

**Thursday, April 16, 2009**

The Board of County Commissioners met in regular session on **Thursday, April 16, 2009 at 9:32 AM** with the following members present:

Charles W. Keiper II

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 April 14, 2009 meeting. All in favor, motion carries

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**ROBINSON MEMORIAL HOSPITAL**

Present: CEO Steve Colecchi, DBFM Director Audrey Tillis

The Board of Commissioners met with John Sniezek and Dr. DeJulius on March 10, 2009 for an update on the financial picture for the Portage County Medical Clinic. The CEO noted that there is an \$218,000 anticipated shortfall for 2009. The Commissioners agreed to meet with Mr. Colecchi to discuss how to move forward to cover the shortfall.

Mr. Colecchi advised that the hospital gave the Medical Clinic \$75,000 in 2009, which was earmarked from revenues from an oil well; Portage County gave the Medical Clinic \$37,500 for 2009, leaving a shortage of \$105,000. Mr. Colecchi noted that funding from NEOUCOM has restrictions and cannot be used for operating expenses; only for capital expenses. NEOUCOM has spent about \$150,000 on equipment and renovations to the current site. There are initiatives planned to raise funds through the Portage County Advisory Committee and other organizations. RMH is willing to give the building rent-free (currently \$683/month or \$82,000) for one year leaving \$23,000 required to cover the shortfall.

Commissioner Smeiles asked if the Medical Clinic is able to get through until the fourth quarter. Mr. Colecchi responded no – there is an immediate shortfall. Commissioner Frederick referred to the March 10, 2009 projections presented by John Sniezek, which does not reflect funds from the county or RMH. Mr. Colecchi responded that the March 10, 2009 information provided was prepared before the 2009 funds were provided by the county or the hospital.

Commissioner Keiper noted that this may be an eligible project for one-time 2009 CDBG Formula Grant funding, although the funds would not be available until the fourth quarter of 2009.

The Board of Commissioners agreed that Mr. Colecchi should ask CEO Sniezek to contact Grants Administrator Dan Banks to discuss an application for the 2009 Formula Grant funds.

Commissioner Smeiles asked if the Board of Commissioners could get quarterly financial report. Mr. Colecchi will contact Mr. Sniezek to make that request.

**Townhall II**

Mr. Colecchi advised the Board of Commissioners that the hospital has committed to funding for Townhall II for 2009. However, that funding is not guaranteed for 2010. Commissioner Keiper noted that the Board sent Townhall II a letter reminding them that Portage County funding in 2010 is not guaranteed, noting that the

Portage County commitment to Townhall I including filling the necessary financial gap until such a time as the new clinic opened. The Board of Commissioners provided Townhall II \$20,500 for this fiscal year.

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**INTERNAL SERVICES - Cancelled**

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**HUMAN RESOURCES**

Present: Karen U’Halie, Ben Sutton, Sr., Ben Sutton, Jr., Bob Wrentmore

The Director presented the CORSA renewal with Sutton Insurance Agency. The CORSA program is renewable on June 1, 2009 similarly to last year. There is a 4% increase on building and personal property to keep up with economy. The rest of the coverage remains the same. Costs remain about the same with a ¼% increase to the overall program but the Portage County premium will decrease by several hundred dollars. Portage County does get a \$2500 credit due to the Safety/Loss Control Coordinator on staff. Next year the credit could be up to \$10,000 due to the programs we have in place.

Mr. Sutton, Jr. advised that CORSA has strong liability limits and Portage County has chosen to be at the high end. This renewal will offer an additional million dollars at a cost of \$2,245.00 making the amount \$11 million.

The Board of Commissioners approved the CORSA policy renewal effective May 1, 2009, as presented by Mr. Sutton, noting that there is no required action today. The Board of Commissioners noted that the Safety/Loss Control Coordinator has allowed the county to enjoy a credit in the CORSA program as well as reduce the claims made by the county/Journal Entry.

10:40 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by Christopher Smeiles seconded by Maureen T. Frederick that the Board of Commissioners move into executive session to consider departmental staffing & employment , employee compensation and employee discipline. Also present: Human Resources Department Director Karen U’Halie, CBO Bob Wrentmore, and General Services Director Jim Manion. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:45 AM CBO Wrentmore left the Executive Session  
11:00 AM Director Jim Manion left the Executive Session

11:20 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move 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 adopted Resolution 09-0342 approving a lay-off in the Portage County Building Department.

