

Tuesday, June 2, 2009

The Board of County Commissioners met in regular session on **Tuesday, June 2, 2009 at 9:45 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 28, 2009 meeting. All in favor, motion carries

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

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The Board of Commissioners discussed which Commissioner will serve as the GAPP LEO beginning July 1, 2009. Clerk to prepare a resolution designating Commissioner Frederick to serve. Commissioner Smeiles will replace Commissioner Frederick on the LEPC and EMA Boards.

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PROSECUTOR

Present: Denise Smith

Prosecutor's Pending Items

1. Board of Commissioners invited Attorney Smith to lunch today with Judge Oswick and Clerk of Courts Linda Fankhauser to discuss the Joint Safety Center. Denise Smith to attend if her schedule allows. Commissioner Keiper has his comments on the draft Memorandum of Understanding and will get them to Ms. Smith ASAP.
2. Denise Smith agreed to discuss with Attorney Leigh Prugh a negotiation of a signed agreement between all parties in the Whispering Meadows Subdivision issue in Suffield Township.

Prosecutor's Correspondence

June 2, 2009

1. May 29, 2009 email from the County Engineer regarding the inclusion of Portage County municipalities in the Portage County Stormwater District/Discussion at the June 4th meeting of the Task Force.
2. May 29, 2009 email from Attorney Leigh Prugh including a draft resolution to authorize the Portage County Building Department to apply to the Ohio Manufactured Home Commission to obtain certification to allow the Portage County Building Department to issue permits, collect fees, and conduct inspections for manufactured homes on private property in Portage County. Please note that there is no requirement for public hearings or meetings for this action/Hold for CBO Wrentmore to advise if local companies are aware of this new certification.

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Commissioner Smeiles noted that, per Motor Pool Director Joe Dillon, the Sheriff's new Ford Explorer is ready for service.

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WATER RESOURCES – Cancelled

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DIRECTOR OF MAINTENANCE

Present: Tim Miller, Jim Manion

The Board of Commissioners discussed the floors at the Riddle Block, noting that they may want to consider pouring new basement floors over the next several years as the budget permits.

1. The Board of Commissioners discussed the proposed new process for maintenance work orders.
2. Mr. Miller noted that the County Engineer is cleaning the Justice Center’s front ditch to get rid of the sediment. The Board of Commissioners agreed to ask JoAnn Townend about the repair issues at the Justice Center where the drainage basins are sinking. Commissioner Keiper remembered that the Board of Commissioners paid for a soil study to stabilize the parking lot area at the new nursing home.
3. Mr. Manion reported that the computers are gone from the Records Center although there are six still printers there; the hallway is empty. Perhaps another load of metal can be taken from the Records Center prior to the auction. The Board of Elections’ items need to be gathered together into one room and marked “Board of Elections” like the Department of Homeland Security & Emergency Management rooms are marked. Commissioner Keiper asked if perhaps the Board should rent PODs for the auction, since the public should not be allowed into the facility. Commissioner Smeiles responded that the auctioneer intends to keep all activity outside using tarps in case of rain.
4. Mr. Manion noted that Maintenance staff has started to move desks and other items in the Prosecutor’s Annex into the downstairs library area for the time being to allow painting and carpeting to be scheduled. The drywall on the ceiling upstairs is wet – Maintenance to look at that ASAP.
5. Mr. Manion advised that the two summer hires are doing a good job mowing and mulching, freeing full-time staff for other jobs.

11:05 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 discuss the reorganization of the Portage County Maintenance Department. **Also present: Tim Miller and Jim Manion.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:25 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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DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT

Present: Audrey Tillis, Harold Huff

Updates

1. Harold Huff attending to discuss the Water Resources billing for the county owned land where the Portage County Sheriff’s Training Facility is located. The Shalersville Water Treatment plant site is 152 acres. The

Sheriff's Training Facility and shooting range use 15.3 acres or 10% of the property. The Board of Commissioners agreed that there was never maintenance provided by the Water Resources Department as detailed in a July 16, 1996 Journal Entry which states that "the Board of Commissioners agreed to approve the use of County owned property available at the Water Resources Coit Road Water Plant for the purpose of establishing a weapons training site to be used by the Sheriff; and to set aside \$2,400 per year towards maintenance of the site".

