

**Tuesday, July 28, 2009**

The Board of County Commissioners met in regular session on **Tuesday, July 28, 2009 at 9:28 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 July 23, 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 the upcoming decision regarding the storm water program. Commissioner Frederick stated that she has gotten several calls and has been approached by residents opposing the program. She asked the Clerk to gather information about the Task Force, which was formed in 2003, for her to distribute. Commissioner Keiper also noted that he has heard opposition from a number of residents. He supposed that the Board of Commissioners could not agree to implement the program and let the EPA fine Portage County. Commissioner Smeiles added that the residents of the city of Kent have been paying this fee for about four years – he has not heard opposition to the program in his neighborhood. The County Engineer will make his final recommendation to the Board of Commissioners on August 13, 2009.

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## **DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT**

Present: Audrey Tillis

### Resolutions

1. General Fund Amendments to the Annual Appropriation Resolution:/09-692
  - a. Commissioners Other, Supplemental – BOC Appr. 7/14/09 JE# 17
  - b. Microfilm, Transfer – To Fund Vehicle Maintenance & Repairs
  - c. Clerk of Courts, Transfer – For Projected Need
  - d. Sheriff's Department, Supplemental – Reimbursement for Retirement Payout, BOC Appr. 7/14/09 JE #17, and Ballistic Vests, Res #09-0682
  - e. Board of Elections, Transfer – For August Poll Workers Payroll
2. Other Funds Amendments to the Annual Appropriation Resolution:/09-693
  - a. Fund 1103, Drug Abuse Resistance Education – Supplemental, Increase Appropriation per Grant Award
  - b. Fund 1201, Motor Vehicle and Gas Tax – Supplemental, For Road Maintenance Projects
  - c. Fund 1251, CDBG County Formula – Supplemental, For Projected Need
  - d. Fund 1254, Neighborhood Stabilization NSP – Supplemental, For a New Grant
  - e. Fund 1340, MRDD General Administration – Transfer, Appropriation Modification
  - f. Fund 1364, Child Health Grant – Transfer, For Projected Need
  - g. Fund 1390, Women, Infants, and Children – Supplemental, Projected Expenses
  - h. Fund 4002, Multi Purpose CBU Acq & Rehab – Supplemental, Project Expenses

- i. Fund 5100, Nursing Home General Administration – Transfer, To Cover a Negative
- j. Fund 5200, PCS General Administration – Supplemental & Transfer, For Projected Need
- k. Fund 5201, Portage County Sewer Notes – Supplemental, Adjust to Actual
- l. Fund 5312, PCS State Route 44 Vacuum – Supplemental, Adjust to Actual
- m. Fund 5314, PCS A/C Pipe Replacement – Supplemental, New Construction Fund
- n. Fund 5400, PCW General Administration – Supplemental & Transfer, To Move Budget to Where Needed
- o. Fund 5401, Portage County Water Notes – Supplemental, Interest Payment Due in Oct
- p. Fund 5507, PCW Cleveland to Aurora – Supplemental, Adjust to Actual
- q. Fund 5600, Sts General Administration – Supplemental & Transfer, To Move Budget to Where Needed

Other

3. Journal entry approvals:

- a. Processing Expenditure Reimbursement – Portage County Randolph Fair/Journal Entry
- b. Processing Expenditure Correction – Johnson & Miller & Schmitz, LLP Invoices/Journal Entry
- c. Processing Expenditure Correction – Johnson & Miller & Schmitz, LLP Invoices/Journal Entry

4. Discussion Items/Memos:

- a. The Director will bring back a final invoice from the Public Defender for his legal expenses for the recent court case/settlement
- b. The Director is working with Attorney Mike Sharb on the preparation for the FY 2009 Debt Issue (Bonds/Notes/New Projects)
- c. The Microfilm Department has had extraordinary vehicle maintenance and repairs expenses on their van in the amount of \$3,830
- d. The Director presented the General Fund 2<sup>nd</sup> Quarterly Review

The Director discussed the FY 2010 budget with the Board of Commissioners, which may require a 10% Commissioners’ departmental reduction, freeze travel, wages and vacancies and any other suggestions to get through 2009 into 2010.

The Board of Commissioners reviewed the draft Memo to Elected Officials and agreed to consider it again on July 30<sup>th</sup>.

The Board of Commissioners agreed to meet with the Director on July 30<sup>th</sup> for another work session.

