bids of alternate suppliers be accepted to ensure continuity of the Engineer's work program;

now therefore be it

**RESOLVED,** that bids be awarded as follows to the listed vendors:

**LaFARGE NORTH AMERICA**  
555 Frost Road, Suite 100  
Streetsboro, OH 44241

**RAY BERTOLINI TRUCKING**  
2070 Wright Road  
Akron, OH 44313

**ARMS TRUCKING**  
14818 Mayfield Road  
P.O. Box 369  
East Claridon, OH 44033

	<u>FOB Plant</u>	<u>Del. To Newton Falls Road</u>	<u>Del. To Various Sites</u>
<b><u>3,000 Tons, More or Less, #6</u></b>			
LaFarge North America	<b>\$15.90/Ton</b> (LOW BID)	*****	*****
<b><u>8,000 Tons, More or Less #8</u></b>			
LaFarge North America	<b>\$15.60/Ton</b> (LOW BID)	*****	*****
Ray Bertolini Trucking Co.	*****	<b>\$17.94/Ton</b> (LOW BID)	*****
Arms Trucking	*****	*****	<b>\$17.95/Ton</b> (LOW BID)
<b><u>6,000 Tons, More or Less, #67</u></b>			
Ray Bertolini Trucking Company	*****	<b>\$17.94/Ton</b> (LOW BID)	*****
Arms Trucking	*****	*****	<b>\$17.95/Ton</b> (LOW BID)
<b><u>4,000 Tons, More or Less, #304</u></b>			
LaFarge North America	<b>\$11.90/Ton</b> (LOW BID)	*****	<b>\$15.90/Ton</b> (LOW BID)
Ray Bertolini Trucking Company	*****	<b>\$15.60/Ton</b> (LOW BID)	*****
<b><u>5,000 Tons, More or Less, #617</u></b>			
LaFarge North America	<b>\$9.20/Ton</b> (LOW BID)	*****	<b>\$16.20/Ton</b> (LOW BID)
Ray Bertolini Trucking Company	*****	<b>\$16.20/Ton</b> (LOW BID)	*****



Insight Pipe Contracting	\$ 108,768.00
Robinson Pipe Service	\$ 264,998.40

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

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

Section 1. That this Board hereby award the PROJECT to the responsive bid of Lake County Sewer Company, Inc., 32900 Lakeland Boulevard, Willowick OH 44095, in the bid amount of \$49,440.00.

Section 2. That the Water Resources is hereby authorized and directed to issue the Notice Of Award to the contractor named in Section 1.

Section 3. That the funds to cover the cost of the PROJECT are budgeted in the "County Wide Line Maintenance Program, Cleaning And Jet Flushing, Zone 3 – Franklin Hills, Bolingbrook & Red Fox", Fund – 520040P4 object 427400 09010.

Section 4. That the Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Auditor and the Department Of Budget and Financial Management within 15 days after its passage.

Section 5. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees 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, Yea;	Maureen T. Frederick, Yea;	Christopher Smeiles, Yea;
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**RESOLUTION No. 09-0310 - 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: 3112 SA PCS Bond 1982</b>		
<b>010 Commissioners Other</b>		
31128 SA PCS Bonds 1982 DS	600	0
<b>MEMO TOTAL</b>	<u><u>\$ 600</u></u>	<u><u>\$ -</u></u>

Note: ANTICIPATED INCREASE IN

<b>Fund: 3170 SA StS Bond 1999</b>		
<b>010 Commissioners Other</b>		
31708 SA StS Bonds 1999 DS	50	0
<b>MEMO TOTAL</b>	<u><u>\$ 50</u></u>	<u><u>\$ -</u></u>

Note: ANTICIPATED INCREASE IN

<b>Fund: 3212 SA PCS OWDA 1994</b>		
<b>010 Commissioners Other</b>		
32128 SA PCS OWDA 1994 DS	50	0
<b>MEMO TOTAL</b>	<u><u>\$ 50</u></u>	<u><u>\$ -</u></u>

Note: ANTICIPATED INCREASE IN

<b>Fund: 3213 SA PCS OWDA 1998</b>		
<b>010 Commissioners Other</b>		
32138 SA PCS OWDA 1998 DS	200	0
<b>MEMO TOTAL</b>	<u><u>\$ 200</u></u>	<u><u>\$ -</u></u>