On April 18, 2008 the Water Department provided the Commissioners with an invoice for \$12,000 owed the Water Department for the use of this facility for the years 2004-2008. For the above noted years and as of the date of this report no money has been paid for this use.

The Board of Commissioners authorized a General Fund operating transfer of \$12,000 to the Water Resources Department on April 23, 2009 by Resolution 09-0373 for compensation for land use.

Today, the Board of Commissioners agreed to consider that the amount paid to Water Resources Department since 1996 will satisfy future use of the area. Department of Budget & Financial Management/Water Resources Department to bring this issue back to the Board of Commissioners for a final decision by Journal Entry after additional investigation.

2. The Director noted that the County Auditor forwarded the Prosecutor's correspondence about the creation of a 911 Fund to the State Auditor for review and comment. The Auditor has also spoken with Prosecuting Attorney Viguicci. The State Auditor has not responded yet. Audrey Tillis noted that she cannot create the fund or change the use of the fund without the response from the State Auditor.

3. The Director noted that she is presenting the Cash Flow Statement for the Nursing Home to management monthly.

4. The Director noted a reduction for the 2010 revenue estimate, with investments, transfer tax and sales tax, and building inspection estimated revenues down by \$1.7 million.

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RESOLUTION No. 09-0499 - 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 June 2, 2009 in the total payment amount of **\$417,588.89 for Funds 0001-8391** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0501

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RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, a listing of expenditures, attached hereto as Exhibit “A” and incorporated herein by reference, has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

RESOLVED, that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$30,120.49** as set forth in Exhibit “A” dated **June 2, 2009** shall be paid; and be it further

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

Voice Vote as Follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0502

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RE: PORTAGE COUNTY APPOINTMENTS TO THE GEAUGA ASHTABULA PORTAGE PARTNERSHIP AREA 19 WORKFORCE INVESTMENT BOARD (GAPP WIB)

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

WHEREAS, the Board of Commissioners of the Counties of Geauga, Ashtabula and Portage have created the Regional Workforce Investment Area 19, in conjunction with the Federal

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RESOLUTIONS

June 2, 2009

1. Approval of Meeting Minutes from the May 28, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-0499
3. Approve the Journal Vouchers as presented by the County Auditor./09-0500
4. Approve the Then & Now as presented by the Portage County Auditor./09-0501
5. Resolution presented by the Executive Assistant to appoint David Vaughan to the GAPP Are 19 Workforce Investment Board (GAPP WIB) as a business representative./09-0502
6. Resolution presented by the Executive Assistant to appoint Terry Kettering, Amie Cajka, Lloyd Groves, and Dennis Missimi to the Portage County LEPC as recommended by the LEPC in Resolution No. 2009-04/09-0503

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INVITATIONS/MEETING NOTICES

June 2, 2009

1. The Board of Commissioners received notice of the June 10, 2009 Portage County Board of Building Appeals Meeting at 9:00 AM in Room #703, Portage County Administration Building.
2. May 26, 2009 invitation to attend the Eagle Scout Court of Honor for Steve Lucas at Camp Manatoc on July 15, 2009. Forwarded to the Executive Assistant.

