

**Tuesday, May 26, 2009**

The Board of County Commissioners met in regular session on **Tuesday, May 26, 2009 at 9:25 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 Christopher Smeiles to approve the meeting minutes of the May 21, 2009 meeting. All in favor, motion carries

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

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**PUBLIC COMMENT PERIOD**

Present: Terrence Mott

Mr. Mott, of Diamond, Ohio, attending today to discuss his concern about the foul odors and toxins being released into the gas lines around his home. His investigation shows that the smells originate in Randolph Township, the Columbia gas lines in Sebring, near the 3700 block of Newton Falls Road and at the Route 5/Route 534 intersection. Mr. Mott added that someone is injecting a lung irritant into the gas lines but he does not believe that East Ohio Gas or Columbia Gas are involved. The fumes are also polluting the fields.

Commissioner Smeiles asked if Mr. Mott has called the gas companies and filed complaints. Mr. Mott responded yes. Commissioner Keiper asked if he has contacted the Health Department and Mr. Mott responded that he is not getting them involved. He has contacted the federal government, the Ohio EPA. Commissioner Smeiles suggested that Mr. Mott contact the Akron Regional Air Quality Management District that covers air quality issues in Portage County. Mr. Mott added that the common denominator is Dennis Nicholson, former owner of his property.

Commissioner Smeiles asked what action there is for the Board of Commissioners to take. Mr. Mott responded that he just wanted to state the information for the record. He added that he plans to turn his property over to someone because this issue is affecting the health of his children. Commissioner Smeiles asked if Mr. Mott has an attorney. Mr. Mott responded yes and added that this should cease immediately. Mr. Mott added that there is also an issue with a forged signature on the court documents regarding asbestos litigation.

Commissioner Keiper noted that the Board of Commissioners appreciates Mr. Mott sharing his comments with the Board. Commissioner Frederick wondered if Mr. Mott would want a copy of the tape of this meeting. Mr. Mott responded affirmatively.

Mr. Mott added that whatever is in the air is polluting the fields in Deerfield and Atwater with all wells along the Randolph line involved.

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9:30 AM The Board of Commissioners recessed to the Records Commission Meeting

9:40 AM The Board of Commissioners reconvened

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9:43 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider a pending litigation matter. **Also present: Attorney Denise Smith.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

9:55 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** 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 took no action.

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**ECONOMIC DEVELOPMENT**

Present: William Ulik

The Director advised that he is working with a company considering relocation to Portage County. Mr. Ulik noted that he continues to serve on AMATS, NEFCO, NEOTEC and the AMATS Technical Advisory Committee. He added that he is working to make certain that Portage County is considered for certain project funding.

The departmental offices have relocated to 217 South Chestnut Street, but there are still several minor items to be taken care of yet. Architect Dave Sommers is working with the contractor. Representatives from Portage Awning are meeting with the Board of Commissioners this Thursday. The Director suggested purchasing historical photos to hang on the wall in the new offices.

The clerical position was advertised and the vacancy closed on May 20, 209. He will work with Human Resources Department Director Karen U'Halie to move forward. The second position has been factored by Director U'Halie as a DAT 3.

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10:10 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider an employment issue in the Portage County Department of Economic Development. **Also present: Director Bill Ulik.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:35 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** 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 took no action.

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The Board of Commissioners adopted a Journal Entry today authorizing the PCDED to use the commissioners' Guido's charge for a June 12<sup>th</sup> event.

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**GRANTS ADMINISTRATOR**

Present: Dan Banks

Director Banks attending today to discuss the Portage County Airport/FAA grants. Mr. Banks presented a Department of Budget & Finance spreadsheet showing the Portage County General Fund support from FY 1997 through FY 2008 & FY 2009. The bottom line is the proposed 2009 funding of \$14,000.

Mr. Banks noted that the Airport received an email from Commissioner Smeiles, which they thought was an invitation to attend this meeting today. Mr. Banks has explained to President Schuster that he was meeting today to explain the Airport's funding requests. Airport President Shirley Schuster also advised Mr. Banks that the Airport Board has asked that the Board of Commissioners attend an Airport Board Meeting or the Airport Board could attend a Board of Commissioners' meeting.