Note: ANTICIPATED INCREASE IN

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 5276 PCS OPWC 2009 CG21I</b>		
<b>060 Water Resources</b>		
52768 PCS OPWC 2009 CG21I DE	6,693	0
<b>MEMO TOTAL</b>	<u><u>\$ 6,693</u></u>	<u><u>\$ -</u></u>

Note: NEW OPWC LOAN

<b>Fund: 5674 StS OPWC 2009 CG21I</b>		
<b>060 Water Resources</b>		
56748 StS OPWC 2009 CG21I DE	4,464	0
<b>MEMO TOTAL</b>	<u><u>\$ 4,464</u></u>	<u><u>\$ -</u></u>

Note: NEW OPWC LOAN

<b>Fund: 6800 Storm Water Management</b>		
<b>800 Engineer's Department</b>		
68004 Storm Water Mgmt CS	38,390	0
<b>MEMO TOTAL</b>	<u><u>\$ 38,390</u></u>	<u><u>\$ -</u></u>

Note: MISCELLANEOUS PROJ EXPENSE    NOI STORM WATER PERMIT RENEWAL

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<u><u>\$ 50,447</u></u>	<u><u>\$ -</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.

**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, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0311 - RE: CASH ADVANCE REPAYMENT- FROM FUND 1013, HELP AMERICA VOTE ACT TO FUND 0001, GENERAL FUND**

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

**WHEREAS,** on December 23, 2008, the Board of Commissioners adopted Resolution No. 08-1223, approving a cash advance in the amount of \$ 1,001.00 until grant revenues were received, and

**WHEREAS,** Fund 1013 has received grant revenue; now therefore be it

**RESOLVED,** that the following cash advance repayment be made in the amount of \$ 1,001.00

**FROM:**

FUND 1013, HELP AMERICA VOTE ACT

ORGCODE - 10139029

Debit Expense Account

Object Code -921000 – Advance-out Returns \$ 1,001.00

**TO:**

FUND 0001, GENERAL FUND

ORGCODE- 00100002

Credit Revenue Account

Revenue Source - 291000 – Advance-in Repayment \$ 1,001.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Board of Elections 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, Yea; Maureen T. Frederick, Yea; Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0312 - RE: ANNUAL TRANSFER - FROM FUND 5200, PCS GENERAL ADMINISTRATION TO FUNDS: 5210, PCS REVENUE BONDS 1997 5211, PCS REVENUE BONDS 2001**

**5212, PCS REVENUE BONDS 2001 SUMMIT**  
**5213, PCS REVENUE BONDS 2004**  
**5214, PCS REVENUE BONDS 2007**  
**5215, PCS REVENUE BONDS 2007 USDA**

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

**WHEREAS,** in order to meet our bond retirement obligations, due on June 1, 2009 and January 1, 2010, it is necessary to transfer funds in the amount of \$ 814,984.53 to Funds 5210, 5211, 5212, 5213, 5214, and 5215; now therefore be it

**RESOLVED,** that the following transfer of funds in the amount of \$ 814,984.53 be made as follows:

**FROM:**

FUND 5200 PCS GENERAL ADMINISTRATION

ORG CODE- 52004009

Debit Expense Account

Object 910000- TRANSFER OUT \$ 814,984.53

**TO:**

5210, PCS REVENUE BONDS 1997

ORG CODE- 52100602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 96,958.83

5211, PCS REVENUE BONDS 2001

ORG CODE - 52110602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 112,205.92

5212, PCS REVENUE BONDS 2001 SUMMIT

ORG CODE - 52120602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 191,724.88

5213, PCS REVENUE BONDS 2004

ORG CODE - 52130602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 94,131.26

5214, PCS REVENUE BONDS 2007

ORG CODE -52140602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 195,061.14

5215, PCS REVENUE BONDS 2007 USDA

ORG CODE - 52150602

Credit Revenue Account  
Revenue Source 280000 TRANSFER IN \$ 124,902.50

**TOTAL TRANSFER IN \$ 814,984.53**

and be it further

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

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

Roll call vote as follows:

