

**Tuesday, April 28, 2009**

The Board of County Commissioners met in regular session on **Tuesday, April 28, 2009 at 9:45 AM** with the following members present:

Charles W. Keiper II

Christopher Smeiles

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Absent: Commissioner Frederick ill

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It was moved by Christopher Smeiles, seconded by Charles W. Keiper II to approve the meeting minutes of the April 23, 2009 meeting. Commissioner Frederick absent, motion carries

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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. The Board of Commissioners agreed to remove the State v Carol Davidson and Dog Warden Fee case, which was settled. A check for \$4,500 is coming to the county.
2. Dave Brode is waiting for the Department of Homeland Security & Emergency Management to “fill in the blanks” on the EMA Mutual Aid Agreement for Metro Swat Communities.
3. Leigh Prugh still working on the Stormwater Regulations
4. Adult Probation concerns with Elmo Tech for electronic monitoring services/On April 14, 2009 Commissioner Smeiles advised the Board of Commissioners that he spoke with Assistant Chief Adult Probation Office Jim Eskridge regarding issues with the agreement with Elmo Tech for electronic monitoring services, approved on March 26, 2009 by the Board of Commissioners with Resolution 09-0273. Denise Smith contacted Mr. Eskridge to discuss his concerns, advising him that the contract is acceptable and responsive to the bid specs. JoAnn Townend will bring the agreement forward.

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**Prosecutor’s Correspondence**

1. April 22, 2009 correspondence from Denise Smith to the Auditor of State Local Government Services, requesting a special fund designation per ORC 5705.12 K-9 (canine) unit/Information only.

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Attorney Smith advised the Board of Commissioners that it is the Board’s choice as to whether or not to pay the Water Resources Department \$12,000 for the use of the county owned Coit Road Water Resources Department property by the Portage County Sheriff. Department of Budget & Finance will address this issue today.

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The Board of Commissioners discussed the draft MOU for the Joint Safety Center. Commissioner Keiper advised Attorney Smith that he sent an email to her with his comments; he will resend that email. Commissioner Smeiles noted that he does not believe that the dates in the draft are realistic.

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**ECONOMIC DEVELOPMENT**

Present: William Ulik

**Discussion**

1. The office move is still in process. Bill Ulik will contact JoAnn Townend to discuss the purchase of a JETER system, if he desires to purchase new files. The department has 12 four-drawer filing cabinets in the basement of the new offices. An open house is planned in the future.
2. The Director summarized the 2008 Accomplishments in a December 2008 email to the Board of Commissioners. The Director will resend a hard-copy to the office for the files.
3. Current Activity – the Director has met with a number of companies who want to relocate to Portage County and noted that there are a number of things he is working on. Mr. Ulik also noted that he may need to rethink his appointment by the Board of Commissioners to the many boards and commissions since he is not always able to make all of the meetings.
4. The Board of Commissioners agreed to meet to discuss the future of the proposed Portage Development Board. This board would give more flexibility for the office.
5. Director Ulik met with Human Resources Department Director Karen U’Halie to discuss the two position descriptions for new staffing for the office; one clerical specialist and one economic development specialist. The directors will meet with the Board of Commissioners later this week to discuss those job descriptions.

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**DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis

Resolutions

1. General Fund Amendments to the Annual Appropriation Resolution:/09-381
  - a. Commissioner Other, Transfer – Resolution #09-0359
  - b. Senior Center, Supplemental – Resolution # 09-0359
  - c. Sheriff’s Department, Transfer – Department reorganization
2. Other Funds Amendments to the Annual Appropriation Resolution:/09-382
  - a. Fund 1017, Mediation & Dispute Grant DMST – Transfer, Adjust to award and repay cash advance
  - b. Fund 1122, Adult Probation, Transfer – Projected need
  - c. Fund 1168, Disaster Planning, Supplemental – New grant award
  - d. Fund 1275, RLF DCBG Economic Devlpmt, Transfer – Adjustment for prior year admin.
  - e. Fund 1285, KBA RLF CDBG Micro Enterprise, Supplemental – New RLF

