

Thursday, May 7, 2009

The Board of County Commissioners met in regular session on **Thursday, May 7, 2009 at 9:17 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 May 5, 2009 meeting. All in favor, motion carries

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

1. The Director discussed the different materials for new awnings for the Riddle Block building. The Director will contact the City to determine what colors are acceptable in this district and bring those colors back to the Board for review.
2. The Commissioners asked the Director where the RFQ for the building capital maintenance is. JoAnn Townend responded that she is waiting for a building specific list from Tim Miller, Director of Maintenance.

RESOLUTIONS

1. Enter into an agreement for domestic violence services ("safer solutions/peaceful solutions") with Family & Community Services 11/1/08 to 10/31/09 for JFS./09-0422
2. Enter into amendment no. 1 for parenting services with Family & Community Services for JFS./09-0423
3. Enter into subgrant agreement with the Ohio Dept. of Job & Family Services./09-0418

JFS Vehicle Request

The Department of Job & Family Services has asked the Board of Commissioners for permission to lease two vans, noting that they are not able to purchase the vans due to the seven year depreciation required in the Portage County Fixed Assets Policy. The Director advised the Board of Commissioners that she checked with the County Auditor as to why vehicles are depreciated at seven years. The County Auditor noted that she is calling the committee together and should discuss this issue, noting that the depreciation may actually be four or five years.

The bids for the lease of the vehicles have expired. The Director advised the Board that flex fuel Dodge Caravans are available at Montrose Chrysler for purchase from the state bid.

4. Resolution of necessity to purchase two JFS vans off the state contract/09-0424
5. Resolution to reject the lease bids for JFS vans/09-0425

- 6. Resolution to authorize advertising for the second Water Resources Department on-line auction for AC pipe replacement, Phase II/09-0426
- 7. Resolution to accept the bid for auctioneering services for Portage County/The Board of Commissioners held this resolution

The Board of Commissioners agreed that JoAnn Townend should prepare an RFQ for the fixed assets project.

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HUMAN RESOURCES

Present: Karen U’Halie

10:20 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 a discipline issue and a bargaining issue. **Also present:** Human Resources Department Director Karen U’Halie. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:00 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** 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 approved a disciplinary action by Journal Entry.

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11:00 AM Recessed to Solid Waste Management District
 11:40 AM Board of Commissioners reconvened

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NEIGHBORHOOD DEVELOPMENT SERVICES

Present: Dave Vaughan, Mike Bogo

The Board of Commissioners discussed the Neighborhood Development Services request that the Commissioners partner with them to host a National Community Stabilization Trust Event on June 10th at a location to be determined. The Board agreed to participate.

Windham Demolition

The Board of Commissioners approved payment of \$ 12,155 to Emerald Environmental for the asbestos inspection and specs/Journal Entry.

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RESOLUTION No. 09-0411 - **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 May 7, 2009

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RESOLUTION No. 09-0413 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick 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:

05/07/09	245	\$ 665.00
05/07/09	246	1,825.00
05/07/09	247	985.00
05/07/09	248	25,637.66
Total		\$ 29,112.66

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. 09-0414 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the

Road over the Congress Lake Outlet was received by the Portage County Engineer from **MS Consultants, Inc.**, and

WHEREAS, the Portage County Engineer, upon review of the proposal from **MS Consultants, Inc.**, recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby accept the proposal of **MS Consultants, Inc.**, to provide said consulting services for the RAN 20 TH28A Bridge Replacement Project, and be it further

RESOLVED, that said services will be performed by **MS Consultants, Inc., 4450 Belden Village Street, N.W., Suite 801, Canton, OH 44718-2533**, at a cost not to exceed \$10,000.00.

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. 09-0420

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RE: TERMINATION OF THE ENTERPRISE ZONE AGREEMENT BETWEEN TINKERS CREEK INDUSTRIAL PARTNERS, L.P., THE CITY OF STREETSBORO AND PORTAGE COUNTY

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

WHEREAS, on August 2, 1999 Streetsboro City Council adopted Ordinance No. 1999-97, and on August 23, 1999 Streetsboro City Council adopted Ordinance No. 1999-109 amending the Enterprise Zone Agreement, and

WHEREAS, on September 9, 1999 the Board of Portage County Commissioners adopted Resolution No. 99-638 granting an Enterprise Zone agreement to Tinkers Creek Industrial Partners, L.P.; and

WHEREAS, it is the determination of the City of Streetsboro by City Ordinance No. 2009-30 adopted March 23, 2009 that the Enterprise Zone Tax Abatement Agreement by and between the City of Streetsboro, Portage County and Tinkers Creek Industrial Partners, L.P. be terminated, due to the failure to comply with the terms of the Enterprise Zone Agreement, and at the recommendation of the Streetsboro Tax Incentive Review Council; now therefore be it

formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Charles W. Keiper, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0422

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RE: ENTER INTO AN AGREEMENT FOR DOMESTIC VIOLENCE SERVICES ("SAFER SOLUTIONS/PEACEFUL SOLUTIONS") BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND FAMILY & COMMUNITY SERVICES, INC.