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

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**RESOLUTION No. 09-0313 - RE: ANNUAL TRANSFER - FROM FUND 5400, PCW GENERAL ADMINISTRATION TO FUNDS: 5410, PCW REVENUE BONDS 1997 5412, PCW REVENUE BONDS 94REFI04 5413, PCW REVENUE BONDS 2001 5414, PCW REVENUE BONDS 2004**

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

**WHEREAS,** in order to meet our bond retirement obligations, due on June 1, 2009 and January 1, 2010, it is necessary to transfer funds in the amount of \$813,823.64 to Funds 5410, 5412, 5413, and 5414; now therefore be it

**RESOLVED,** that the following transfer of funds in the amount of \$ 813,823.64 be made as follows:

**FROM:**  
FUND 5400, PCW GENERAL ADMINISTRATION  
ORG CODE - 54004009  
Debit Expense Account  
Object 910000- TRANSFER OUT \$ 813,823.64

**TO:**  
5410, PCW REVENUE BONDS 1997  
ORG CODE - 54100602  
Credit Revenue Account  
Revenue Source 280000 TRANSFER IN \$ 228,494.30

5412, PCW REVENUE BONDS 94REFI04  
ORG CODE - 54120602  
Credit Revenue Account  
Revenue Source 280000 TRANSFERS IN \$ 405,148.82

5413, PCW REVENUE BONDS 2001  
ORG CODE - 54130602  
Credit Revenue Account  
Revenue Source 280000 TRANSFER IN \$ 57,321.76

5414, PCW REVENUE BONDS 2004  
ORG CODE - 54140602  
Credit Revenue Account  
Revenue Source 280000 TRANSFER IN \$ 122,858.76

**TOTAL TRANSFER IN \$ 813,823.64**

and be it further

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

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

Roll call vote as follows:

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

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**RESOLUTION No. 09-0314 - RE: ANNUAL TRANSFER - FROM FUND 5600, STS GENERAL ADMINISTRATION TO FUNDS:  
5610, STS REVENUE BONDS 1997  
5611, STS REVENUE BONDS 2001**

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

**WHEREAS,** in order to meet our bond retirement obligations, due on June 1, 2009 and January 1, 2010 it is necessary to transfer funds in the amount of \$ 85,372.10 to Funds 5610 and 5611; now therefore be it

**RESOLVED,** that the following transfer of funds in the amount of \$ 85,372.10 be made as follows:

**FROM:**

5600, STS GENERAL ADMINISTRATION

ORG CODE - 56004009

Debit Expense Account

Object 910000 - TRANSFER OUT \$ 85,372.10

**TO:**

5610, STS REVENUE BONDS 1997

ORG CODE - 56100602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 72,011.60

5611, STS REVENUE BONDS 2001

ORG CODE - 56110602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 13,360.50

**TOTAL TRANSFER IN \$ 85,372.10**

and be it further

**RESOLVED,**

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

**RESOLVED,**

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

Roll call vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0315**

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**RE: ANNUAL TRANSFER - FROM FUND 5200, PCS GENERAL ADMINISTRATION TO FUNDS:  
5270 PCS OPWC 1998 CG008  
5274 PCS OPWC 2001 CG12A  
5275 PCS OPWC 2006 CG02B  
5276 PCS OPWC 2009 CG21I**

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

**WHEREAS,** in order to pay the Ohio Public Works Commission loan repayment obligations due July 1, 2009 and December 31, 2009 it is necessary to transfer funds in the amount of \$ 60,070.31 to Funds 5270, 5274, 5275 and 5276; now therefore be it

**RESOLVED,** that the following transfer of funds in the amount of \$ 60,070.31 be made as follows:

**FROM:**

FUND 5200 PCS GENERAL ADMINISTRATION

ORG CODE - 52004009

Debit Expense Account

Object 910000 - TRANSFER OUT \$ 60,070.31

**TO:**

5270, PCS OPWC 1998 CG008

ORG CODE - 52700602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 23,051.50

5274, PCS OPWC 2001 CG12A

ORG CODE - 52740602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 7,825.97

5275, PCS OPWC 2006 CG02B

ORG CODE - 52750602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 22,500.00

5276 PCS OPWC 2009 CG21I

ORG CODE - 52760602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 6,692.84

