

Tuesday, June 16, 2009

The Board of County Commissioners met in regular session on **Tuesday, June 16, 2009 at 9:25 AM** with the following members present:

Charles W. Keiper II

Christopher Smeiles

Absent: Maureen T. Frederick

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It was moved by Christopher Smeiles, seconded by Charles W. Keiper II to approve the meeting minutes of the June 11, 2009 meeting. Commissioner Frederick absent, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier and resident Terrence Mott.

The Board of Commissioners agreed to forward a written statement from Mr. Mott regarding the injection of fibrous polymers into gas fields in Alliance, Ohio to the Akron Regional Air Quality Management District for their files and information.

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JOB & FAMILY SERVICES, MAINTENANCE, INTERNAL SERVICES, GENERAL SERVICES

Present: Anita Herington, Tim Miller, JoAnn Townend, Jim Manion, Teri Burns, Brian Boykin

The group is attending today to discuss the cleaning/painting/carpeting issues for the move of a portion of the Portage County Department of Job & Family Services to the Prosecutor's Annex, as well as what plans are being made to make departmental moves within the Administration Building. The furniture has been moved from the annex and will be moved to the 2009 auction site after the Solid Waste Management District takes metal to recycle.

Jim Manion noted that paint from the Solid Waste Management District paint program will be used, whenever possible although ceiling paint may have to be purchased. WIA Youth stimulus money may be used to pay youth painters. The computers installation, painting, and installation of carpeting are progressing.

Anita Herington noted that there will be two Sheriff's Deputies located on site by contract as long as the levy passes. She added that the second floor area in the Administration Building still needs to be re-carpeted.

Jim Manion stated that, once the JFS moves from the first floor of the Administration Building to the second floor of the Administration Building, the JFS Fraud Unit will be empty, as well as the JFS training area on the first floor. There is insurance money available for 2nd floor flood repairs that should be completed after JFS staff has moved to the Annex. There is also insurance money available for repairs to the Fraud Unit area, to which the Building Department is interested in moving. The current Building Department area could be used as a Public Meeting Room accommodating 50 people. The Board of Commissioners liked that idea and directed Internal Service Director JoAnn Townend to contact Eric Droll of Hasenstab or Dave Sommers about the redesign of the Building Department area as a Public Meeting Room. The architect will need to meet with the Board of Commissioners to discuss their needs including a built-in sound system and audio/visual equipment.

The Board of Commissioners agreed to Journal Entry authorization for Department of Job & Family Services staff to move to the Prosecutor's Annex.

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Commissioner Keiper advised that his meeting on June 11th with the Governor's Chief of Staff went very well.

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PROSECUTOR

Present: Denise Smith

Review of Prosecutor's Pending List

1. Commissioners' staff will contact Denise Smith with any concerns regarding the Indigent Defense Payments.
2. The Board of Commissioners agreed to remove the Fioritto Drainage letter for a discussion with the County Engineer.
3. The Senior Center question about its June trip to a hotel that is in bankruptcy was answered by Attorney Theresa Scahill, who noted that there is no action to take and that the trip should proceed as planned.

Prosecutor's Correspondence

June 16, 2009

1. June 10, 2009 correspondence from Denise Smith to Northcoast Medical Training Academy, regarding Medical Assistant Program (MA) and License Practical Nurse Program (LPN)/Information only and remove from the Pending List.

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10:20 AM Recessed to Solid Waste Management District

10:50 AM Board of Commissioners reconvened

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DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT

Present: Audrey Tillis

Resolutions

1. Cash Advance Repayment from Fund 7217, WC Retro Rating Plan 2008 to Fund 7201, WC RR Plan General Administration/09-544
2. Transfer from Fund 5200, PCS General Administration to Fund 5277, PCS OPWC 2010 CG04J/09-545
3. Transfer from Fund 7209, WC Retro Rating Plan 1999 to Fund 7201, WC RR P General Administration/09-546
4. Close Fund 1110, Assessment Officer/09-547
5. Close Fund 1261, CDBG Micro Enterprise Kent State/09-548

Other

6. Discussion Items:

- a. Internal Services Director JoAnn Townend will bring back the JFS IV D contract with Prosecutor's Office including authorization to lease a vehicle. JFS will pay 2/3 of the cost and the county will pay the remaining 1/3.
 - b. The Director received a request from Sheriff Doak for the insurance reimbursement of \$3,536 for a claim made when the overhead sprinkler burst. He replaced ruined furniture at a cost of \$4,779 and would like this transfer to offset the cost/Journal Entry
7. The Board of Commissioners approved the FY 2010 Tax Budget Draft for display before the July 2, 2009 public hearing.