Mr. Banks noted that the Kent State Airport has allocated its 2006 FAA \$150,000 entitlement for their airport to the Portage County Regional Airport. The Airport is not certain what the FAA entitlement is for 2007 or 2008 but has no reason to believe it will change from \$150,000. Kent State has not offered to give the Airport the 2007 and/or the 2008 entitlement. The Portage County Airport is requesting that the Board of Commissioners provide the local match necessary of \$7,895 to acquire the KSU Airport FAA portion and \$7,895 local match to acquire the Portage County FAA portion or \$15,790.

Commissioner Keiper noted that the Board of Commissioners had asked the Airport to provide the status of a number of budget issues; one being the determination of user fees. Have past user fees been forgiven at this point? Commissioner Keiper remembered that he cautioned the Airport Board last year about forgiving the fees and then asking the Board of Commissioners for additional funding. If the Airport Board has agreed to forgive past user fee, he would hesitate to approve additional funding.

The Board noted that the Portage County Airport also intends to apply for 2009 FAA funding for the purchase of property with a local match requirement of \$15,790. That application deadline is approaching. Commissioner Keiper agreed that to provide \$7,895 to acquire \$150,000 is an easy decision for him to make to help extend the runway.

Commissioner Frederick asked of the liability of having to pay the FAA back, should the KSU Airport close. Mr. Banks responded that there would be no Board of Commissioners' liability since the Airport projects are not Commissioner Projects. The FAA grant is to the Airport not the Board of Commissioners.

Commissioner Frederick stated that the May 26, 2009 email from Airport President Schuster advises that the Airport Board agreed to "temporarily change the "private" user fee for 2009 from \$300 per aircraft to \$120 per hangar". She noted that the Airport Financial Statements show that they have two CDs worth \$70,000 and another \$50,000 in a checking account. Mr. Banks responded that the Airport cashed in two CDs for \$20,000 to make a roof repair to one of the Airport's hangars. Since that roofing project has not gone through, there is \$20,000 in the Airport's checking account. Commissioner Smeiles noted that that money is earmarked to repay Portage County for the fuel farm. He added that it would be in the best interest of the Airport to find the match for the KSU Airport's FAA entitlement to acquire \$150,000. Mr. Banks responded that the Airport is asking for the match from the Board of Commissioners. He added that this money must be dedicated to a project and is not operating money.

The Board of Commissioners asked Mr. Banks to confirm the reduction of user fees for 2009 from \$300/aircraft to \$120/hangar and what that will do to the Airport revenues. Mr. Banks will contact Shirley Schuster to answer that question. The Commissioners agreed that the clerk should contact the Airport Board and arrange a meeting.

Commissioner Keiper wondered about the status of the strategic plan being prepared by the C & S Companies and asked the Clerk to contact C&S for an update.

Since there is no Board action required today, the Board of Commissioners directed Mr. Banks to work with the Airport on these issues and also agreed to schedule a meeting with representatives from the Airport in the near future.

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Commissioner Keiper noted that, for the record, the City of Kent gave retroactive to January 1, 2009 3% raises to all of their nine union bargaining employees last week by Ordinance 09-69.

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**DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT**

Present: Audrey Tillis

**Resolutions**

1. General Fund Amendments to the Annual Appropriation Resolution:/09474
  - a. Commissioners Other, Supplemental – G. Enders Retirement Payoff and JFS Contract for Vehicle Maintenance
  - b. Building Maintenance, Transfer – Seasonal Summer Help per BOC Appr 5/7/09
  - c. Auditor, Transfer – Employment Status Change
  - d. Prosecutor, Supplemental and Transfer – M. Stuck Vacation/Sick Payoff and JFS Contract for Vehicle Maintenance
  - e. Sheriff’s Department, Transfer – To Avoid Projected Deficit
  - f. Board of Elections, Supplemental – G. Enders Retirement Payoff
  
