

Tuesday, June 9, 2009

The Board of County Commissioners met in regular session on **Tuesday, June 9, 2009 at 9:35 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 June 4, 2009 meeting. All in favor, motion carries

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

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Commissioner Keiper informed the Board of Commissioners about a Dog Warden issue on June 8th. Apparently, Dog Warden staff issued a citation to a resident whose dogs were often loose. The citation went to the wrong address, a summons was issued and when the resident did not show up for court, a bench warrant was issued. Dog Warden staff investigated and looked at the citation, realized that the resident's address was incorrect and that they may not have received the citation. The Dog Warden's Officer went to the house to explain the situation; the resident was unhappy and contacted the Commissioners' Office. The outcome is that the Judge recalled the bench warrant and the resident will receive a new ticket.

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Commissioner Keiper updated the Board of Commissioners of the events at the Solid Waste Management District yesterday when two bottles of pool chemicals were processed on the line, releasing some irritant. The plant was evacuated until the Brimfield fire Department arrived and cleared the site.

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REGIONAL PLANNING COMMISSION

Present: Todd Peetz

Mr. Peetz reviewed the June 10, 2009 Regional Planning Commission meeting agenda.

1. Mr. Peetz noted the upcoming meeting with Attorney Leigh Prugh, County Engineer and the Board of Commissioners to discuss how to address unfinished subdivisions.
2. Mr. Peetz discussed the model Solar/Wind Power Ordinance, which will be offered as a template to Portage County townships for consideration. Each township would have to adopt the model to add it to their township zoning regulations. Mr. Peetz noted the incentives detailed for new development if this type of energy is used.
3. There will be a brief demonstration on Portage County's GIS.

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Mr. Peetz is meeting with Hiram Township to discuss the application process for new developments. Regional Planning Commission is suggesting a pre-application meeting with Regional Planning Commission and the contractors to discuss issues before the application is presented. There will be a small fee charged, which will create revenue for the Regional Planning Commission.

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Mr. Peetz meets with Hiram College President Tom Chema this afternoon to discuss the college’s participation in grants.

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Mr. Peetz noted that NEOTEC’s Executive Director Ron DeBarr will speak to the Regional Planning Commission at the July meeting. He meets with Regional Planning Commission about GIS mapping tomorrow afternoon.

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Regional Planning Commission is working on a New Horizon Grant for two Economic Development grants that require institutional participation with Kent State University and Hiram College.

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Office update – Mr. Peetz and staff have spent the last several weekends cleaning the offices, which are looking good. The roof project moving ahead.

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The four Portage County cities are meeting with Regional Planning Commission to discuss available Brownfield monies. Commissioner Smeiles noted that he had asked Claudia James via email how many Brownfield sites are in Portage County. The Brownfield Assessment grant, which Regional Planning Commission is applying for, will fund the performance of an inventory. Mr. Peetz informed the Board of Commissioners that abandoned and/or vacant industrial and commercial sites need to be identified via the GIS and then investigated. This is an ongoing project/process.

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Commissioner Frederick attended the Community Corrections Board meeting on Friday, June 5, 2009. She noted that the discussion included discussion of the Adult Probation need for two additional probation officers, Judge Enlow stated his concern about jail capacity, Adult Probation programs are at capacity with caseloads at 100%, Adult Probation needs more physical space and there was discussion of the need for additional Prosecutor’s staff.

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PROSECUTOR

Present: Dense Smith

Review of Prosecutor’s Pending List

1. Commissioner Keiper gave Attorney Smith his comments on the draft MOU for the Joint Safety Center. Commissioner Smeiles was concerned about the time line in the MOU being realistic and consistent. Denise Smith will be able to draft a final agreement.

The Board of Commissioners met with Judge Oswick and Linda Fankhauser last week to discuss this facility. The Commissioners have agreed to contract with an architect to look at the cost of a stand-alone Portage County facility. The Judge has offered to pay for the architect from the Special Projects Fund, which is an allowable expense per Denise Smith. She suggested a three party agreement with the Courts, Board of Commissioners, and architect with payment by the Courts.