- f. Fund 1310, Mental Health & Recovery, Suppl – ODMH DOD match grants
- g. Fund 1361, CH Immunization Project, Suppl – Closing fund
- h. Fund 1390, Women Infants And Children, Trans – Balance project codes
- i. Fund 1410, Job And Family Services, Trans – Projected need
- j. Fund 1412, JFS Help Me Grow Allocation, Trans – Projected need
- k. Fund 1414, Child Support General Admin, Trans – Projected need
- l. Fund 1415, Child Welfare – Special Levy, Suppl – Projected need
- m. Fund 4006, Veterans Memorial, Suppl – Cont. for Brick Sales & Placem
- n. Fund 4212, Brady Lake Rd Bridge Replcmt, Suppl – Project costs
- o. Fund 5200, PCS General Administration, Trans – Adjust to need
- p. Fund 5309, Franklin Hills Pump Station, Suppl, Adjust to actual
- q. Fund 5310, PCS Village Estates PS Rehab, Suppl, Adjust to actual
- r. Fund 5400, PCW General Administration, Trans – Adjust to need
- s. Fund 5600, StS General Administration, Trans – Adjust to need
- t. Fund 5703, StS Pike Parkway, Trans – Adjust to need
- u. Fund 7000, Central Services (Purchasing), Trans – Adjust to need
- v. Fund 7101, Health Benefits Program, Suppl – Worksite Wellness Program

3. Cash Advance Repayment from Fund 1260, Small City CDBG NDS to Fund 0001, General Fund/09-383

Other

4. Journal entry approval(s):

- a. Processing Local Match – Marine Patrol Grant Program

5. Discussion Memos:

- a. The Board of Commissioners discussed the Prosecutor’s request for additional funding for vehicle maintenance/The Board of Commissioners agreed that the Director should monitor the Prosecutor’s budget for the time being.

Updates

6. Amend Resolution 09-0373, which was held by County Auditor/09-0384

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**WATER RESOURCES**

Present: Harold Huff

1. RESOLUTION -Authorizing the preparation of plans, specifications and estimate of cost for Project No. ST-4 (09-040), Portage Pointe Pump Station Elimination, in the Streetsboro Sanitary Sewer District No. 4./09-378
2. RESOLUTION -Enter into the first year of a five (5) year agreement between the County of Portage and Michael L. and Sandra J. West for the lease of land for the purpose of disposal and reuse of liquid and cake sludge on approved application sites./09-379
3. RESOLUTION -Accept bids and award contract for Project No. SH-W (06-300); Cleveland to Aurora Water Line, Phase 2, Contract A. in the Portage County Regional Sewer District./09-380

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11:10 AM Lunch Recess  
1:10 PM Board of Commissioners reconvened

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**STATE AUDITOR**  
Present: Commissioners Keiper and Smeiles; Gary Alger and Michael Stredni, State Auditor's Office; County Auditor Janet Esposito; County Treasurer Steve Shanafelt; Rebecca Ritterbeck; Carol Kurtz

Discussion of the 2008 Audit. The Board of Commissioners forwarded the Letter of Arrangement to the Internal Services Director to prepare the required resolution.

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**RESOLUTION No. 09-0374 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

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

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on April 28, 2009 in the total payment amount of **\$1,717,243.81 for Funds 0001-8300** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Roll call vote as follows:

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

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**RESOLUTION No. 09-0375 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

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

**WHEREAS,** the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

**WHEREAS,** there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

**WHEREAS,**

the Journal Vouchers/Entries are recommended by the County Auditor’s Office for review and approval by the Board of Commissioners; now therefore be it

**RESOLVED,**

that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor’s Office:

04/27/09	1051	\$ 44,027.88
04/27/09	1050	120.00
04/27/09	1049	66,432.84
04/28/09	1072	14,406.75
04/27/09	1048	1,867.00
04/27/09	1041	120.00
04/27/09	1045	470.00
04/27/09	1044	735.00
04/27/09	1043	2,625.00
04/27/09	1039	9,648.00
04/27/09	1042	562.00
Total		\$ 141,014.47

and be it further

**RESOLVED,**

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

Roll call vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0376**

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**RE:**

**ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II 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







TRAX Construction Company

\$ 206,955.00

**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 Lockhart Concrete Company, 800 West Waterloo Road, Akron, OH 44314, in the bid amount of \$188,500.00.

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 "Cleveland to Aurora Water Line, Phase 2", Fund 5400 Org 540040W6 Object 685000 06300.