2. Other Funds Amendments to the Annual Appropriation Resolution:/09-475
  - a. Fund 1006, Comp Legal Research Muni Crt – Transfer, Projected Need
  - b. Fund 1201, Motor Vehicle and Gas Tax – Supplemental, Projected Need
  - c. Fund 1210, Safety Studies – Supplemental, Projected Need
  - d. Fund 1330, Dog & Kennel – Supplemental, New Grant
  - e. Fund 4210, Middlebury Road Bridge Replace – Supplemental, For Federal & OPWC Disbursement
  - f. Fund 5200, PCS General Administration – Transfer, To Move Budget Where Needed
  - g. Fund 5400, PCW General Administration – Transfer, To Move Budget Where Needed
  - h. Fund 5600, StS General Administration – Transfer, To Move Budget Where Needed
  - i. Fund 8106, Sheriff Gift & Donations K-9 – Supplemental, Request Appropriation for Expense
  
3. Close Fund 5309, PCS Franklin Hills Pump Station/09-476
  
4. Close Fund 5310, PCS Village Estates PS Rehab/09-477

**Other**

5. Journal entry approval(s):
  - a. Processing Local Match – Emergency Management Performance Grant

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The Director presented the May 19, 2009 invoice from the Portage County Water Resources Department for the unbilled maintenance for the Pretty Glen Dam/Hills Pond Dam for 2002 – 2009 in the amount of \$1,127.98/Journal Entry payment by the Board of Commissioners.

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The Director noted that she may have to bring a cash advance to the Board of Commissioners on May 28<sup>th</sup> for the WIC Program, since they are waiting for the state reimbursement.

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**RESOLUTION No. 09-0470 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles 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 26, 2009 in the total payment amount of **\$300,302.28 for Funds 0001-8101** 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. 09-0471 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles 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 26, 2009 in the total payment amount as follows:

- 1) \$368,735.63 to the Bank of New York Mellon for various purpose bond, PORVAR01; and
- 2) \$108,658.13 to The Bank of New York Mellon general PORTGOB2004; and
- 3) \$213,700.00 to Huntington National Bank for various purpose improvement refunding bond series 2006 PORTGEVPRF06; and
- 4) \$89,638.75 to Huntington National Bank for various purpose bond PORTAGEVP07;





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 09-0474

RE: AMENDMENT TO THE GENERAL FUND 2009 ANNUAL  
APPROPRIATION RESOLUTION NO. 08-1181  
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 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</b>	<b>General Fund</b>		
	<b>010 Commissioners Other</b>		
00107	Commissioner Other OE	0	25,461
	<b>MEMO TOTAL</b>	<u><u>\$ -</u></u>	<u><u>\$ 25,461</u></u>

Note: G. Enders retirement payoff JFS Contract Veh Maint

	<b>016 Building Maintenance</b>		
0016E	Justice Center Maint Part Time	8,600	0
0016M	Justice Center Maint Overtime	0	8,600
	<b>MEMO TOTAL</b>	<u><u>\$ 8,600</u></u>	<u><u>\$ 8,600</u></u>

Note: SEASONAL SUMMER HELPPer BOC Appr 05-07-09

	<b>100 Auditor</b>		
01103	Auditor Financial M Fringes	251	0
0110D	Auditor Financial Ma Full Time	10,660	0
0110E	Auditor Financial Ma Part Time	0	10,911
	<b>MEMO TOTAL</b>	<u><u>\$ 10,911</u></u>	<u><u>\$ 10,911</u></u>

Note: Employment status change

	<b>300 Prosecutor</b>		
0300K	Prosecutor General Secret	0	10,407
03000	Prosecutor General Retirement	10,407	0
03014	Prosecutor Support CS	10,000	0
	<b>MEMO TOTAL</b>	<u><u>\$ 20,407</u></u>	<u><u>\$ 10,407</u></u>

Note: M. Stuck Vac/ Sick Payoff JFS Contract Veh Maint

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	<u>Increase</u>	<u>Decrease</u>
<b>700 Sheriff's Department</b>		
07303 Sheriff-Road Deputies Fringes	0	8,000
0740E Sheriff-Dispatch Part Time	8,000	0
<b>MEMO TOTAL</b>	<b><u>\$ 8,000</u></b>	<b><u>\$ 8,000</u></b>

Note: To Avoid Projected Deficit

<b>902 Board Of Elections</b>		
09020 Board of Elections Retirement	15,461	0
<b>MEMO TOTAL</b>	<b><u>\$ 15,461</u></b>	<b><u>\$ -</u></b>