Commissioner Keiper noted that JoAnn Townend is investigating which firm to use for this project, getting several more quotes from firms known to the Board of Commissioners. This needs to move forward quickly.

2. Today, the Board of Commissioners adopted the resolution authorizing the Manufactured Home Certification for the Building Department/09-0514
3. The Prosecutor's Office has reviewed and approved the joint RFQ for the web site design for the Department of Economic Development and/or the Port Authority. JoAnn Townend to bring back the required resolution.

Prosecutor's Correspondence

1. June 2, 2009 correspondence from Leigh Prugh, to Kenneth Coffman, Pecot, Inc., regarding Whispering Meadows Subdivision, Suffield Township/Information only.
2. June 9, 2009 correspondence from Leigh Prugh regarding the petition to create a conservancy district/Commissioner Smeiles noted that this body would be similar to the Regional Airport Board, the Port Authority, the Park District and PARTA. Clerk to prepare a resolution.

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WATER RESOURCES

Present: Harold Huff

1. RESOLUTION - Approving the plans, specifications and estimate of cost, and setting the date and time for acceptance of bids for the construction of Project No. PC (08-080), O & M Facility Emergency Power, in the County Regional Sewer District and the Streetsboro Sanitary District No. 4, Shalersville Township./09-515
2. SIGNATURES - Approval to Install Two (2) New Fiberglass Downward Weir Gates in the Randolph WWTP Aeration Tank/Journal Entry
3. SIGNATURES - Approval to Fabricate and Replace the Existing Sludge Return Piping at Atwater WWTP/Journal Entry
4. SIGNATURES - Approval for Floyd Browne Group to perform an Environmental Assessment/Journal Entry.
5. The Board of Commissioners discussed the May 29, 2009 correspondence to him from Attorney Leigh Prugh regarding the proposed agreement between the Board of Commissioners and Thoma Technologies, which may not exceed the competitive bidding threshold of \$25,000.

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DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT

Present: Audrey Tillis

Resolutions

1. Create Fund 5277, PCS OPWC 2010 CG04J/09-516
2. Cash Advance Repayment from Fund 1390, Women, Infants and Children to Fund 0001, General Fund/09-517

Other

3. Discussion Memos:

- a. The Director noted that the Indigent Defense Reimbursement has increased from 25% to 27%, which has not happened in recent memory.

Updates

- 4. The Director presented the Compensation Report by Payroll Location
- 5. The Director noted that the courts paid \$7,500 in total payments for witnesses including mileage reimbursement. She would not anticipate a more than \$4,000 – 8,000 increase to this line with an increase in mileage reimbursement from the 10 cents currently paid, as required by Substitute House Bill 525, effective July 1, 2009.

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Department of Budget & Financial Management Work Session

- 1. Nursing Home Cash Advance – Repayment
The Nursing Home has not begun the payback of the \$3 million loaned by the General Fund for the nursing home facility. The Board of Commissioners agreed to reconsider a new repayment schedule based on revenue projection. The debt service/mortgage payment is taken care of.
 - a. Prior - \$3,017,608 cash advance
 - b. In March 2009 the Board of Commissioners authorized a cash advance of \$190,000 with a 2009 payback. The Board of Commissioners may reconsider the payback date.
- 2. Park District
 - a. The loan balance of \$177,000 is due by December 31, 2009. The Department of Budget & Finance to bring back a resolution to extend this loan repayment.
 - b. The Board of Commissioners will consider extending the loan repayment of \$40,000 to December 31, FY 2010. Chris Craycroft to work with the Prosecutor’s Office on that proposal.
 - c. Grant Applications
 - i. In 2008, the District asked for a Grant Cash Flow Loan \$340,000
 - ii. In 2008, the District asked for a Local Match Commitment \$25,000, which was approved by the Board of Commissioners.
- 3. General Fund Current Year Review
The Director discussed the cash balance as of May 31, 2009 and an historical comparison as well as the projected availability. The Director presented the Contingency Tracker.
- 4. The General Fund Tax Budget will require a 9% reduction to balance
 - a. General Tax Budget Preliminary Draft
 - i. Revenue Review and Comparison as of May 31st
 - ii. Estimated base Adjustment
 - b. General Fund Commissioner Other:
 - i. Projected Availability
 - ii. Contingency Tracker