Updates

8. BOC Pending Requests
- a. Water Resources Revenue / Expense Projection – Audrey Tillis working with Water Resources Department Director Harold Huff to prepare this report
 - b. There is no breakout from the Clerk of Court's Office for Witness Fees/Mileage Reimbursement. The fees are assessed to a court case and become part of the court costs with revenue associated with that. This should not cost the county more than between \$4,000 to \$6,000. Director Tillis will contact the Clerk of Courts and ask what amount she recommends the Board of Commissioners approve.

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GENERAL SERVICES

Present: Jim Manion

11:35 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider Commissioners' department reorganization. **Also present:** General Services Director Jim Manion. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick; Absent.

12:10 PM 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, Absent.

Upon exiting Executive Session, the Board of Commissioners took no action but agreed to meet again with Mr. Manion next week.

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11:45 AM Lunch recess

1:15 PM Board of Commissioners reconvened

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OFFICE OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

Present: Jon Barber, Department of Budget & Finance Director Audrey Tillis

Director Barber noted that the requirement for radio interoperability is at the end of 2012 and the licensing and acquisition of VHF frequencies to support public safety communications for Portage County is the first step toward reaching that target date. VHF frequency search and licensing is uncertain and would require

close work with the contractor during the licensing process. The Board of Commissioners discussed a proposal from RCC Consultants, Inc. to investigate construction of a simulcast system capable of providing countywide voice radio coverage. The system would be expanded to provide ten channels of capacity.

Director Barber reported that the Sheriff was asked why Portage County was not planning to work with the state's Multi-Agency Radio Communications System (MARCS). MARCS will provide wireless technology services for first responders throughout the state. Services will be facilitated through the use of a secure, statewide 800-megahertz digital trunked radio system. Jon Barber is investigating that option.

The Board of Commissioners agreed that Mr. Barber should work with JoAnn Townend to prepare a quick RFQ for this service and publish. Commissioner Smeiles noted that the 2010 General Fund will be 10% lower than the 2009 budget – it will not be easy to find these monies. Director Barber responded that he is discussing with county stakeholders funding options and they all understand that any service will not be provided free of charge.

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REGIONAL PLANNING COMMISSION

Present: Todd Peetz

Director Peetz discussed the Regional Planning Commission request for additional funding (\$22,018 for the 2008 Formula Grant, \$9,845.09 for the Farmland Preservation Plan/Board and \$1,802.67 for two additional months for Eileen Stiffler to stay on.

The Board of Commissioners noted that the county covered the 2006 CDBG overage of \$26,310 and the 2007 CDBG overage of \$28,000. There is an anticipated overage for the 2008 CDBG of \$27,350 due in part to the number of construction projects.

The Farmland Preservation Plan and Board develop strategies for the preservation and utilization of farm land in Portage County. There is not a major plan rewrite anticipated but the update will take 168 hours or \$7,257.85. The Board of Commissioners could use the 45 available TA hours towards this rewrite. The current Farmland Preservation Board should meet two times at a cost between \$1,293 - \$2,587 to review these updates.

As Eileen Stiffler nears retirement, the Director suggests that her time be extended to allow her to complete projects and train staff before she leaves.

The Director discussed the Portage County Subdivision Regulations, which were first approved in 1984, had minor amendments as late as 1995, but do need a major update. This would require 635 hours or between \$30,000 and \$35,000. The Board of Commissioners' 45 TA hours may be applied to this update. The Board of Commissioners noted that the county does not have funding available at this time for this update. Director Peetz responded that the Regional Planning Commission anticipates that the Townships would also pay for a portion of the costs for this update.

The Board of Commissioners agreed to forward the funding request to the Department of Budget & Finance for review and recommendation to the Board of Commissioners.

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COUNTY ENGINEER, PROSECUTOR, REGIONAL PLANNING

Present: Daniel Jendrisak, Construction Coordinator for the Portage County Engineer; Attorney Leigh Prugh; Regional Planning Commission Director Todd Peetz

Director Peetz noted that, with the economy in such bad shape, contractors are not finishing subdivisions within Portage County. Some contractors are going out of business or not holding the assessment monies, as required. This is a county issue, which needs to be addressed.