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INCOMING CORRESPONDENCE

DISCUSSION

June 2, 2009

1. May 27, 2009 correspondence from the Portage County Board of Elections notifying the Board of Commissioners of the State contract with Premier Elections Solutions covering all repairs and licensing fees for five years for voting systems/Forwarded to the DBFM and Internal Services for review and comment.
2. The Board of Commissioners agreed to hold the authorization for Commissioner Keiper to serve as the credentialed voting member for NACO's 74th Annual Conference from July 24-28, 2009 in Nashville, Tennessee until Commissioner Keiper decides whether or not to attend.
3. May 22, 2009 notice from the Ohio Department of Transportation of the rehabilitation of the SR 303 bridge over the Cuyahoga River in Shalersville scheduled to begin in calendar year 2011, noting a 150 day road closure/The Board of Commissioners noted that the Coit Road bridge should be open this year for a shorter detour.
4. The Board of Commissioners agreed to consider the approval of the final draft of the Neighborhood Development Services/Board of Commissioners Standard Operating Procedure/Journal Entry.

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**PLEASE ADD TO THE AGENDA
June 2, 2009**

- 1. Clerk of Courts Linda Fankhauser called to advise the Board of Commissioners that Substitute House Bill 525, effective July 1, 2009, calls for an increase in mileage reimbursement for witness in civil actions from 10 cents per mile to 50.5 cents per mile unless the Board of Commissioners sets a lower rate. Forwarded to Denise Smith and the Department of Budget and Financial Management for review and comment to the Board of Commissioners/the Board of Commissioners discussed this issue with Attorney Denise Smith who advised that the Board may approve a mileage rate of between 10 cent to 50.5 cents. (2900) Department of Budget & Finance Director Audrey Tillis will check with the Clerk of Courts to determine how much mileage is paid yearly.
- 2. June 1, 2009 memo from Internal Auditor Carol Kurtz regarding her review of the Neighborhood Development Services Standard Operating Procedure/Information only
- 3. June 1, 2009 email from Human Resources Department Employee Benefits Specialist Vickie Steiner requesting Board of Commissioners' approval for the purchase of items for the Employee Appreciation Event/Journal Entry.
- 4. Resolution to request Auditor Certification for the Portage County Children's Services .75 mill renewal tax levy/09-0504/ The Prosecutor's Office working on the required resolution to place this issue on the November 2009 ballot

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**JOURNAL ENTRIES
June 2, 2009**

- 1. In accordance with the Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged the receipt of the May 28, 2009 certification from the Portage County Sheriff including the Monthly Record of Proceedings and Transactions for the month of May 2009. Documents forwarded to Internal Auditor Carol Kurtz for review.
- 2. The Board of Commissioners acknowledged the receipt of the May 27, 2009 Certificate of County Auditor That The Total Appropriations From Each Fund Do Not Exceed the Official Estimate of Resources, as presented by the Portage County Auditor. Forwarded to the Department of Budget and Financial Management.
- 3. The Board of Commissioners signed the State of Ohio Office of Housing and Community Partnerships Request for Payment and Status of Funds Report for \$184,000 for the B-C-08-062-2, as presented by the Neighborhood Development Services. Grants Administrator Dan Banks to review the documents.
- 4. The Board of Commissioners acknowledged the receipt of the Flood Insurance Rate Maps from the Federal Emergency Management Agency (FEMA). The 400 maps were sent to CBO Wrentmore, Portage County Building Department.
- 5. The Board of Commissioners received the request from the Fellowship of Believers for use of the Courthouse Lawn on Saturday, July 25, 2009 from 3:00 PM – 7:00 PM for a Christian fundraiser to stock area food pantries.

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REFERRED

June 2, 2009

1. May 2009 notice from the Ohio Gas Association urging public officials to promote safe digging throughout Portage County/Forwarded to CBO Wrentmore and Director Tim Miller.

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INFORMATION ONLY

June 2, 2009

1. May 28, 2009 memo from CORSA thanking the Board of Commissioners for participating in the CORSA Program.
2. May 28, 2009 email from JFS Director Anita Herington advising of a multi-state award for the Portage County JFS Food Assistance Workers.
3. The Board of Commissioners received the June 2009 Garrettsville Area Chamber of Commerce newsletter.
4. The Board of Commissioners received the Ohio Consumer Guide to Medicare Supplement Insurance, Medicare Options and Part D.
5. May 29, 2009 Portage County Weekly Traffic Advisory, as presented by the Ohio Department of Transportation.