Note: G. Enders retirement payoff

<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<b><u>\$ 63,379</u></b>	<b><u>\$ 63,379</u></b>
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and be it further,

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

**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, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0475 - 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,

		<u>    Increase    </u>	<u>    Decrease    </u>
<b>Fund: 1006</b>	<b>Comp Legal Research Muni Crt</b>		
	<b>520 Municipal Court</b>		
10063	Comp Lgl Res-Muni Fringes	168	0
10064	Comp Lgl Res-Muni CS	0	1,248
1006D	Comp Lgl Res-Muni Full Time	1,080	0
	<b>MEMO TOTAL</b>	<u><u>    \$ 1,248    </u></u>	<u><u>    \$ 1,248    </u></u>

Note: Probationary Increase

<b>Fund: 1201</b>	<b>Motor Vehicle And Gas Tax</b>		
	<b>800 Engineer's Department</b>		
12014	Motor Vehicle/Gas Tax CS	50,000	0
	<b>MEMO TOTAL</b>	<u><u>    \$ 50,000    </u></u>	<u><u>    \$ -    </u></u>

Note: Projected Need

<b>Fund: 1210</b>	<b>Safety Studies</b>		
	<b>800 Engineer's Department</b>		
12104	Safety Studies CS	78,100	0
	<b>MEMO TOTAL</b>	<u><u>    \$ 78,100    </u></u>	<u><u>    \$ -    </u></u>

Note: Projected Need

<b>Fund: 1330</b>	<b>Dog And Kennel</b>		
	<b>045 Dog And Kennel</b>		
13304	Dog Kennel - Warden CS	2,000	0
	<b>MEMO TOTAL</b>	<u><u>    \$ 2,000    </u></u>	<u><u>    \$ -    </u></u>

Note: NEW GRANT

	<u>Increase</u>	<u>Decrease</u>
<b>Fund: 4210 Middlebury Road Bridge Replace</b>		
<b>800 Engineer's Department</b>		
42106 Middlebury Road Bridge Repl CO	1,278,500	0
<b>MEMO TOTAL</b>	<u><u>\$ 1,278,500</u></u>	<u><u>\$ -</u></u>

Note: For Fed & OPWC disbursement

<b>Fund: 5200 PCS General Administration</b>		
<b>060 Water Resources</b>		
52004 Portage County Sewer CS	22,739	0
52006 Portage County Sewer CO	80,382	0
52007 Portage County Sewer OE	15,807	0
52009 Portage County Sewer ME	0	119,928
5200E Portage County Sewer Part Time	1,000	0
<b>MEMO TOTAL</b>	<u><u>\$ 119,928</u></u>	<u><u>\$ 119,928</u></u>

Note: TO MOVE BUDGET TO WHERE

<b>Fund: 5400 PCW General Administration</b>		
<b>060 Water Resources</b>		
54004 Portage County Water CS	23,600	0
54005 Portage County Water MS	10,000	0
54006 Portage County Water CO	43,085	0
54009 Portage County Water ME	0	77,435
5400E Portage County Water Part Time	750	0
<b>MEMO TOTAL</b>	<u><u>\$ 77,435</u></u>	<u><u>\$ 77,435</u></u>

Note: TO MOVE BUDGET TO WHERE

<b>Fund: 5600 StS General Administration</b>		
<b>060 Water Resources</b>		
56004 Streetsboro Sewer CS	4,533	0
56006 Streetsboro Sewer CO	45,534	0
56007 Streetsboro Sewer OE	2,000	0
56009 Streetsboro Sewer ME	0	53,067
5600E Streetsboro Sewer Part Time	1,000	0
<b>MEMO TOTAL</b>	<u><u>\$ 53,067</u></u>	<u><u>\$ 53,067</u></u>

Note: TO MOVE BUDGET TO WHERE

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		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 8106</b>	<b>Sheriff Gifts &amp; Donations K-9</b>		
	<b>700 Sheriff's Department</b>		
81064	K-9 Gifts & Donations CS	200	0
81065	K-9 Gifts & Donations MS	800	0
<b>MEMO TOTAL</b>		<u><u>\$ 1,000</u></u>	<u><u>\$ -</u></u>