Mr. Jendrisak noted that the subdivisions with residents living in them already are most critical. The money in the escrow accounts has disappeared in most cases of unfinished subdivisions. Attorney Prugh noted that in most cases, banks are not aware of the requirements to keep money in escrow for these purposes.

Commissioner Smeiles asked what legal tool exists to guarantee that the escrow accounts are in place. Leigh Prugh responded that the legal tool, the escrow agreement, is in place already. The lender signs the agreement that the money must stay in the bank, which makes the bank liable for the funds. Attorney Prugh noted that she can take these banks and developers and/or contractors to court to get the money back since the banks breached their fiduciary responsibility by releasing the money to the contractor/developer.

Commissioner Smeiles stated that the Board of Commissioners will take whatever action is required to move this forward. Commissioner Smeiles noted that the escrow agreement needs to be modified to avoid this issue; Attorney Prugh agreed.

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RESOLUTION No. 09-0536 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on June 16, 2009 in the total payment amount of **\$390,622.86 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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 09-0537 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

Voice vote as follows:

Charles W. Keiper, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0542

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RE: AUTHORIZE NEIGHBORHOOD DEVELOPMENT SERVICES (NDS) TO APPLY FOR A CDBG GRANT THROUGH THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) TO DIRECTLY ASSIST ADELLS LTD. AND ACCURATE FAB LLC.

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

- WHEREAS,** the Ohio Department of Development has Community Development Block Grants available for economic development projects; and
- WHEREAS,** the Portage County Board of Commissioners is qualified to apply for grant funding through this program; and
- WHEREAS,** there is no match requirement for participation in the Community Development Block Grant; and
- WHEREAS,** Adellis Ltd. and Accurate Fabrication LLC are in need of \$490,000 to purchase a facility in the City of Streetsboro that will preserve 6 full time positions to Portage County, and as a stipulation of the Grant, the company has committed to creating 14 additional full time positions over the next three years; and
- WHEREAS,** the CDBG funds granted to Portage County will be loaned to Adellis Ltd. and will be guaranteed by Accurate Fabrication LLC in the form of a mortgage at a rate of three percent annual interest over twenty years with the payments being captured into Portage County's Economic Development Revolving Loan Fund; therefore be it
- RESOLVED,** that the Portage County Board of Commissioners authorizes NDS, to apply to the Ohio Department of Development for \$500,000.00 (Five Hundred Thousand Dollars) for purposes of a loan of \$490,000.00 (Four Hundred Ninety Thousand Dollars) to Adellis LTD. and Accurate Fab LLC, and the payment of \$10,000 (Ten Thousand Dollars) to NDS for administrative expenses; and be it further
- RESOLVED,** the Board of Commissioners authorizes Charles W. Keiper II as President of the Board of Commissioners or his designee to sign the papers pertaining to the grant application; and be it further,
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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RESOLUTION No. 09-0543 - RE: AMEND MASTER AGREEMENT WITH THE PORTAGE AREA DEVELOPMENT CORPORATION (PADCORP), NOW NAMED NEIGHBORHOOD DEVELOPMENT SERVICES, INC. (NDS) FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE PORTAGE COUNTY REVOLVING LOAN FUND PLANS.

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

WHEREAS, the Portage County Revolving Loan Funds (RLF) exist to maintain and administer all RLF funds as recaptured income from various sources; and

WHEREAS, the Board of Commissioners adopted Resolution 06-0099 on February 2, 2006 approving a Master Agreement between the Board of Commissioners and the Neighborhood Development Services for the Administration and Implementation of the eleven Portage County Revolving Loan Fund Plans; and

WHEREAS, upon the recommendation of the State Auditor, the RLF accounts were brought into the County financial system (MUNIS) and, at that time, the number of funds was reduced from eleven (11) to five (5); and

WHEREAS, the Board of Commissioners, upon the recommendation of the State Auditor, adopted Resolution 08-0328 on April 10, 2009 to amend the Master Agreement between the Board and the Neighborhood Development Services Inc. (NDS) to provide services as stipulated in the Agreement for the following five RLF Plans:

1. Section 17 Rental
2. Portage County CDBG Based Housing
3. Portage County HOME Based Housing
4. Portage County CDBG Based Economic Development
5. Portage County CDBG Based Foreclosure; and

WHEREAS, the Neighborhood Development Services, Inc. recommends a revision to the RLF Collection Policy (Appendix C of the Master Agreement); now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to amend the Master Agreement for the five Portage County RLF Plans between the Board and **the Neighborhood Development Services Inc. (NDS), 120 East Main Street, Ravenna, Ohio 44266**, to revise Appendix C: Collections Policy (follows, named Appendix C), for each of the five RLF Plans; 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.