**TOTAL TRANSFERS**

**\$ 60,070.31**

and be it further

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

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

Roll call vote was as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0316**

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**RE:**

**ANNUAL TRANSFER – FROM FUND 5400, PCW  
GENERAL ADMINISTRATION TO FUND, 5471 PCW  
OPWC 2001 CG12A**

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

**WHEREAS,**

in order to pay the Ohio Public Works Commission loan obligations, due on July 1, 2009 and December 31, 2009 it is necessary to transfer funds in the amount of \$ 13,067.99 to Fund 5471; now therefore be it

**RESOLVED,**

that the following transfer of funds in the amount of \$ 13,067.99 be made as follows:

**FROM:**

FUND 5400, PCW GENERAL ADMINISTRATION

ORG CODE - 54004009

Debit Expense Account

Object 910000 - TRANSFER OUT \$ 13,067.99

**TO:**

5471, PCW OPWC 2001 CG12A

ORG CODE - 54710602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 13,067.99

**TOTAL TRANSFER IN**

**\$ 13,067.99**

and be it further

**RESOLVED,**

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

**RESOLVED,**

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

Roll call vote was as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0317 - RE: ANNUAL TRANSFER - FROM FUND 5600, STS GENERAL ADMINISTRATION TO FUNDS:  
5671 STS OPWC 1998 CG008  
5672 STS OPWC 2001 CG12A  
5673 STS OPWC 2007 CG24H**

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

**WHEREAS,** in order to pay the Ohio Public Works Commission loan obligations, due July 1, 2009 and December 31, 2009 it is necessary to transfer funds in the amount of \$ 19,989.70 to Funds 5671, 5672 and 5673; now therefore be it

**RESOLVED,** that the following transfer of funds in the amount of \$ 19,989.70 be made as follows:

**FROM:**

5600, STS GENERAL ADMINISTRATION

ORG CODE - 56004009

Debit Expense Account

Object 910000 - TRANSFER OUT \$ 19,989.70

**TO:**

5671, STS OPWC 1998 CG008

ORG CODE - 5670602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 2,595.50

5672, STS OPWC 2001 CG12A

ORG CODE - 56720602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 12,394.20

5673, STS OPWC 2007 CG24H

ORG CODE - 56730602

Credit Revenue Account

Revenue Source 280000 TRANSFER IN \$ 5,000.00

**TOTAL TRANSFER \$ 19,989.70**

and be it further

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

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



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**INCOMING CORRESPONDENCE  
DISCUSSION**

April 7, 2009

1. Does the Board wish to purchase a Double Full page thank you ad in the Record Courier in honor of National Volunteer Week April 19-25, 2009 \$1,100.00 as presented by the Commissioners' Executive Assistant/The Board of Commissioners agreed not to purchase this ad this year noting the pressure on the General Fund.
2. Does the Board wish to purchase the Communication Solutions subscription for \$89.00/year as presented by Ragan Communications/Do not subscribe
3. Does the Board wish to purchase the Harvard Business Review subscription for \$79.00/year/Do not subscribe
4. Discussion: Agreement to enter into a non-drilling oil & gas lease with Ben Energy LLC/Held from the April 2, 2009 agenda to allow Commissioner Smeiles to contact Attorney Koogan/Clerk to contact Attorney Denise Smith to determine if the state can force the Board of Commissioners to participate.
5. March 31, 2009 e-mail from Michelle Ripley, Human Resources Department, regarding an AED Unit. (1) Does the Board wish to authorize the purchase of a replacement on the 3<sup>rd</sup> floor? The Safety/Loss Control Coordinator advises that the County owns 12 AED units. There are three in the Administration Building: one on the 7<sup>th</sup> floor, one on the 6<sup>th</sup> floor and one on the 1<sup>st</sup> floor outside of the Security Office. The Health Department purchased the unit being moved to the former WIC area/The Board of Commissioners agreed not to purchase an AED unit at this time and to ask for a recommendation from the Safety Committee as to where to locate another AED, if necessary.
6. March 30, 2009 correspondence from the Ravenna Township Trustees, regarding FireCom/Clerk to draft a response to the trustees
7. April 3, 2009 e-mail from Jon Barber, Office of Homeland Security and Emergency Management, regarding correspondence from Rick Hager regarding 9-1-1/Schedule Director Barber for a discussion with the Board of Commissioners.
8. April 2, 2009 correspondence from a Woodlands at Robinson employee regarding a personnel issue/Forward to the Nursing Home Administrator and Human Resources Department Director for their files and information.