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, Absent;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0381

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 Charles W. Keiper II 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>		
00107 Commissioner Other OE	0	2,400
<b>MEMO TOTAL</b>	<u><u>\$ -</u></u>	<u><u>\$ 2,400</u></u>

Note: Appr. by resolution

<b>055 Senior Center</b>		
00554 Senior Center CS	2,400	0
<b>MEMO TOTAL</b>	<u><u>\$ 2,400</u></u>	<u><u>\$ -</u></u>

Note: DONATION FOR EXERCISE/TAI-CHI

<b>700 Sheriff's Department</b>		
07003 Sheriff-General Fringes	11,000	10,000
07004 Sheriff-General Admin CS	3,000	0
07005 Sheriff-General Admin MS	0	3,000
0700D Sheriff-General Full Time	50,000	0
0700E Sheriff-General Part Time	7,000	0
0710D Sheriff-Corrections Full Time	30,000	0
0710E Sheriff-Corrections Part Time	30,000	0
0710M Sheriff-Corrections Overtime	0	10,000
0720D Sheriff-Detectives Full Time	50,000	0
07303 Sheriff-Road Deputies Fringes	0	58,000
0730D Sheriff-Road Deputies Full Time	0	150,000
0730E Sheriff-Road Deputies Part Time	50,000	0
<b>MEMO TOTAL</b>	<u><u>\$ 231,000</u></u>	<u><u>\$ 231,000</u></u>

Note: Replacement positions, SWAT membership

<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<u><u>\$ 233,400</u></u>	<u><u>\$ 233,400</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. 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 vote as follows:

Charles W. Keiper II, Yea;	Maureen T. Frederick, Absent;	Christopher Smeiles, Yea;
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RESOLUTION No. 09-0382

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 Charles W. Keiper II 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: 1017 Mediation &amp; Dispute Grant DMST</b>		
<b>550 Domestic Relations</b>		
10173 Mediation & Disp Grant Fringes	476	2,500
10174 Mediation & Dispute Grant CS	0	476
10179 Mediation & Dispute Grant ME	2,500	0
<b>MEMO TOTAL</b>	<u><u>\$ 2,976</u></u>	<u><u>\$ 2,976</u></u>

Note: ADJUST TO ACTUAL, REPAY GF CASH ADVANCE

<b>Fund: 1122 Adult Probation</b>		
<b>590 Adult Probation</b>		
11223 Adult Probation Fringes	0	1,149
11225 Adult Probation MS	1,251	0
1122D Adult Probation Full Time	1	0
<b>MEMO TOTAL</b>	<u><u>\$ 1,252</u></u>	<u><u>\$ 1,149</u></u>

Note: Projected Need

<b>Fund: 1168 Disaster Planning</b>		
<b>930 Emergency Management Agency</b>		
11684 Disaster Planning CS	6,000	0
11685 Disaster Planning MS	6,500	0
<b>MEMO TOTAL</b>	<u><u>\$ 12,500</u></u>	<u><u>\$ -</u></u>

Note: New Grant

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1275</b>	<b>RLF CDBG Economic Devlpmt</b>		
	<b>001 Commissioners</b>		
12754	RLF CDBG Economic Devlpmt CS	30,944	0
12758	RLF CDBG Economic Devlpmt DE	0	30,944
	<b>MEMO TOTAL</b>	<b>\$ 30,944</b>	<b>\$ 30,944</b>

Note: ADJUSTMENT FOR PRIOR YR

<b>Fund: 1285</b>	<b>KBA RLF CDBG Micro Enterprise</b>		
	<b>001 Commissioners</b>		
12854	KBA RLF CDBG Micro Enterpri CS	30,000	0
12858		20,000	0
	<b>MEMO TOTAL</b>	<b>\$ 50,000</b>	<b>\$ -</b>

Note: NEW RLF - KBA

<b>Fund: 1310</b>	<b>Mental Health &amp; Recovery Board</b>		
	<b>904 Mental Health &amp; Recovery Board</b>		
13104	Mental Health & Recovery CS	30,691	0
	<b>MEMO TOTAL</b>	<b>\$ 30,691</b>	<b>\$ -</b>

Note: received ODMH DOD Match grants

<b>Fund: 1361</b>	<b>CH Immunization Project</b>		
	<b>051 Job And Family Services</b>		
13614	CH Immunization Project CS	0	74
	<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 74</b>