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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APPENDIX C: COLLECTIONS POLICY

Revised June 16, 2009

Resolution No. 09-0543

RLF Collection Policy

Days Delinquent

Action

11	Letter
30	Letter
60	Letter and Call to Customer
90	Letter to RLF Attorney, cc: Customer (Foreclosure if not resolved within two (2) weeks unless subject to affordability adjustment and/or subject to \$1,000 write-off)

Neighborhood Development Services, Inc. will make every attempt to collect the debt to the extent of property for which the debt is associated. Any debt unsatisfied from the proceeds of the sale of the property will be forgiven.

For delinquent loans with a balance less than \$1,000, the loan will be written off to remove it from showing delinquent. These loans will not be satisfied so that when the property sells or the client refinances the lien will need to be cleared.

Allowable payment plans include the following:

- Double payments
- Capitalization of delinquent amounts
- Interest only arrangements
- Forbearance agreements

For all delinquent accounts, Neighborhood Development Services, Inc. will re-underwrite affordability as follows:

- Borrowers with housing expenses greater than 30% of gross monthly income will have their debt converted to 0% due on sale or transfer of title
- Borrowers with housing expenses less than 30% of gross monthly income will fall under normal collections procedures

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RESOLUTION No. 09-0544 - RE: CASH ADVANCE REPAYMENT - FROM FUND 7217, WC RETRO RATING PLAN 2008 TO FUND 7201, WC RR PLAN GENERAL ADMINISTRATION

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

WHEREAS, on January 13, 2009, the Board of Commissioners adopted Resolution No. 09-0032 approving a cash advance in the amount of \$ 100,000.00 until the crediting of monthly charges occurred in Fund 7217, and

WHEREAS, the crediting of these monthly charges into the Workers Compensation Retro Rating Plan Fund have occurred; now therefore be it

RESOLVED, that the following cash advance repayment be made in the amount of \$ 100,000:

FROM:
FUND 7217, WC RETRO RATING PLAN 2008
 ORGCODE - 72170182
 Debit Revenue Account
 Revenue Source 290000 - Advances-In \$ 100,000.00

TO:
FUND 7201 WC RR P GENERAL ADMINISTRATION
 ORGCODE - 72010189
 Credit Expense Account
 Object 920000 - Advances-Out \$ 100,000.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor and the Human Resources Department, and be it further

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

Roll call vote as follows:

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

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RESOLUTION No. 09-0545 - RE: TRANSFER FROM FUND 5200, PCS GENERAL ADMINISTRATION TO FUND 5277, PCS OPWC 2010 CG04J

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

WHEREAS, in order to make the Ohio Public Works Commission loan payment for a new debt fund obligation due December 31, 2009, it is necessary to transfer funds in the amount of \$4,440.00 to Fund 5277; now therefore be it

RESOLVED, that the following transfer of funds in the amount of \$ 4,440.00 be made as follows:

FROM:

FUND 5200 PCS GENERAL ADMINISTRATION

ORG CODE - 52004009

Debit Expense Account

Object 910000 - TRANSFER OUT \$ 4,440.00

TO:

5277, PCS OPWC 2010 CG04J

ORG CODE - 52770602

Credit Revenue Account

Revenue Source 280000 TRANSFERS IN \$ 4,440.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said transfer by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Water Resources Department, and be it further

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 was as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0546

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RE: TRANSFER FROM FUND 7209, WC RETRO RATING PLAN 1999 TO FUND 7201 WC RR P GENERAL ADMINISTRATION

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

WHEREAS, the Portage County Board of Commissioners established Fund 7209, WC Retro Rating Plan 1999 to account for the financial transactions related to the 1999 Worker's Compensation Claims, and

WHEREAS, the cash balance in Fund 7209, WC Retro Rating Plan 1999 is \$ 403,732.22 and,

WHEREAS, all worker's compensation claims for 1999 have been paid; now therefore be it

RESOLVED, that the following transfer be made in the amount of \$ 403,732.22:

FROM:

7209, WC RETRO RATING PLAN 1999

ORGCODE - 72090189

Debit Expense Account

Object 910000 - Transfer-Out \$ 403,732.22

TO:

7201 WC RR P GENERAL ADMINISTRATION

ORGCODE - 72010182

Credit Revenue Account

Revenue Source 280000 - Transfer-In \$ 403,732.22

and be it further

RESOLVED, that the County Auditor is hereby requested to make said transfer by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Department of Human Resources, 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, Yea;

Maureen T. Frederick, Absent;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0547

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RE: CLOSING OF FUND 1110, ASSESSMENT OFFICER

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

WHEREAS, fiscal activity has ceased in Fund 1110, Assessment Officer, all payments have been made and the Treasurer's Cash Balance is \$0.00; now therefore be it

- RESOLVED,** that Fund 1110, Assessment Officer is hereby closed; and be it further
- RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Juvenile Court Administrator, 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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 09-0548 - RE: CLOSING OF FUND 1261, CDBG MICRO ENTERPRISE KENT STAT

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

- WHEREAS,** Resolution No. 08-1069, adopted October 28, 2008 renamed and renumbered Fund 1261, CDBG Micro Enterprise Kent Stat to Fund 1280, KBA Micro Enterprise Grant New, and
- WHEREAS,** the financial software was unable to move history from Fund 1261 to Fund 1280; therefore all future financial activity will be recognized in Fund 1280, and
- WHEREAS,** fiscal activity has ceased in Fund 1261, CDBG Micro Enterprise Kent Stat, all payments have been made and the Treasurer’s Cash Balance is \$0.00; now therefore be it
- RESOLVED,** that Fund 1261, Micro Enterprise Kent Stat is hereby closed; and be it further
- RESOLVED,** that a certified copy of this resolution be filed with the County Auditor and the Department of Budget and Financial Management, and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

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

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RESOLUTION No. 09-0549 - RE: APPOINTMENT TO THE PORTAGE COUNTY PUBLIC DEFENDER COMMISSION

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

WHEREAS, Ohio Revised Code 120.13 establishes the County Public Defender Commission for the purpose of providing for the defense counsel for indigent persons; and

WHEREAS, The Commission shall be comprised of five members, of whom two shall be appointed by the Common Pleas Judge and three shall be appointed the Board of Commissioners;

Now therefore be it

RESOLVED, The Board of Commissioners appoints the following to serve as a member of the Portage County Public Defender Commission for a four-year term effective immediately and concluding May 31, 2013:

Dr. Craig Moser
8205 Park Ave.
Garrettsville, OH 44231

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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 09-0550 - RE: AGREE TO ENTER INTO AN FY10 SUBSIDY GRANT AGREEMENT BETWEEN THE BOARD OF PORTAGE COUNTY COMMISSIONERS (ON BEHALF OF ADULT PROBATION) AND THE STATE OF OHIO FOR COMMUNITY BASED CORRECTIONS PROGRAM ALSO KNOWN AS 407 NON-RESIDENTIAL FELONY.

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

RESOLVED, that the Portage County Board of Commissioners agrees to enter into an FY10 Subsidy Grant Agreement between the Board of Commissioners (on behalf of Adult Probation) and the State of Ohio for Community Based Corrections Program also known as 407

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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 09-0552 - RE: ACCEPT THE GRANT AWARD FROM THE OHIO DRUG USE PREVENTION SPECIAL GRANT PROGRAM ON BEHALF OF THE PORTAGE COUNTY SHERIFF.

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

WHEREAS, the Board of Portage County Commissioners strongly supports the concept of education as a means of preventing drug use by young people; and

WHEREAS, the Portage County Sheriff is willing to administer the Ohio Drug Use Prevention Special Grant Program and agrees to provide the necessary funding from his funds, utilizing the four deputies that are already employed and assigned to teach the DARE curriculum in grades Kindergarten through 8th grade; and

WHEREAS, the Portage County Commissioners adopted Resolution No. 09-0460 on May 19, 2009 allowing the Portage County Sheriff's Department to apply to the State Attorney General's Office for the Ohio Drug Use Prevention Special Grant Program; now therefore be it

RESOLVED, that the Board of Commissioners does hereby accept the FY 2009 Ohio Drug Use Prevention Special Grant Award **for a total of \$45,796.50; with the necessary matching funding of \$45,796.50 for a program total of \$91,593.00** being provided from the Sheriff's existing funds, in the grant period of June 1, 2009 through May 31, 2010; 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 II, Yea; Maureen T. Frederick, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 09-0553 - RE: APPOINTMENT TO THE NORTHEAST OHIO TRADE AND ECONOMIC CONSORTIUM (NEOTEC) BOARD OF TRUSTEES.