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11:20 AM Board of Commissioners recessed to the Solid Waste Management District Meeting  
11:50 AM Board of Commissioners reconvened

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Noon Lunch Recess  
1:15 PM Board of Commissioners reconvened

Commissioner Frederick not attending

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## **COUNTY ENGINEER**

Present: Mickey Marozzi, Chip Porter, James Bierlair, Audrey Tillis, Shawn Arden and Heather Sites of MS consultants

The group is attending today to update the Board of Commissioners on the Portage County Storm Water Program. Shawn Arden advised that Portage County was required to obtain NPDES coverage in 2003. Several townships, villages and two cities partnered with the county in the permit. Portage County fulfilled its obligations under the 2003 permit except the adoption of the illicit discharge and post-construction storm water regulations.

MS Consultants was hired to help the county adopt a storm water plan and develop a funding mechanism. Portage County and our partner communities must obtain coverage by the end of April 2009. The EPA found the county in compliance in 2008 except for the control issues. MS has been working with the Portage County Steering committee in developing plans and recommendations.

1:30 PM Commissioner Frederick attending

Commissioner Keiper signed the NPDES MS4 Permit and Notice of Intent for Portage County and co-permittees forms. The \$200 check has been issued and must be sent with the check/Journal Entry.

Today, the group will discuss how the Board of Commissioners wants to move forward with three options:

1. Adopt resolution and plan a 2010 start date
2. Adopt resolution with an immediate start date but not fund or enforce until 2010
3. Adopt resolution with January 1, 2010 effective date - the Board of Commissioners agreed to move forward with this Option #3

Mickey Marozzi added that the County Engineer's Office and the Soil & Water Conservation District will continue to provide service with no additional departmental cost. The Health Department will not be involved until the inspections start. Mr. Bierlair suggested that the Board of Commissioners talk to Streetsboro officials to determine their interest in partnering with the county.

Commissioner Smeiles asked what the fee structure will look like. The Board of Commissioners noted that the billing will go right to the tax bill. Mickey Marozzi added that a minimum of \$3.00/month per homeowner will provide enough money to accomplish the EPA mandates with a barebones budget. James Bierlair noted that the city of Kent started a program with a \$5/month fee but reduced it to \$3/month. Most of the money collected was spent on capital improvements.

Commissioner Smeiles asked how many counties are in compliance. Mr. Arden responded about 70-80% of the counties are in compliance. Chip Porter added that many counties are not yet in Phase II but are still in Phase I with lesser compliance issues. Mr. Arden stated that he has been working with the Ohio EPA and notes that the EPA will step-up enforcement actions this year. Chip Porter added that there are economies in numbers for the less populated townships, who could pay more than \$3/month. Commissioner Frederick asked if the timeline is missing public meetings to disseminate information. Mr. Arden responded that there

are several meetings planned in June as well as other educational tools. Two public hearings are also required and planned for July and August.

Mr. Bierlair presented the Board of Commissioners with the NPDES Phase II 2008 Annual Report to the Ohio EPA regarding the status of Portage County and their co-permittees (Brimfield Township, Franklin Township, Ravenna Township, Rootstown Township, Suffield Township, City of Ravenna, City of Streetsboro, Brady Lake Village and the Village of Sugar Bush Knolls) in the Storm Water Management Program in conformance with EPA Permit #3GQ00041\*AG.

Mickey Marozzi to bring back the two resolutions required to move forward once the Prosecutor's Office has completed a final review.

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**RESOLUTION No. 09-0335 - 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 April 16, 2009 in the total payment amount of **\$317,979.84 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

**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. 09-0336 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

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

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on April 16, 2009 in the total payment amount as follows:

1. \$106,203.40 for Medical Mutual Claims-Fund 7101; and
2. \$ 5,031.33 for MHM Resources, Inc for processing claims for Medical Mutual; and





Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0339**

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**RE: REQUEST FOR FUND APPROVAL FROM THE AUDITOR OF THE STATE OF OHIO TO RECEIVE DONATIONS EXPRESSLY FOR THE EXPENDITURE ON CANINE UNIT EXPENSES FOR THE PORTAGE COUNTY SHERIFF.**

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

**WHEREAS,** the Portage County Sheriff has asked the Board of Commissioners to establish a special fund for the donations committed to the purchase of an additional K-9 unit; and

**WHEREAS,** the Ohio Revised Code requires that donations/revenue not specifically authorized by statute must be placed in a special fund to be spent for a specific purpose; and

**WHEREAS,** Auditor of State Bulletin 99-006 requires the submittal of the *Auditor of State Request for Fund Approval* form requesting the creation of this special fund; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners agrees to request the approval of the Auditor of State for the establishment of a special fund for the Portage County Sheriff for the express purpose of receiving donations expressly for canine unit expenses; and be it further