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

- WHEREAS,** the Portage County Department of Job & Family Services (PCDJFS) is in need of domestic violence counseling and other treatment to stabilize a family and prevent removal of children from their homes (referred to as "SAFER SOLUTIONS/PEACEFUL SOLUTIONS"); and
- WHEREAS,** Requests for Proposals were sent to ten (10) potential service providers; and
- WHEREAS,** Four (4) proposals were received, opened and tabulated on September 26, 2008; and
- WHEREAS,** Family & Community Services, Inc. is willing and able to provide these services; and
- WHEREAS,** The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Family & Community Services, Inc.; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Family & Community Services, Inc. with its principal place of business located at 705 Oakwood St. #221, Ravenna OH 44266, for the period November 1, 2008 through October 31, 2009, with the option of a one (1) year agreement extension; and be it further
- RESOLVED,** that the total amount of this Agreement is not to exceed Sixty-six thousand one hundred twenty and 90/100 dollars (\$66,120.90); 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. 09-0424

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RE: DECLARE THE NECESSITY TO PURCHASE VEHICLES FOR USE BY THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES.

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

WHEREAS, pursuant to ORC 307.41 the Portage County Board of Commissioners declares it necessary to purchase two (2) 2009 Dodge Caravan’s with the estimated useful life of four (4) years for use by the Department of Job & Family Services; and

WHEREAS, the purchase of the vehicles will be made from State of Ohio Contract #RS 900609; and

WHEREAS, the purchase price of the each vehicle is Nineteen thousand eight hundred ninety-eight and 00/100 dollars (\$19, 898.00) with and additional One hundred five and 00/100 dollars (\$105.00) each for delivery, now therefore be it

RESOLVED, that the Portage County Board of Commissioners declares it necessary to purchase two (2) 2009 Dodge Caravan’s with the estimated useful life of four (4) years, for the Department of Job & Family Services at the cost of Nineteen thousand eight hundred ninety-eight and 00/100 dollars (\$19,898.00) with and additional One hundred five and 00/100 dollars (\$105.00) for each; and

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

Voice vote as follows:

Charles W. Keiper, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0425

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RE: REJECT THE BID RECEIVED FOR THE LEASE OF TWO (2) MINI VANS FOR THE DEPARTMENT OF JOB & FAMILY SERVICES.

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

WHEREAS, on April 29, 2009 two (2) bids were received, opened, and recorded for the lease of two (2) mini vans for the Department of Job & Family Services, and

WHEREAS, it is more cost efficient to purchase mini vans from State Purchasing than lease them; now therefore be it

categorical exclusion document and 404 Army Corps of Engineers wetland permit for the RAN 20 TH28A Bridge Replacement project on Eberly Road over the Congress Lake Outlet in Randolph Township, Portage County. (County Engineer)./09-0419

11. Termination of the Enterprise Zone Agreement between Tinkers Creek Industrial Partnership Leigh Prugh, the City of Streetsboro and Portage County./09-0420
12. Approve the plans and specifications and set date for accepting bids for the Tallmadge Road Resurfacing Project (County Engineer)./09-0421

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INVITATIONS/MEETING NOTICES

May 7, 2009

1. Invitation from Regional Prosperity Initiative to a Convening of Leaders to discuss region-wide land use planning and new growth revenue sharing on Wednesday, May 20, 2009, 7:30-9:00 AM, University of Akron Martin University Center.
2. Invitation from the Portage County Educational Service Center to the Teen Honors Breakfast at the Kent State University Student Center Ballroom on Wednesday, May 27, 2009, 9:00 AM.

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INCOMING CORRESPONDENCE

DISCUSSION

May 7, 2009

1. May 4, 2009 e-mail from Charlene Badger, Executive Assistant, regarding surplus funds from the Bicentennial project/The Board of Commissioners discussed this issue today and thought that the purchase of a granite directory for the location of those honored at the Portage County Veterans Memorial, as prepared recently by a local Boy Scout, might be a fitting use of some of the surplus funds. They do believe that this is a Bicentennial Committee decision.
2. May 4, 2009 e-mail from Karen U'Halie, Human Resources Department, regarding the smoking policy at The Woodlands At Robinson/Human Resources Department Director to discuss with the nursing home administration and bring back to the Board of Commissioners if a policy change is recommended.
3. Undated correspondence (received May 4, 2009) from Theresa Helberg, regarding The Woodlands At Robinson./Information only/Forward to the nursing home and Human Resources Department Director Karen U'Halie.
4. May 4, 2009 correspondence from Dave Vaughan, Neighborhood Development Services Inc., regarding the National Community Stabilization Trust. Does the Board wish to host an event with Summit County, Youngstown, Canton, Barberton, Akron, Ashtabula, Kent, Ravenna and Trumbull County/The Board of Commissioners agreed to partner with Neighborhood Development Services, Inc. for this event on June 10, 2009.

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JOURNAL ENTRIES

May 7, 2009

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending May 3, 2009 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$750 in Court Donations.