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

WHEREAS, The Northeast Ohio Trade and Economic Consortium (NEOTEC) is an economic development partnership formed to promote trade, business growth and economic opportunities throughout Northeast Ohio; and

WHEREAS, Founded in February 1996 as a Joint Office of Economic Development (JOED) in accordance with Ohio Revised Code Section 307.07 by county officials and now including the counties of Columbiana, Mahoning, Portage, Stark, Summit, Trumbull, Ashtabula, Medina, Wayne and Richland, NEOTEC is governed by a 20-member board of trustees appointed by elected officials in these counties

Now, therefore, be it

RESOLVED, that the Portage County Board of Commissioners does hereby appoint the following to serve on NEOTEC Board of Trustees:

Yank Heisler Alternate
Special Assistant to the President
Kent State University
Executive Offices, 2nd Floor Library
P.O. Box 5190
Kent, Ohio 44242

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.

Voice Vote as Follows:

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

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RESOLUTION No. 09-0554 - RE: APPOINTMENT TO THE PORTAGE COUNTY LAW LIBRARY RESOURCES BOARD.

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

8. Accept and award the bid of The Shelly Company for the Tallmadge Road Resurfacing Project (County Engineer)./09-541
9. Authorize Neighborhood Development Services to apply for a CDBG Grant through the Ohio Department of Development (ODOD) to directly assist Accurate Fabrication LLC./09-542
10. Amend Master Agreement with the Portage Area Development Corporation (PADCorp), now named Neighborhood Development Services, Inc. (NDS) for the administration and implementation of the Portage County Revolving Loan Fund Plans./09-543
11. Appoint Craig Moser to the Public Defender Commission/09-0549
12. Appoint Yank Heisler as the Board of Commissioners' NEOTEC alternate/09-0553
13. Appoint Scott Flynn to the Law Library Resources Board/09-0554

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INVITATIONS/MEETING NOTICES

June 16 2009

1. Invitation from the Office of Homeland Security and Emergency Management Agency for the After Actions Meeting for H1N1 on Tuesday, June 16, 2009 at 8:30 AM in the EOC at the Justice Center.
2. Invitation from GroundWords for the 8th Consecutive Summer Season Friday-Sunday, June 26-28, 2009, Cleveland Heights.
3. Invitation from NEOTEC for the 2009 Ohio Trade Development Mission to India, Saturday, August 1, 2009-Thursday, August 13, 2009, India.
4. Invitation for the Retirement Party honoring Robert Fankhauser, Chief of the Portage County Adult Probation Department on Friday, June 26, 2009, 4:00-7:00 PM, Italian American Society.
5. Invitation from the Ohio Rail Development Commission for the Cleveland-Columbus-Cincinnati The "3C" High Speed Rail Workshop on Tuesday, July 7, 2009, 12:30-4:30 PM, Columbus.
6. Invitation to the Ingenuity Fest on Thursday, July 9, 2009, 8:00 AM-11:00 PM, Downtown Cleveland.

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INCOMING CORRESPONDENCE

DISCUSSION

June 16 2009

1. June 10, 2009 e-mail from Janet Kovick, Job & Family Services, regarding the JFS Heroes Committee fundraiser/Journal Entry

2. The Board of Commissioners received notice from Goodwill Industries for nominations for the employee of distinction luncheon on Friday, September 11, 2009, Ravenna Elks Lodge. Nominations requested by Wednesday, July 15, 2009/Bring back next week.
3. June 9, 2009 memo from Charlene Badger, Executive Assistant, regarding the Veterans Memorial/Journal Entry.
4. The Commissioners' Executive Assistant presents the June 10, 2009 correspondence from H. Eugene Mills, requesting appointment to the Mental Health & Recovery Board. Does the Board wish to schedule an interview/Executive Assistant to bring back
5. June 10, 2009 correspondence from Dianne Jackson, GAPP Area 19, regarding an SAS 70 report/Forwarded to Anita Herington, Carol Kurtz and State Auditor.
6. June 30, 2009 email from Kent Economic Development Director Dan Smith regarding payment for Squire Sanders & Dempsey services for the draft of the legislative changes needed to Ohio Revised Code Chapter 349 that would allow for a new form of NCA centered on a university-city partnership/Information only at this time. Commissioner Keiper noted that Mr. Smith will request a meeting to update the Board of Commissioners before the Board agrees to move forward.
7. June 11, 2009 e-mail from Ryan Yates, National Association of Counties (NACo), regarding Payment in Lieu of Taxes (PILT) program/Forwarded to the Department of Budget and Financial Management
8. June 12, 2009 memo from Eileen Stiffler, Regional Planning Commission, including information to be distributed at the 2009 CDBG Formula Grant Public Hearing on Thursday, June 18, 2009/Information only for the public hearing.
9. June 11, 2009 e-mail from Dan Colantone, Greater Akron Chamber, regarding the Corporate Liaison program/Information only.
10. June 15, 2009 e-mail from Timothy Smith, regarding appointment to the Public Defender's Board/The Board of Commissioners agreed that they would meet with Mr. Smith prior to his 2010 re-appointment date.