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RESOLUTION No. 09-0511 - 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 9, 2009 in the total payment amount of **\$280,650.25 for Funds 0001-8391** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Roll call vote as follows:

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

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RESOLUTION No. 09-0512 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

06/08/09	302	\$ 9,600.37
06/08/09	300	257.55
06/08/09	299	66.63
06/08/09	298	4,531.66
06/08/09	297	110.72
06/08/09	282	16,001.22
06/08/09	281	105,122.48

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0514

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**RE: PORTAGE COUNTY BUILDING DEPARTMENT
MANUFACTURED HOME INSPECTION CERTIFICATION
RESOLUTION.**

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

WHEREAS; the County of Portage, Ohio, desires to enforce the Ohio Manufactured Homes Installation Standards for the purpose of providing uniform standards and requirements for the installation of manufactured homes as set forth in Chapter 4781, of the Ohio Revised Code and Chapter 4781 of the Ohio Administrative Code; and

WHEREAS; the County of Portage, Ohio, seeks to obtain the authority for enforcement of the Ohio Manufactured Homes Installation Standards through certification by the Ohio Manufactured Homes Commission pursuant to Chapter 4781 of the Ohio Revised Code and Chapter 4781-7 of the Ohio Administrative Code, with the condition that the Portage County Building Department exercises the enforcement authority and accepts and approves plans and specifications, and conducts inspections in accordance with the Ohio Manufactured Homes Installation Standards; and

WHEREAS; the County of Portage, Ohio, desires and is willing to administer and enforce the Ohio Manufactured Homes Installation Standards within the limits of said jurisdiction, pursuant to Chapter 4781 of the Ohio Revised Code and as granted by the Ohio Manufactured Homes Commission; now therefore be it

RESOLVED, that the Portage County Board of Commissioners authorizes the Portage County Chief Building Official to apply to the Ohio Manufactured Home Commission to obtain certification to allow the Building Department to issue permits, collect fees, and conduct inspections for manufactured homes on private property within our jurisdiction; 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 was as follows:

Charles W. Keiper, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0515

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**RE: APPROVING THE PLANS, SPECIFICATIONS AND
ESTIMATE OF COST, AND SETTING THE DATE AND TIME
FOR ACCEPTANCE OF BIDS FOR THE CONSTRUCTION OF**

**PROJECT NO. PC (08-080), O & M FACILITY EMERGENCY
POWER, IN THE PORTAGE COUNTY REGIONAL SEWER
DISTRICT AND THE STREETSBORO SANITARY DISTRICT
NO. 4, SHALERSVILLE TOWNSHIP.**

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

WHEREAS, this Board by Resolution No. 67-17, adopted February 2, 1967, established Streetsboro Sanitary Sewer District No. 4; and

WHEREAS, this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District, hereinafter called the "SEWER DISTRICT"; and

WHEREAS, pursuant to authorization by the Board contained in Resolution 08-0250 adopted March 18, 2008, the Water Resources Department has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No. PC (08-080), O & M Facility Emergency Power, hereinafter referred to as the "PROJECT" and copies of said plans, specifications and estimate of cost on file in the office of the Clerk and Water Resources Department and are available for examination therein; and

WHEREAS, the PROJECT is necessary to provide emergency electrical power generation for the Operations & Maintenance facility, SCADA system, laboratory, maintenance bays, proposed maintenance garage, and the sanitary sewer pump station; now therefore be it

RESOLVED, by the Board of Commissioners of Portage County, Ohio:

Section 1. That said plans, specifications and estimate of cost for said PROJECT hereto be and the same are hereby approved.

Section 2. That said plans, specifications and estimate of cost shall be filed in the office of the Clerk of this Board and in the office of the Water Resources Department and kept continuously on file for inspection by all persons interested therein.

Section 3. That sealed bids for the construction of the PROJECT will be accepted by the Portage County Commissioners until 3:00 PM on July 8, 2009, at their office on the seventh floor of the County Administration Building, 449 South Meridian Street, Ravenna, Ohio.