Note: Projected Need

<b>Fund: 1390</b>	<b>Women Infants And Children</b>		
	<b>053 Women, Infants &amp; Children</b>		
13903	Women Infant Children Fringes	0	4,891
13904	Women Infants & Children CS	1,250	0
13905	Women Infants & Children MS	3,641	0
	<b>MEMO TOTAL</b>	<b>\$ 4,891</b>	<b>\$ 4,891</b>

Note: Balance project codes

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1410 Job And Family Services</b>		
<b>051 Job And Family Services</b>		
14103 Job & Family Services Fringes	0	30,000
14104 Job & Family Services CS	245,000	0
14105 Job & Family Services MS	35,000	0
1410D Job & Family Service Full Time	0	300,000
1410M Job & Family Service Overtime	50,000	0
<b>MEMO TOTAL</b>	<b>\$ 330,000</b>	<b>\$ 330,000</b>

Note: Projected need

<b>Fund: 1412 JFS Help Me Grow Allocation</b>		
<b>051 Job And Family Services</b>		
14123 JFS Help Me Grow Fringes	0	5,795
14124 JFS Help Me Grow CS	5,795	0
<b>MEMO TOTAL</b>	<b>\$ 5,795</b>	<b>\$ 5,795</b>

Note: Projected need

<b>Fund: 1414 Child Support General Admini</b>		
<b>051 Job And Family Services</b>		
14143 JFS Child Support Gen Fringes	0	15,000
14144 JFS Child Support General CS	15,000	0
<b>MEMO TOTAL</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>

Note: Projected need

<b>Fund: 1415 Child Welfare - Special Levy</b>		
<b>051 Job And Family Services</b>		
14153 JFS Child Welfare Levy Fringes	0	41,000
14154 JFS Child Welfare Levy CS	1,396,000	0
1415D JFS Child Welfare Le Full Time	0	80,000
<b>MEMO TOTAL</b>	<b>\$ 1,396,000</b>	<b>\$ 121,000</b>

Note: Projected need

<b>Fund: 4006 Veterans Memorial</b>		
<b>001 Commissioners</b>		
40064 Veterans Memorial CS	20,000	0
<b>MEMO TOTAL</b>	<b>\$ 20,000</b>	<b>\$ -</b>

Note: Cont. for Brick Sales & Placement



		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 5600</b>	<b>StS General Administration</b>		
	<b>060 Water Resources</b>		
56004	Streetsboro Sewer CS	7,059	0
56005	Streetsboro Sewer MS	14,500	0
56007	Streetsboro Sewer OE	4,799	0
56009	Streetsboro Sewer ME	0	36,358
5600E	Streetsboro Sewer Part Time	10,000	0
	<b>MEMO TOTAL</b>	<u><u>\$ 36,358</u></u>	<u><u>\$ 36,358</u></u>

Note: To move budget to where needed

<b>Fund: 5703</b>	<b>StS Pike Parkway</b>		
	<b>060 Water Resources</b>		
57036	StS Pike Parkway CO	152	0
57039	StS Pike Parkway ME	20,007	0
	<b>MEMO TOTAL</b>	<u><u>\$ 20,159</u></u>	<u><u>\$ -</u></u>

Note: ADJUST TO ACTUAL TO CLOSE CONSTRUCTION FUND

<b>Fund: 7000</b>	<b>Central Services (Purchasing)</b>		
	<b>012 Central Purchasing Services</b>		
7000D	Central Services Pur Full Time	0	150
7000M	Central Services Pur Overtime	150	0
	<b>MEMO TOTAL</b>	<u><u>\$ 150</u></u>	<u><u>\$ 150</u></u>

Note: To Cover Overtime Expense

<b>Fund: 7101</b>	<b>Health Benefits Program</b>		
	<b>018 Human Resources</b>		
71014	HR Health Benefits CS	12,080	0
	<b>MEMO TOTAL</b>	<u><u>\$ 12,080</u></u>	<u><u>\$ -</u></u>

Note: WORKSITE WELLNESS PROGRAM

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<u><u>\$ 5,531,479</u></u>	<u><u>\$ 1,490,369</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, Absent;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0383 - RE: CASH ADVANCE REPAYMENT - FROM FUND 1260  
SMALL CITY CDBG NDS TO FUND 0001, GENERAL FUND**