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JOURNAL ENTRIES

June 16, 2009

1. The Board of Commissioners authorized Commissioner Keiper to sign the Standard Form to Confirm Account Balance Information with Financial Institutions as of December 31, 2008 with Keybank and Key Investments Accounts, as presented by the State Auditor's Office. Documents not yet reviewed by Internal Auditor Carol Kurtz/Hold for her review and comments.
2. In accordance with the ORC Section 325.07, the Portage County Board of Commissioners received the Transportation of Prisoners Report for April 2009. Forwarded to the Internal Auditor for review.
3. Board of Commissioners' authorization requested to submit pre-applications to the County Engineer's office for the following two (2) projects: Franklin Hills Wastewater Treatment Plant – Air Improvements

\$400,000 and Wastewater Treatment Plant UV System Replacement \$120,000 as presented by the Portage County Water Resources Department.

4. The Board of Commissioners authorized use of the courthouse lawn on Saturday, July 11, 2009 for the Portage County T.E.A. Party Organization's gathering as requested by Thomas Zawistowski.
5. Board of Commissioners' authorization requested to pay the June 3, 2009 Invoice #30409 for \$1,275.50 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of May 2009 for General Labor matters/Hold for the Human Resources Department review.
6. The Board of Commissioners received the monthly operating expenses and caseload report for the County Public Defender's office for May 2009 as presented by the County Auditor.
7. The Board of Commissioners received the Portfolio Report for May 2009 as presented by the County Treasurer's office.

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REFERRED

June 16, 2009

1. Undated memo (received June 10, 2009) from Michael Hiler, Ohio Department of Development, including three (3) unsigned copies of the Grant Agreement for the Neighborhood Stabilization Program (NSP) for signature by Commissioner Keiper/Referred to the Grants Coordinator to process
2. June 8, 2009 correspondence from David Shea, Community Action Council, regarding the submission and availability of the Community Action Council of Portage County's Draft Community Service Block Grant Application for Calendar Year 2009-2010 for review and comment. Referred to Grants Administrator.
3. June 12, 2009 correspondence from Scott Flynn, requesting appointment to the Portage County Law Library Resource Board/09-0554
4. May 6, 2009 correspondence from Kerry Macomber, Kent State University to Sheriff Doak and Major Dennis Missimi, Portage County Sheriff's Department, regarding services through KSU's Center for Public Administration and Public Policy. Referred to Grants Administrator and Department of Budget and Financial Management/Schedule Grants Administrator to discuss with Board of Commissioners.
5. June 12, 2009 e-mail from Anita Herington, Job and Family Services, requesting correspondence from the Board to the Ohio Delegation/Executive Assistant prepared draft response for Board of Commissioners

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PLEASE ADD TO THE AGENDA

June 16, 2009

1. Board of Commissioners' authorization requested to utilize Ty Incorporated to provide the materials and labor for the Cleveland to Aurora Waterline Phase II for an amount not to exceed \$2,512.51 as requested by the Water Resources Department. Funding for this expenditure is available in Organization Code 540040W6 685000 06300/Journal Entry.