Note: Request Appr. for Expense

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<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<u><u>\$ 1,661,278</u></u>	<u><u>\$ 251,678</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, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0476** - **RE: CLOSING OF FUND 5309, PCS FRANKLIN HILLS PUMP STATION**

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

**WHEREAS,** fiscal activity has ceased in Fund 5309, PCS Franklin Hills Pump Station, all payments have been made and the Treasurer's Cash Balance is \$0.00; now therefore be it

**RESOLVED,** that Fund 5309, PCS Franklin Hills Pump Station is hereby closed; and be it further



3. Approve the wire transfers for the payment of bond interest costs as presented by the County Auditor./09-471
4. Approve the Journal Vouchers as presented by the County Auditor./09-472
5. Approve the Then & Now as presented by the Portage County Auditor./09-473

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**INVITATIONS/MEETING NOTICES**

May 26, 2009

1. Invitation from the Ohio House of Representatives for a Public Roundtable Meeting with the Ohio Bureau of Workers Compensation on Friday, June 12, 2009, 11:00 AM-1:00 PM at Maplewood Career Center.
2. Invitation to Commissioner Frederick for the Community Corrections Board meeting on Friday, June 5, 2009, 8:00 AM in Judge Enlow’s Jury Room.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

May 26, 2009

1. May 15, 2009 correspondence from Lori Calcei, Suffield Township Trustees, regarding Whispering Meadows Subdivision/Clerk to forward information from the Prosecutor and County Engineer to the Trustees and add to the Prosecutor’s pending list for a discussion.
2. May 18, 2009 memo from Diana Fierle, Economic Development regarding the Greater Akron Chamber membership dues/Journal Entry.
3. May 20, 2009 correspondence from Justin Meiser, Neighborhood Development Services, including the revised collections policy as recommended by Neighborhood Development Services/Approved for inclusion in the current SOP.

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**PLEASE ADD TO THE AGENDA**

May 26, 2009

1. May 21, 2009 email from the Portage County Auditor requesting the use of a county pool car for the next two months. Motor Pool Director Joe Dillon has responded./Clerk to draft a response.
2. May 18, 2009 correspondence from the County Auditor regarding the Fixed Assets Policy update/Board of Commissioners agreed to ask Internal Services Director JoAnn Townend for an update on the RFQ for this service.

Audrey Tillis attending

3. Discussion: 911 Funds/Director Tillis advised the Board of Commissioners that the County Auditor must assign a fund number to change the funding for the five PSAPs. The County Auditor has asked the State Auditor to comment on this process.

4. May 19, 2009 correspondence from the Village of Windham regarding the village's water and wastewater facilities./Forward to Water Resources Department Director Harold Huff to add to his next agenda for discussion. Clerk to draft a letter to the Mayor thanking him for his recommendation.
5. May 22, 2009 email from Office of Homeland Security and Emergency Management Agency Director Jon Barber regarding the MOU between NEOUCOM and the Portage County Combined General Health District for the receipt and storage of Strategic National Stockpile (SNS) Materials. Does the Board of Commissioners authorized Director Barber to sign this MOU, as requested by Attorney Denise Smith/Journal Entry

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**JOURNAL ENTRIES**

May 26, 2009

1. The Board of Commissioners received the Portage County Combined General Health District Audit Report for the years ended December 31, 2008 & 2007 as presented by Charles E. Harris and Associates, Inc.
2. Board of Commissioners' authorization requested to have Commissioner Charles W. Keiper II sign the Ohio Public Works Commission Appendix E Disbursement Request Form and Certification No. 5 for Middlebury Road Bridge Replacement as requested by the County Engineer's office.

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**REFERRED**

May 26, 2009

1. May 19, 2009 correspondence from Bill Hoover, Executive Director of the Kent Area Chamber of Commerce, for authorization to use the County owned train track (Freedom Secondary Line) for the excursion operation at the 2009 Heritage Festival in Kent on Saturday, July 4, 2009.

The Board noted the receipt of Check No. 3967 dated May 19, 2009 from the Kent Area Chamber of Commerce for \$100.00 for payment for the use of the track. The Board of Commissioners also noted that Mr. Hoover advises that the ABC Railway, Midwest Railway Preservations Society, the City of Kent and the Kent Chamber have all reached an agreement on this year's ride.