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

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0340**

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**RE: ACCEPT SERVICES OF SOLAR TESTING LABORATORIES, INC. TO PROVIDE ADDITIONAL CONSTRUCTION INSPECTION FOR THE KEN 193 MIDDLEBURY BRIDGE REPLACEMENT PROJECT ON MIDDLEBURY ROAD OVER THE CUYAHOGA RIVER IN THE CITY OF KENT, PORTAGE COUNTY.**

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





3. Approve the wire transfer as presented by the County Auditor./09-336
4. Approve the Journal Vouchers as presented by the County Auditor./09-337
5. Approve the Then & Now as presented by the Portage County Auditor./09-338
6. Request for Fund Approval from the Auditor of State of Ohio to receive donations expressly for the expenditure of canine unit expenses for the Portage County Sheriff's Department./09-339
7. Accept services of Solar Testing Laboratories, Inc. to provide additional construction inspection for the KEN 193 Middlebury Bridge Replacement Project on Middlebury Road over the Cuyahoga River in the City of Kent, Portage County./09-340

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**INVITATIONS/MEETING NOTICES**

April 16, 2009

1. Invitation from Kent State University for the next dialogue with President Lefton on Wednesday, May 6, 2009 at 8:00 AM in the Kent Free Library.
2. Meeting notice for the AMATS Policy Committee meeting on Tuesday, April 21, 2009, 1:30 PM, Martin Center South Room, Akron.
3. Invitation from Paradigm, for the free pipeline safety emergency response program on Tuesday, May 5, 2009, 5:30 PM, Holiday Inn, Canton.
4. Invitation from Goodwill Industries for the Celebration of Champions on Tuesday, May 5, 2009, 7:30-8:00 AM, at the Streetsboro Goodwill Store.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

April 16, 2009

1. April 13, 2009 e-mail from Jon Barber, Office of Homeland Security and Emergency Management, regarding a request by the Federal Air Marshal Service to utilize the mobile command post on April 29, 2009 for radio emergency service link capabilities for a disaster drill at the Akron-Canton Airport/Journal Entry.
2. April 14, 2009 e-mail from Kelly Engelhart, Health Department, requesting a letter of support to apply for the Child and Family Health Services grant through the Ohio Department of Health/Journal Entry

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**JOURNAL ENTRIES**

April 16, 2009

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending April 12, 2009 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$885.00 in Court Donations.

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**REFERRED**

April 16, 2009

1. April 9, 2009 correspondence from Gale Diehl, regarding the Farmland Preservation Advisory Board. Referred to Executive Assistant.
2. The Board of Commissioners received the Owner/Tenant Statement of balance due for water usage at County owned properties for April 2009 as presented by the City of Ravenna. Referred to Internal Services.

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**PLEASE ADD TO THE AGENDA**

April 16, 2009

1. DRAFT RESOLUTION: Enter into a non-drilling oil & gas lease with Ben Energy LLC./09-341 did not pass. The Board of Commissioners discussed moving forward, noting that the City Councilwoman Bridget Pavlick was sent a copy of the correspondence and asked to comment to the Board of Commissioners by today. Commissioner Keiper added that the city has had ample chance to comment on the proposed lease with no response. Commissioner Frederick noted that her only reluctance is how the neighbors feel about the process. Commissioner Smeiles agreed noting that he would like to know where the tank will be located and if landscaping is planned. Commissioner Keiper made a motion to approve the lease agreement, seconded by Commissioner Smeiles. Commissioner Keiper voted yes, Commissioners Frederick and Smeiles voted no/Clerk to bring back/09-0342 was not adopted
2. April 14, 2009 e-mail from Sally Kelly, Senior Center, regarding the Senior Center Open House/Board of Commissioners agreed to an Open House on May 27, 2009.
3. April 10, 2009 correspondence from Justin Meiser, Neighborhood Development Services Inc. in response to the Portage County Internal Auditor's April 8, 2009 correspondence regarding Portage County loan satisfactions.

Neighborhood Development Services Inc. is requesting Board signature on the following Satisfactions: Ethel Mickens, Tiger Tech Inc., and Lisa A. Markham and James T. Fink./Journal Entry

4. April 15, 2009 correspondence from Janet Esposito, County Auditor, regarding a response to fixed asset findings/Information only.
5. Board of Commissioners' authorization requested to pay Invoice No. 30310, dated April 3, 2009 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of March 2009 for General Labor matters at a cost of \$9,431.46. Forward to the Department of Budget & Financial Management for an expenditure correction to the Department of Job & Family Services and the Portage County Nursing Home./Journal Entry.