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 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 was as follows:

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 II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTIONS

June 9, 2009

1. Approval of Meeting Minutes from the June 4, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-511
3. Approve the Journal Vouchers as presented by the County Auditor./09-512
4. Approve the Then & Now as presented by the Portage County Auditor./09-513
5. Resolution for Manufactured Home Inspection Certification as presented by the Portage County Building Department/09-514.
6. Appointment to the Portage County Public Defender Commission – Timothy Smith and Dr. Craig Moser/ Hold for Board of Commissioners to meet with the applicants. Executive Assistant to check to make certain that these appointments are not necessary for a meeting quorum.
7. Resolution to appoint Robert Paoloni to the Regional Airport Board of Trustees/09-0518

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INVITATIONS/MEETING NOTICES

June 9, 2009

1. Meeting notice for the Mental Health & Recovery Board meeting on Monday, June 8, 2009, 6:30 PM, 155 E. Main St., Kent.
2. Invitation to the Portage Park District’s Hike & Bike Trail Extension Ribbon Cutting on Friday, June 19, 2009, 1:30 PM.

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INCOMING CORRESPONDENCE

DISCUSSION

June 9, 2009

1. Does the Board wish to subscribe to The Economist magazine for \$67.25 for 25 issue/No
2. June 2, 2009 e-mail from the EDA Community Economic Adjustment Program Institute, regarding use of the County logo on correspondence/Journal Entry.

3. Does the Board wish to advertise in the Fire Prevention Yearbook that will be handed out during a tribute to Billy Joel show on September 19th at NEOUCOM/Each Commissioner to consider
4. June 4, 2009 correspondence from John and Denise Spagnuolo, regarding Board authorization to put up a privacy fence and patio tables and chairs at Bar Ten Restaurant./Journal Entry and have General Services Director to coordinate.

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JOURNAL ENTRIES

June 9, 2009

1. Board of Commissioners' authorization requested to allow Steve Pisarchik, an Apprentice Falconer, to walk county owned property behind the Portage County Water Resources Department Laboratory, Portage County Justice Center, Portage County Juvenile Detention Center, the land where the old salt shed is located, and Dog Warden Facility located on Infirmary Road, during falconry season which runs from September 1, 2009 through March 10, 2010.
2. Board of Commissioners' authorization requested to pay Neighborhood Development Services for Home Buyer Education Training with participation of nine (9) residents of Portage County for \$4,500.00 as requested by Neighborhood Development Services. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.

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REFERRED

June 9, 2009

1. June 1, 2009 memo from Lisa Patt-McDaniel, Ohio Department of Development, requesting public comment on a draft substantial amendment to the FY 2008 Ohio Consolidated Plan. Comments accepted June 6-12, 2009. Referred to Internal Auditor, Department of Budget and Financial Management, and Grants Administrator.
2. May 29, 2009 memo from Michael Hiler, Ohio Department of Development, regarding Civil Rights and Fair Housing Requirements. Referred to Grants Administrator.
3. June 2, 2009 correspondence from Chris Pavone, Teamsters Local Union No. 436, regarding Case No. 09-REP-04-0044 Portage County – Motor Pool. Referred to Internal Services and Human Resources Department/Journal Entry receipt

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INFORMATION ONLY

June 9, 2009

1. May 14, 2009 correspondence from Paul Westlake Jr., Westlake Reed Leskosky, announcing the appointment of Roger Chang, PE, LEED AP as Principal and Director of Sustainability of Westlake Reed Leskosky.
2. The Board of Commissioners received the June 3, 2009 Traffic Advisory for Portage and Trumbull County as presented by Ohio Department of Transportation.

3. May 26, 2009 correspondence from Mickey Marozzi, County Engineer to Janet Esposito, County Auditor, regarding the 11th installment of the 25 year loan for the Portage County Engineer's new central facility.
4. June 3, 2009 memo from Human Resources Department, including family discount coupons for Kennywood Park, Sandcastle Waterpark, Idlewild and Soak Zone.
5. The Board of Commissioners received the June 4, 2009 Traffic Advisory regarding SR 261 as presented by Ohio Department of Transportation.
6. The Board of Commissioners received the June 5, 2009 Weekly Traffic Advisory as presented by Ohio Department of Transportation.