2. Resolution to accept an FY10 between the Board of Commissioners (on behalf of Adult Probation) and the State of Ohio for Community Based Corrections Program, also known as 407 Non-Residential Felony/09-0550.
3. Approve FY10 408 subsidy grant agreement between the Board of Commissioners (on behalf of Adult Probation) and the State of Ohio for Community Based Corrections Program, also known as 408 Non-Residential Misdemeanant/09-0551
4. Accept the grant award from the Ohio Drug Use Prevention Special Grant Program on behalf of the Portage County Sheriff/09-0552

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INFORMATION ONLY

June 16, 2009

1. The Board of Commissioners received a copy of the June 9, 2009 Employee Appreciation Committee agenda.
2. The Board of Commissioners received notice that Athens' County Commission Lenny Eliason is a candidate for 2nd Vice President of NACo. Financial contributions are needed.
3. June 9, 2009 correspondence from Kathy Janini, Hattie Larlham to Charlene Badger, Executive Assistant, thanking her for the meeting in which Hattie Larlham might partner with Portage County to secure funding to assist them in providing services to a special population in Portage County.
4. June 9, 2009 correspondence from Cliff Evans, Richard Cordray Ohio Attorney General's Office to Jon Barber, Office of Homeland Security and Emergency Management Agency, regarding the Mobile Command Center use on May 27, 2009.
5. The Board of Commissioners received the June 12, 2009 Traffic Advisory as presented by Ohio Department of Transportation.
6. June 12, 2009 e-mail from JoAnn Townend, Internal Services, regarding the County Auction on Saturday, June 27, 2009.
7. June 10, 2009 correspondence from Thomas Bellish, Buckeye Energy Brokers, Inc., regarding energy aggregation.
8. June 11, 2009 e-mail from Marilyn Morgan, NEOTEC, to JOED Board Members, including a press release indicating NEOTEC establishes partnership in Europe through OCO Global.

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Journal Entry

June 16, 2009

Motion by Christopher Smeiles, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners approved the request from the Portage County Department of Job & Family Services' Heroes Committee and authorized the Schwan Food Company to park their delivery vehicle in the Portage County Administration Building Parking Lot to allow the delivery of food purchased in a Portage County Department of Job & Family Services Heroes Committee fundraiser. The Department of Job & Family Services staff to complete the required Request For Use of County Facility Form. The Board of Commissioners noted that a Certificate of Insurance and \$1.00 fee will be required. Forwarded to the Internal Services Department to prepare the agreement with the Schwan Food Company.
2. In accordance with Ohio Revised Code Section 325.07, the Portage County Board of Commissioners acknowledged the receipt of the Transportation of Prisoners Report for April 2009, as presented by the Portage County Sheriff.
3. The Board of Commissioners authorized the submittal of pre-applications by the Portage County Water Resources Department to the Portage County Engineer for the following two (2) projects for consideration in the OPWC Infrastructure Program, Round 24 (PY-10): Franklin Hills Wastewater Treatment Plant – Air Improvements for \$400,000 and Wastewater Treatment Plant UV System Replacement for \$120,000, as presented by the Portage County Water Resources Department.
4. The Board of Commissioners authorized use of the courthouse lawn on Saturday, July 11, 2009 for the Portage County T.E.A. Party Organization's gathering, as requested by Thomas Zawistowski. The Board of Commissioners noted that a Certificate of Insurance is preferred, if available, and the \$1.00 fee will be required. Forwarded to the Internal Services Department to prepare the agreement with the Schwan Food Company.
5. The Board of Commissioners authorized the hire of Ty Incorporated of Independence, Ohio to provide the materials and labor for the installation of water main appurtenances in coordination with a project currently under City of Aurora construction and the upcoming, planned Water Resources Department Cleveland to Aurora Waterline Phase II, Project "B", in an amount not to exceed \$2,512.51, as recommended by the Water Resources Department. Director Harold Huff noted that the installation of a gate valve, tee and plug at this time during the Aurora project will allow the future county water project to interconnect as planned and provide efficiency between the two different projects. Funding for this expenditure is available in Organization Code 540040W6 685000 06300.
6. The Board of Commissioners acknowledged the receipt of the monthly operating expenses and caseload report for the County Public Defender's Office for May 2009, as presented by the Portage County Auditor.
7. The Board of Commissioners acknowledged the receipt of the Portfolio Report for May 2009, as presented by the Portage County Treasurer.
8. The Board of Commissioners authorized Homeland Security and Emergency Management Office Director Jon Barber to work with Internal Services Director JoAnn Townend to prepare and publish an RFQ for the consulting engineering services to perform a frequency search and FCC licensing assistance.
9. The Board of Commissioners authorized Department of Job & Family Services' Children's Services staff to move to the Prosecutor's Annex, 466 South Chestnut Street in Ravenna. The Commissioners noted that the JFS Director will sign a rental agreement with the Board of Commissioners for this space.