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

**WHEREAS,** on February 17, 2009, the Board of Commissioners adopted Resolution No. 09-0140, approving a cash advance in the amount of \$ 190,000.00 until grant revenues were received, and

**WHEREAS,** Fund 1260 has received grant revenue; now therefore be

**RESOLVED,** that the following cash advance repayment be made in the amount of \$190,000.00:

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

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

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 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, Absent; Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0384 - RE: AMEND RESOLUTION 09-0373 ADOPTED APRIL 23,  
2009 CONFIRMING THE TRANSFER FROM FUND 0001  
GENERAL FUND TO FUND 5400, PCW GENERAL  
ADMINISTRATION.**

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

**WHEREAS,** the Portage County Water Resources department issued an April 18, 2009 invoice for \$12,000 to the Board of Commissioners for fees related to maintenance at the Sheriff's Weapons Training site located on Coit Road in Shalersville Township; and

**WHEREAS,** the Portage County Prosecutor's Office issued an April 22, 2009 statement that "...Neither the JR (*Journal Entry -July 16, 1996*) nor the MOU (*Memorandum of Understanding-October 26, 1997*) speak to an amount to be paid to WR [Water Resources Department] for use of the property..."; and

**WHEREAS,** it was further stated that "... If the board wishes to appropriate an amount to WR [Water Resources Department] that is up to them. ... But there is no legal basis for the proposition that the Board is required to pay the past invoiced amounts...";and

**WHEREAS,** the Portage County Board of Commissioners desires to compensate the PCW General Administration Fund, Fund 5400, for past use of Water Resources Department land that is utilized for General Fund purposes, and

**WHEREAS,** it is in the authority of the Portage County Board of Commissioners to appropriate General Fund money to the PCW General Administration Fund, Fund 5400; and

**WHEREAS,** the Board of Commissioners must amend Resolution 09-0373, adopted April 23, 2009, to clarify its intention; now therefore be it

**RESOLVED,** that the Board of Commissioners amends Resolution 09-0373 to confirm the following transfer of funds be made in the amount of \$12,000.00:

**FROM:**

FUND 0001, COUNTY GENERAL FUND

ORGCODE - 00100009

Debit Expense Account

Object 910000- TRANSFERS OUT \$ 12,000.00

**TO:**

FUND 5400, PCW GENERAL ADMINISTRATION

ORGCODE - 54001002

Revenue Account

Object 280000 - TRANSFERS IN \$ 12,000.00

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



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**INCOMING CORRESPONDENCE**

**DISCUSSION**

April 28, 2009

1. February 19, 2009 correspondence (received April 23, 2009) from Gregory and Mary Thewes, regarding the sewer rates and requesting a copy of the audit financial from the Water Resources Department/Water Resources Department to respond to Mr. & Mrs. Thewes
2. April 20, 2009 correspondence from Justin Meiser, Neighborhood Development Services Inc., in response to the April 9, 2009 e-mail from the Portage County Internal Auditor Carol Kurtz/Commissioner Smeiles agreed to contact Mr. Meiser to discuss this issue.
3. Discussion of the proposed Vehicle Use Policy/Forward to the Human Resources Department to review and compare to the Commissioners' policy in their Personnel Policy Manual.
4. April 6, 2009 correspondence from County Auditor Janet Esposito, regarding mileage reimbursement/Forward to the Internal Services Director to determine what other forms are being used to track mileage.
5. The Board of Commissioners received a petition from the Portage County Senior Center requesting CDBG funds to repair the parking lot at 705 Oakwood.

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**JOURNAL ENTRIES**

April 28, 2009

1. Board of Commissioners' authorization requested to pay the Portage County Regional Planning Commission \$712.24 for the 2008 City of Aurora CHIP Fair Housing for Aurora Citywide as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting the request appears to be proper and appropriately authorized.
2. Board of Commissioners' authorization requested to allow use of the Courthouse Lawn on Thursday, May 21, 2009 & Thursday, July 23, 2009 for the Home Heritage Concert Series as requested by Home Savings Bank. (Certificate of Insurance and Check No. 703 received for \$2.00).
3. April 10, 2009 Notice from the Ohio Division of Liquor Control of a request for transfer of liquor license from Giant Ohio LLC dba Giant 443 to 4VSP Stores LLC dba Kent BP, 4415 SR 43, Brimfield Township, Kent, OH 44240. Does the Board of Commissioners wish to request a hearing? The Brimfield Township Trustees were notified and have no objections, they are not requesting a hearing. Board of Commissioners' authorization requested to have the Clerk sign and return the Notice.
4. The Board of Commissioners received the Transportation of Prisoners costs for the month of March 2009 as presented by the Portage County Sheriff's Department.
5. Board of Commissioners' signature requested on the purchase requisition for Ohio Conference of Community Development, inc. for the OCCD full membership July 1, 2009-June 30, 2010 for \$ 250.00 as

requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.