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Journal Entry

June 9, 2009

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

1. The Board of Commissioners authorized Steve Pisarchik of Ravenna, an Apprentice Falconer, to walk county owned property behind the Portage County Water Resources Department Laboratory, Portage County Justice Center, Portage County Juvenile Detention Center, the land where the old salt shed is located, and the Dog Warden Facility, all located on Infirmary Road in Shalersville Township, during falconry season, which runs from September 1, 2009 through March 10, 2010. The Board directs the Internal Services Department to prepare the necessary resolution and agreement for processing.
2. The Board of Commissioners authorized payment to Neighborhood Development Services for Home Buyer Education Training with participation of nine (9) residents of Portage County at a cost of \$4,500.00, as presented by the Neighborhood Development Services. Documents reviewed by Internal Auditor Carol Kurtz who noted that the amount is correct for nine participants.
3. The Board of Commissioners signed the Personnel Action Form authorizing a six month leave of absence for educational purposes for Kristin Fields, Social Services Worker 3, and effective June 15, 2009 through an expected date of return on December 14, 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 approved the following Personnel Requisitions, as presented by the Portage County Human Resources Department and approved by Department of Job & Family Services Director Anita Herington:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Department of Job & Family Services	Social Services Worker 3 (Two New Positions)	JFS J	Post Internally and Externally

5. The Board of Commissioners approved the June 4, 2009 request from John and Denise Spagnuolo for permission to install a privacy fence to hide the large trash receptacle and to provide a few patio tables and chairs for outdoor seating for bar customers outside the rear entrance of the Bar Ten Restaurant, 106 East Main Street in Ravenna. The Board of Commissioners directed General Services Director Jim Manion to coordinate this request and noted that their approval is contingent upon the receipt of the necessary approvals from the City of Ravenna.

6. The Board of Commissioners accepted the June 9, 2009 recommendation of Water Resources Department Director Harold Huff and authorized the hire of the Bochert Excavating Company to provide all services necessary to install two (2) new fiberglass downward Weir Gates in the Randolph Wastewater Treatment Plant Aeration Tank at a cost not to exceed \$2,850.00. The Director noted that funding for this expense is available in the 2009 Portage County Sewer Plant's Operation and Maintenance Budget.
7. The Board of Commissioners accepted the June 9, 2009 recommendation of Water Resources Department Director Harold Huff and authorized the hire of Neidert Fabricating Inc. of Barberton to fabricate and replace existing sludge return piping at the Atwater Wastewater Treatment Plant, at a cost not to exceed \$6,728.00. The Director noted that funding for this expense is available in the 2009 Portage County Sewer Plant's Operation and Maintenance Budget.
8. The Board of Commissioners accepted the June 9, 2009 recommendation of Water Resources Department Director Harold Huff and authorized the hire of the Floyd Brown Group to perform an Environmental Assessment for the Streetsboro Sanitary Sewer District No. 4, Streetsboro Trunk Sewer Rehabilitation Phase II, Project No. ST-4 (06-270) and Phase III, Project No. ST-4 (06-280), in an amount not to exceed \$6,171.00 in order to complete the preliminary environmental screening and submittal to the USACE. Funding for this expenditure is available in the Streetsboro Sewer Fund Professional Services Line item.
9. The Board of Commissioners acknowledged the receipt of the June 2, 2009 correspondence from Christopher J. Pavone, Vice-President of the Teamsters Local Union No. 436, noting that the union "disclaims interest in Case #. 09-REP-04-0044" for the Portage County Motor Pool. Correspondence forwarded to the Internal Services Department and Human Resources Department.
10. The Board of Commissioners approved the June 2, 2009 request from Kristen Cunningham, Program Director for the EDA Community Economic Adjustment Program Institute for Research on Labor, Employment, and the Economy at the University of Michigan, and authorized the use of the Portage County logo on correspondences to local stakeholders inviting them to a July 15, 2009 workshop during which federal, state and non-profit agency representatives introduce programs and services available to communities experiencing distress resulting from automotive manufacturing plant closures.

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 9, 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 **12:05 PM**. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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