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**JOURNAL ENTRIES**

April 7, 2009

1. April 1, 2009 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2009 as presented by the Portage County Auditor's Office.
2. The Board of Commissioners received the Insurance Policy covering forgery or alteration and employee theft as presented by the Kent Regional Business Alliance. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.

3. The Board of Commissioners received the April 3, 2009 letter of resignation from Eugene Davis, Water Superintendent for the Portage County Water Resources Department, with his last day of employment being Friday, April 3, 2009.
4. The Board of Commissioners received the Portfolio Report for March 2009 as presented by the Portage County Treasurer's Office.
5. The Board of Commissioners received the March 31, 2009 correspondence from the Portage County Sheriff's Department including the Monthly Record of Proceedings and Transactions for March 2009, in accordance with Ohio Revised Code Section 325.07. (cc: Internal Auditor).

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**REFERRED**

April 7, 2009

1. March 31, 2009 correspondence from Larry Reding, Peterbilt, regarding Grant Funding through EPA's Diesel Emissions Reduction Act (DERA)/Forwarded to the Internal Services and Motor Pool Directors as well as the Grants Administrator.

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**INFORMATION ONLY**

April 7, 2009

1. March 27, 2009 correspondence from Gina Flick, Kent State University, requesting a gift or pledge for the Centennial Kickoff on October 8, 2009.
2. The Board of Commissioners received an advertisement for the American Solutions for Business.
3. The Board of Commissioners received the Summit County Port Authority 2008 Annual Report.
4. The Board of Commissioners received a copy of the March 31, 2009 correspondence from David Brode, Prosecutor's Office to Janet Esposito, County Auditor regarding the Rodman Trust Account as presented by Anita Herington, Job & Family Services.
5. April 1, 2009 correspondence from William Ulik, Economic Development, to Laura Dolin, USDA, regarding support and endorsement for Neighborhood Development Services Inc. application for additional Rural Business Enterprise Grant.

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**Journal Entry**

April 7, 2009

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

1. The Board of Commissioners acknowledged the receipt of the April 1, 2009 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2009, as presented by the Portage County Auditor's Office.
2. The Board of Commissioners acknowledged the receipt of the Insurance Policy covering forgery or alteration and employee theft, as presented by the Kent Regional Business Alliance (KRBA). Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted. The Board of Commissioners noted

that they adopted Resolution 09-0243 authorizing an agreement between the Board of Commissioners and the KRBA or the Administration and Implementation of Portage County Revolving Loan Fund Plans.

3. The Board of Commissioners acknowledged the receipt of the April 3, 2009 letter of resignation from Eugene Davis, Water Superintendent for the Portage County Water Resources Department, with his last day of employment being Friday, April 3, 2009.
4. The Board of Commissioners acknowledged the receipt of the Portfolio Report for March 2009, as presented by the Portage County Treasurer.
5. In accordance with Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged the receipt of the March 31, 2009 correspondence from the Portage County Sheriff including the Monthly Record of Proceedings and Transactions for March 2009.
6. The Board of Commissioners signed the Personnel Requisitions, as presented by the Portage County Human Resources Department and approved by Water Resources Department Director Harold Huff:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Water Resources Department	Water Treatment Superintendent	MG05	Post Internal and External

7. The Board of Commissioners accepted the recommendation of Executive Assistant Charlene Badger and authorized the insertion of the 2008 Portage County Annual Report in a Sunday Record-Courier, the Aurora Advocate, and the Mr. Thrifty at a cost not to exceed \$1,961.73.
8. After meeting today with IT Director Brian Kelley, the Board of Commissioners authorized the purchase of a new email server and software from CDW-G/Bergee at a cost of approximately \$108,269. The Board of Commissioners agreed to allocate the costs of the purchase by e-mail user accounts per department. The General Fund contingency will be used for the portion of the allocation related to General Fund departments. Director Kelley agreed to work with Department of Budget & Financial Management Director Audrey Tillis to contact non-General Fund agencies and other elected officials to find the remaining

All in favor, motion carries

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **April 7, 2009**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Christopher Smeiles to adjourn the official meeting at **12:05 PM**. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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