6. Board of Commissioners' authorization requested to authorize payment to Neighborhood Development Services Inc. for \$ 500.00 for foreclosure counseling and to Caldwell Banker Mortgage for mortgage catch up for Client Couple 2009-003C and 2009-003P as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor noting conditions for assistance appear to be met.
7. Board of Commissioners' authorization requested to pay the Portage County Regional Airport Authority Invoice No. 2009-019 dated April 21, 2009 for \$302.73 for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight not to exceed \$6,000 annually.

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**REFERRED**

April 28, 2009

1. The Board of Commissioners received a notice from Dominion East Ohio Gas regarding the new Standard Choice Offer (SCO). Referred to Internal Services Director.
2. April 22, 2009 correspondence from Dennis Zavinski, regarding the County Law Library Resources Board. Referred to Executive Assistant to compile and bring back to the Board of Commissioners.
3. April 20, 2009 correspondence from Mark Epstein, Ohio History, regarding revised OHPO coordination & programmatic Agreements. Referred to Neighborhood Development Services Inc., Regional Planning Commission, and Grants Administrator.

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**PLEASE ADD TO YOUR AGENDA**

April 28, 2009

1. April 26, 2009 e-mail from Dawn Pechman, including a copy of the 2009-2010 Aurora Chamber of Commerce City map/The Board of Commissioners agreed not to purchase ad space.
2. Board authorization requested to allow the electronic filing of the quarterly subgrant report to the Ohio Office of Criminal Justice Services for Grant No. 2006-WF-VA8-8222A for the Domestic Violence Intervention for the quarter ending March 31, 2009 (first and final report) as requested by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor noting this request appears to be in keeping with the grant conditions and equivalent to and properly authorized/Journal Entry.
3. Board authorization requested to allow the electronic filing of the quarterly subgrant report to the Ohio Office of Criminal Justice Services for Grant No. 2008-WF-VA8-8222 for the Domestic Violence Intervention for the quarter ending March 31, 2009 as requested by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor noting this request appears to be in keeping with the grant conditions and equivalent to and properly authorized/Journal Entry.

4. Board authorization requested to have Commissioner Keiper sign the quarterly subgrant report to the Ohio Office of Criminal Justice Services for Grant No. 2006-JG-D01-6473A for the Place of Peace for the quarter ending March 31, 2009 as requested by Carole Beaty, Family & Community Services. Documents reviewed by Carol Kurtz, Internal Auditor noting the grant is a continuation of previous awards from the same source and of the same nature/Journal Entry.

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**INFORMATION ONLY**

April 28, 2009

1. The Board of Commissioners received the April 23, 2009 Traffic Advisory as presented by Ohio Department of Transportation.
2. The Board of Commissioners received the Akron Zoo group sales information.
3. The Board of Commissioners received the April 24, 2009 Traffic Advisory as presented by the Ohio Department of Transportation.
4. The Board of Commissioners received the meeting minutes from February 11, 2009 as presented by the Portage County Regional Airport Authority.
5. April 21, 2009 correspondence from Gregory Smith, Ohio EPA, regarding a notice of issuance of a limited environmental review and finding of no significant impact regarding the Upper Cuyahoga Bog Preserve WPCLF #CS399076.
6. April 22, 2009 correspondence from Richard Warren, to Linda Fankhauser, Clerk of Courts, regarding an old court case.
7. The Board of Commissioners received the meeting minutes from March 19, 2009 as presented by the Portage County District Library.
8. The Board of Commissioners received a notice from Greg Leisinger, Apollo Heating & Cooling, regarding an advertisement for his company.