The Board of Commissioners agreed to forward the check and the request to Internal Services Director JoAnn Townend to coordinate the event and process the necessary agreement documents.

The Board of Commissioners noted that they adopted Resolution 08-0066 on January 17, 2008 amending the grant agreement with the Ohio Rail Development Commission (ORDC), removing the requirement for the ORDC consent to any rail access or excursion agreement.

The Board of Commissioners agreed that the use of the rail is contingent upon the following:

- a. The operator of the excursion obtaining liability insurance coverage of \$10 million
- b. ORDC being named as additional insured on the \$10 million liability policy
- c. The County providing the ORDC with a Certificate of Insurance for the \$10 million policy.

2. The Board of Commissioners received the Owner/Tenant Statement of balance due for water usage at County owned properties for May 2009 as presented by the City of Ravenna. Referred to Internal Services.
3. The Board of Commissioners received a Magistrate's Decision from the Court of Appeals Tenth Appellate District in the case of the State ex rel. Linnettia L. Green, Relator vs. Industrial Commission of Ohio and Portage County. Referred to Safety/Loss Control and Prosecutor's Office.

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**Journal Entry**  
May 26, 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 Portage County Combined General Health District Audit Report for the years ended December 31, 2008 & 2007, as presented by Charles E. Harris and Associates, Inc.
2. The Board of Commissioners authorized Commissioner Keiper to sign the Ohio Public Works Commission Appendix E Disbursement Request Form and Certification No. 5 for the Middlebury Road Bridge Replacement, as presented by the Portage County Engineer.
3. The Board of Commissioners signed the Personnel Action Form authorizing the lateral class change for Nicholas Anderson as an Employment Services Counselor (replacing Traci Larlham) for the Portage County Department of Job & Family Services, effective June 1, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.
4. The Board of Commissioners signed the Personnel Action Form authorizing the full time permanent hire of Patricia Brett (replacing Rebecca Howard), as an IM Aide 2, as presented by Human Resources Department Director Karen U'Halie and approved by JFS Director Anita Herington. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment physical and drug screen.
5. The Board of Commissioners signed the Personnel Action Form authorizing the full time permanent hire of Nicole M. Long (replacing Vanessa Gyoker), as an IM Aide 2, as presented by Human Resources Department Director Karen U'Halie and approved by JFS Director Anita Herington. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment physical and drug screen.
6. The Board of Commissioners signed the May 26, 2009 correspondence to Portage County Auditor Janet Esposito requesting that staff debit the General Fund for a local government match for \$63,277.00 and credit Fund 1166, as presented by the Office of Homeland Security and Emergency Management Agency and approved the Department of Budget and Financial Management:

	ORG	OBJECT	PROJECT	AMOUNT	DESCRIPTION
Debit	00100004	492100		\$63,277.00	Local Share
Credit	11669301	194000	8A042	\$63,277.00	Local Match/Share

7. The Board of Commissioners authorized the Portage County Department of Economic Development to use the Commissioners' Guido's charge account for an economic development professionals luncheon on June 12, 2009. The Board of Commissioners noted that the PCDED will pay the invoice from their budget for this event.
8. The Board of Commissioners authorized Office of Homeland Security and Emergency Management Agency Director Jon Barber to sign the *Reviewed By* section of the Memorandum of Understanding between NEOUCOM and the Portage County Combined General Health District for the receipt and storage of Strategic National Stockpile (SNS) Materials, as recommended by Portage County Assistant Chief Prosecuting Attorney Denise Smith.
9. The Board of Commissioners authorized their staff to pay the May 19, 2009 invoice for Account Number PGV-110 from the Portage County Water Resources Department for unbilled maintenance services for the Pretty Glen Dam/Hills Pond Dam for 2002 - 2009 in the amount of \$1,127.98.
10. The Board of Commissioners authorized payment of the May 1, 2009 Invoice No. 15128 from the Greater Akron Chamber for membership dues for the time frame May 1, 2009 to April 30, 2009, as presented by Executive Assistant Diana Fierle, Portage County Department of Economic Development.

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 26, 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 11:28 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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