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**INFORMATION ONLY**

April 16, 2009

1. The Board of Commissioners received the April 10, 2009 Traffic Advisory indicating that beginning Monday, April 27<sup>th</sup>, SR 14 south of Dawley Rd. will close until June 10<sup>th</sup> for culvert replacement as presented by Ohio Department of Transportation.

2. April 10, 2009 correspondence from Ruby Porter, AFSCME Local 1696, indicating Union Officers elected March 11, 2009 and sworn into office April 8, 2009.
3. April 9, 2009 correspondence from Tom Arcoria, The Sagamore Companies, regarding the Solid Waste Management District recycling efforts.
4. The Board of Commissioners received the TOPICS newsletter as presented by Hiram College President Thomas Chema.

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**PROSECUTOR**

April 16, 2009

1. April 13, 2009 correspondence from Leigh Prugh to Dale Haggerty, S&H Development LLC, regarding the escrow agreement between S&H Development LLC, First Merit Bank and the Portage County Board of Commissioners/Information only.

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**Journal Entry**

April 16, 2009

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

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending April 12, 2009 as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$885.00 in Court Donations.
2. The Board of Commissioners signed the Satisfaction of Mortgage for Ethel Mickens, 9111 Wil-Verne Drive, Windham, Ohio for \$23,150.00, as presented by Neighborhood Development Services Inc. No review necessary by Internal Auditor Carol Kurtz as documents were reviewed and approved by Journal Entry July 10, 2008.
3. The Board of Commissioners signed the Satisfaction of Mortgage for Tiger Tech, Inc., 11767 Timber Pointe Trail, Mantua, Ohio for \$24,000.00, as presented by Neighborhood Development Services Inc. No review necessary by Internal Auditor Carol Kurtz as documents were reviewed and approved by Journal Entry July 10, 2008.
4. The Board of Commissioners signed the Satisfaction of Mortgage for Lisa Markham and James T. Fink, 9285 Dorothy Drive, in Streetsboro, Ohio for \$1,750.00, as presented by Neighborhood Development Services Inc. No review necessary by Internal Auditor Carol Kurtz as documents were reviewed and approved by Journal Entry July 10, 2008.
5. The Board of Commissioners authorized payment of Invoice No. 30310, dated April 3, 2009 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of March 2009 for General Labor matters at a cost of \$9,431.46. Forward to the Department of Budget & Financial Management for an expenditure correction to the Department of Job & Family Services and the Portage County Nursing Home.
6. The Board of Commissioners approved the CORSA policy renewal effective May 1, 2009, as presented by Ben Sutton of the Sutton Insurance Agency, noting that there is no required action today. The Board of

Commissioners noted that the on-staff Safety/Loss Control Coordinator has allowed the county to enjoy a credit in the CORSA program as well as reduce the claims made by the county. The Board of Commissioners approved the Optional Liability Limits cost of \$2,245 for an additional \$1 million in coverage making the liability limit \$11,000,000.

7. The Board of Commissioners authorized the Human Resources Department to use the Commissioners' Giant Eagle Card to purchase fruit and water for the Worksite Wellness Events scheduled on April 20, 22, 24 and 28, 2009. The Board of Commissioners noted that the total purchase should not exceed \$150.00 and the invoice will be paid by the Human Resources Department by purchase order using Worksite Wellness Funds.
8. The Board of Commissioners authorized Commissioner Keiper to sign the Notice of Intent (NOI) for Coverage Under Ohio Environmental Protection Agency General Permit (NPDES MS4 Permit) application for Portage County and its co-permittees, as presented by the Portage County Engineer. The Board of Commissioners authorized payment of \$200 to the Ohio EPA to accompany this application.
9. The Board of Commissioners approved the request from the Federal Air Marshal Service to utilize the mobile command post on April 29, 2009 for radio emergency service link capabilities for a disaster drill at the Akron-Canton Airport. The Board of Commissioners noted that Homeland Security and Emergency Management Office Director Jon Barber and Assistant Director John Mason will be on-site during the deployment.
10. The Board of Commissioners signed the letter of support for a Child and Family Health Services grant through the Ohio Department of Health, as presented by Kelly Engelhart, Director of Nursing for the Portage County Health Department.
11. The Board of Commissioners authorized Commissioner Keiper to sign the Ohio Public Works Commission (OPWC) Disbursement Request #2 for \$52,212.12 for project CG03J/CG04J, Wastewater Improvements RD 20, as approved by Water Resources Department Director Harold Huff and presented by the Department of Budget & Financial Management.

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 14, 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 2:00 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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