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Journal Entry

June 2, 2009

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

1. In accordance with the Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged the receipt of the May 28, 2009 certification from the Portage County Sheriff including the Monthly Record of Proceedings and Transactions for the month of May 2009. Documents forwarded to Internal Auditor Carol Kurtz for review.
2. The Board of Commissioners acknowledged the receipt of the May 27, 2009 Certificate of County Auditor That The Total Appropriations From Each Fund Do Not Exceed the Official Estimate of Resources, as presented by the Portage County Auditor. Forwarded to the Department of Budget and Financial Management.
3. The Board of Commissioners signed the State of Ohio Office of Housing and Community Partnerships Request for Payment and Status of Funds Report for \$184,000 for the B-C-08-062-2, as presented by the Neighborhood Development Services. Grants Administrator Dan Banks reviewed the documents and noted that it is appropriate to process the request.
4. The Board of Commissioners acknowledged the receipt of the updated Flood Insurance Rate Maps from the Federal Emergency Management Agency (FEMA). The 400 maps were forwarded to CBO Wrentmore, Portage County Building Department.

5. The Board of Commissioners approved the request from the Fellowship of Believers for use of the Courthouse Lawn on Saturday, July 25, 2009 from 3:00 PM – 7:00 PM for a Christian fundraiser to stock area food pantries. Forwarded to the Internal Services Director to process.
6. The Board of Commissioners approved the June 1, 2009 request from Human Resources Department Employee Benefits Specialist Vickie Steiner, on behalf of the Employee Appreciation Committee, and authorized the purchase of various items for the Employee Appreciation Event on August 22, 2009 as follows:
 1. Purchase of decorations from the Oriental Trading Company in an amount not to exceed \$200.00.
 2. Use of the Board of Commissioners' Wal-Mart Account to purchase employee appreciation gifts and miscellaneous decorations in an amount not to exceed \$2,050. The Human Resources Department will work with the Purchasing Department to open a purchase order to make payment to this account for the purchase of items using Employee Appreciation Fund.

The Board of Commissioners also approved the use of the Board of Commissioners' Wal-Mart Account to purchase worksite wellness raffle gifts for employees who complete a voluntary Health Risk Assessments beginning June 1, 2009 through October 31, 2009 in an amount not to exceed \$2,000. The Human Resources Department will work with the Purchasing Department to open a purchase order to make payment to this account for the purchase of items using the Worksite Wellness Subsidy funds received from Medical Mutual of Ohio.

7. The Board of Commissioners signed the Personnel Action Form authorizing the full time permanent hire of Omeka A. Scott (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.
8. The Board of Commissioners approved the June 2, 2009 version of the Neighborhood Development Services, Inc./Board of Commissioners Standard Operating Procedure (SOP), as presented. The Board of Commissioners agreed to forward the final document to the State Auditor's Office and the Portage County Auditor for review and comment.
9. The Board of Commissioners designated Commissioner Keiper as the lead official to work with the Village of Windham and Water Resources Department Director Harold Huff on the Village's May 19, 2009 request for assistance in the transitioning to a regional water provider.
10. The Board of Commissioners accepted the June 1, 2009 proposal from Attorney George R. Sarkis, Roetzel & Andress for services for Portage County and the Portage County Department of Economic Development in connection with the formation of a nonprofit development corporation to promote and advance economic development in Portage County. The Board of Commissioners authorized Commissioner Keiper to sign the acceptance document, noting that fees for his service will not exceed \$15,000 plus amounts advanced for filing fees paid to the State of Ohio and the Internal Revenue Service, to be paid by the 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 **June 2, 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 **11:55 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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