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REFERRED

May 7, 2009

1. May 4, 2009 memo from Michael Hiler, Ohio Department of Development, regarding a delay of drawdown processing due to State Fiscal Year end June 30, 2009. Referred to Internal Auditor, Grants Administrator and Department of Budget and Financial Management.
2. Undated correspondence (received May 5, 2009) from Shirl Wilson, regarding Board appointments. Referred to Executive Assistant.

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PLEASE ADD TO THE AGENDA

May 7, 2009

1. Board of Commissioners' authorization requested to approve a satisfaction for Nellie Holmberg as requested by Neighborhood Development Services Inc. Documents reviewed by Carol Kurtz, Internal Auditor with comments noted/Journal Entry.
2. May 5, 2009 memo from Harold Huff, Water Resources Department, requesting the Board select an engineering firm to perform an environmental assessment/Journal Entry.

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INFORMATION ONLY

May 7, 2009

1. April 29, 2009 memo from Michael Colbert, Ohio Department of Job and Family Services, regarding initial county share of public assistance expenditures mandated share State Fiscal Year 2010. (cc: Job and Family Services by ODJFS).
2. April 29, 2009 memo from Michael Colbert, Ohio Department of Job and Family Services, regarding County financial participation in Job and Family Services programs for State Fiscal Year 2010. (cc: Job and Family Services by ODJFS).
3. April 29, 2009 correspondence from Jack Rosati Jr., Bricker & Eckler, including an article entitled "Owners & Architects – Be Diligent in Reviewing Pay Applications".
4. Undated correspondence (received May 4, 2009) from several attendees at the Portage County Senior Center, regarding the exercise and Tai Chi program at the center.

5. Undated correspondence (received May 5, 2009) from Ryan Vero, Office Max, regarding Office Max credit card. (cc: Internal Services).

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Journal Entry

May 7, 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 May 3, 2009, as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$750 in Court Donations.
2. The Board of Commissioners approved an Ohio Bureau of Workers' Compensation Settlement not to exceed \$3,000 for BWC Claim No. 07-391200, as presented by Assistant Prosecuting Attorney Tommie Marsilio.
3. Upon exiting an Executive Session today, the Board of Commissioners approved a one (1) day suspension of a nursing home employee.
4. The Board of Commissioners signed the Satisfaction of Mortgage for Nellie Holmberg, 1073 Bryce Avenue in Aurora, as presented by the Neighborhood Development Services Inc.
5. The Board of Commissioners selected the Floyd Browne Group of Akron as the engineering firm to perform an environmental assessment for the required engineering services to develop an Environmental Assessment following the USACE standards for Streetsboro Trunk Sewers grant. In accordance with the Ohio Revised Code, no formal selection process is necessary since the total cost for the assessment is expected to be under \$10,000. The Board of Commissioners authorized the Water Resources Department Director to enter into negotiations for a detailed scope of work and price, noting that the negotiated contract would come to the Board of Commissioners for final approval. Funds for this expenditure are available in the Streetsboro Sewer Fund in the Professional Services Line Item.
6. The Board of Commissioners authorized the hire of Brent Ford as a temporary summer hire for the Department of Maintenance beginning Monday, May 11, 2009 at \$8.00/per hour. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment drug screen.
7. The Board of Commissioners authorized the hire of Pete A. Yachanin as a temporary summer hire for the Department of Maintenance beginning Monday, May 18, 2009 at \$8.00/per hour. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment drug screen.
8. On July 8, 2008, The Board of Commissioners approved the Neighborhood Development Services request to use \$123,000 from the Portage County Economic Development RLF to fund the demolition of four buildings in the Maple Grove neighborhood in the Village of Windham. The Board of Commissioners agreed to 0%, no payment, due on transfer or development funding for this project. The Commissioners also agreed that the Neighborhood Development Services should contact the state to determine if repayment of this loan to Portage County is to commence on or before five years of the loan being made.

The Commissioners noted that the state Ohio Department of Development OHCP must approve this loan of RLF funds.

On August 7, 2008, the Ohio Department of Development Office of Housing and Community Partnerships approved the Waiver Request of \$123,000 for this project.

Executive Director David Vaughan of Neighborhood Development Services, Inc. signed the Mortgage for \$95,639.00 for the demolition project on April 3, 2009 and recorded the Mortgage on April 6, 2009. Mr. Vaughan also signed a Promissory Note for \$95,639.00 on April 3, 2009, payable to the Portage County Board of Commissioners.

The Commissioners noted today that three vendors are hired to provide services as follows:

- A. Emerald Environmental for asbestos inspection and specs
- B. GCS for asbestos abatement and environmental remediation work
- C. R. Sereday Excavating, Inc. for demolition

Today, the Board of Commissioners authorized payment of \$12,155 to Emerald Environmental of Kent for asbestos inspection and specs for this demolition project. Documents reviewed by Internal Auditor Carol Kurtz who noted that the report appears to be correct and properly authorized.

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 **May 7, 2009**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Maureen T. Frederick to adjourn the official meeting at **11:55 AM**. 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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