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**Journal Entry**

April 28, 2009

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

1. The Board of Commissioners authorized payment to the Portage County Regional Planning Commission for \$712.24 for the 2008 City of Aurora CHIP Fair Housing for Aurora Citywide, as presented by Neighborhood Development Services Inc. Documents reviewed by Internal Auditor Carol Kurtz who noted that the request appears to be proper and appropriately authorized.
2. The Board of Commissioners authorized the use of the Courthouse Lawn on Thursday, May 21, 2009 & Thursday, July 23, 2009 for the Home Heritage Concert Series, as requested by Home Savings Bank. The

Board of Commissioners forwarded the Certificate of Insurance and Check No. 703 received for \$2.00 to the Internal Services to process the agreement.

3. In response to the April 10, 2009 Notice from the Ohio Division of Liquor Control of a request for transfer of liquor license from Giant Ohio LLC dba Giant 443 to 4VSP Stores LLC dba Kent BP, 4415 SR 43, Brimfield Township, Kent, OH 44240, the Board of Commissioners agreed not to request a hearing, noting the Brimfield Township Trustees were also notified and have no objections. The Board of Commissioners further authorized the Clerk to sign and return the Notice.
4. The Board of Commissioners acknowledged the receipt of the Transportation of Prisoners costs for the month of March 2009, as presented by the Portage County Sheriff.
5. The Board of Commissioners signed the purchase requisition for Ohio Conference of Community Development, inc. for the OCCD full membership July 1, 2009-June 30, 2010 for \$250.00, as presented by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity will fund this purchase. Documents reviewed by Internal Auditor Carol Kurtz who noted that no exceptions were noted.
6. The Board of Commissioners authorized payment to Neighborhood Development Services Inc. for \$ 500.00 for foreclosure counseling and \$3,000.00 to Caldwell Banker Mortgage for mortgage catch up for Client Couple 2009-003C and 2009-003P, as presented by Neighborhood Development Services Inc. Documents reviewed by Internal Auditor Carol Kurtz who noted that conditions for assistance appear to be met.
7. The Board of Commissioners authorized payment of the April 21, 2009 Invoice No. 2009-019 from the Portage County Regional Airport Authority for \$302.73 for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight, not to exceed \$6,000 annually.
8. The Board of Commissioners signed the April 28, 2009 correspondence to the Portage County Auditor requesting that her staff debit the General Fund account and credit Fund 1102 for the local government contribution for the Marine Patrol Grant as follows:

	<u>Org</u>	<u>Object</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b>	00100004	492100		\$7,922.00	Local Share
<b>Credit:</b>	11027001	194000	9A000	\$7,922.00	Local Match /Share

9. The Board of Commissioners authorized the electronic filing of the quarterly subgrant report to the Ohio Office of Criminal Justice Services for Grant No. 2006-WF-VA8-8222A for the Domestic Violence Intervention for the quarter ending March 31, 2009 (first and final report) as requested by Carole Beaty, Family & Community Services. Documents reviewed by Internal Auditor Carol Kurtz who noted that this request appears to be in keeping with the grant conditions and equivalent to and properly authorized.
10. The Board of Commissioners authorized the electronic filing of the quarterly subgrant report to the Ohio Office of Criminal Justice Services for Grant No. 2008-WF-VA8-8222 for the Domestic Violence Intervention for the quarter ending March 31, 2009 as requested by Carole Beaty, Family & Community Services. Documents reviewed by Internal Auditor Carol Kurtz who noted that this request appears to be in keeping with the grant conditions and equivalent to and properly authorized.

11. The Board of Commissioners authorized Commissioner Keiper to sign the quarterly subgrant report to the Ohio Office of Criminal Justice Services for Grant No. 2006-JG-D01-6473A for the Place of Peace for the quarter ending March 31, 2009 as requested by Carole Beaty, Family & Community Services. Documents reviewed by Internal Auditor Carol Kurtz who noted that the grant is a continuation of previous awards from the same source and of the same nature.
12. The Board of Commissioners acknowledged the opening of the Portage County Emergency Operation Center (EOC) in a limited mode to address public health concerns, effective Sunday, April 26, 2009 at 5:00 PM, in response to the 2008 Swine Flu Outbreak.

Commissioner Frederick absent, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **April 28, 2009**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Charles W. Keiper II to adjourn the official meeting at **1:30 PM**. Commissioner Frederick absent, motion carries.

Charles W. Keiper II, President

ABSENT  
Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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