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**PROSECUTOR**

Present: Denise Smith

Review of Prosecutor’s Pending List

1. The Prosecutor's Office reviewed the Cascade Group draft settlement of the foreclosure action, as prepared by the Neighborhood Development Services, Inc., and noted that it can be approved as to form.
2. Attorney Smith noted that the Conservancy District Petition has been assigned to Judge Pittman. Both the city of Kent and city of Ravenna have objected formally to the Petition. Attorney Smith asked if the Board of Commissioners intends to have the Prosecutor's Office represent them in this matter, noting that this is not an area that they specialize in and, should any or all of the Townships object, the Prosecutor could not represent both the Board of Commissioners and the townships. Commissioner Keiper will contact Attorney Jack VanKley to determine how the Board of Commissioners should proceed. Commissioner Frederick added that she would not be in favor of approving any expenditure for this Petition due to the condition of the General Fund.

10:05 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 conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **Also present: Attorney Denise Smith.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:12 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners adopted Resolution 09-0691

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**ECONOMIC DEVELOPMENT**

Present: William Ulik

1. The Director noted his contact with three business over the past month 1) Kent business that may expand. The Director met with Ohio Department of Development representatives to discuss bringing in another division of the company to Kent; 2) TCP in Aurora is moving its manufacturing unit from China and hopefully into Aurora, which would bring 50-60 new jobs and 3) there has been an interest in the Rootstown Industrial Park.
2. The Director advised that he has been meeting to review the EDA rating criteria to revise point assignments for applications, which is now more equitable. The playing field will be more level for Portage County in the future.
3. The Director is working with Attorney George Sarkis to draft the preliminary articles of incorporation for the 501(C)3 application for the Portage Development Board.
4. The RFQ for the Website Design produced 27 responses from all over the country. The Portage County Port Authority Subcommittee, IT Director Brian Kelley and the Director will review and meet to discuss. Prices were not given since this was a request for qualifications only.
5. The Director suggested that the new hires for his department not be made until the development board is in place. The Board of Commissioners agreed.

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**RESOLUTION No. 09-0687 - 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 July 28, 2009 in the total payment amount of **\$710,473.41 for Funds 0001-8101** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Roll call vote as follows:

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

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**RESOLUTION No. 09-0688 - 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:

07/28/09	1052	\$ 3,431.60
07/28/09	969	588.08
07/28/09	968	101.86



Voice Vote as Follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0690**

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**RE: PUBLIC ANNOUNCEMENT OF AVAILABLE CONTRACTS**

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

**WHEREAS,** R.C. 153.67 requires that a public authority planning to contract for professional services publicly announce all contracts available from it for such services; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners, by unanimous vote thereto, authorizes the announcement of the request for proposals for professional services for the Portage County Engineer for the **DESIGN OF A ROUNDABOUT AT THE SUMMIT ROAD/POWDERMILL ROAD INTERSECTION**; and be it further

**RESOLVED,** that such notice shall comply with all terms and requirements of Substitute House Bill 231 (Eff. 11/24/95) and specifically R.C. 153.67; and be it further

**RESOLVED,** that the announcement requesting proposals will be published in the Record Courier on **August 3, 2009**, 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, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0691**

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**RE: AMEND RESOLUTION 09-0645 TO CONSENT TO AN EMPLOYMENT AGREEMENT BETWEEN ROBIN BOSTICK nka ROBIN PELLE AND THE PORTAGE COUNTY PUBLIC DEFENDER'S OFFICE (PORTAGE COUNTY COMMON PLEAS CASE NO. 2007 CV 00803).**

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

**WHEREAS,** as a result of Portage County Common Pleas Case No. 2007 CV 00803, a Release and Settlement Agreement was entered into between Robin Bostick nka Robin Pelles, Dennis Day Lager and the Portage County Public Defender's Office, and

**WHEREAS,** the Portage County Board of Commissioners adopted Resolution 09-0645 on July 14, 2009 consenting to an Employment Agreement between Robin Bostick nka Robin Pelles and the Portage County Public Defender's Office; and

**WHEREAS,** the Portage County Prosecutor's Office advises that the Settlement Agreement was changed to comply with PERS issues, which changes the Employment Agreement; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners agrees to sign the amended Employment Agreement, noting that the language was modified to state that the employee waives vacation and sick leave except as provided to part-time employees; 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 an meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

Charles W. Keiper, Yea;

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**RESOLUTION No. 09-0692 - RE: AMENDMENT TO THE GENERAL FUND 2009 ANNUAL APPROPRIATION RESOLUTION NO. 08-1181 ADOPTED DECEMBER 11, 2008**

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

**RESOLVED,** that it has become necessary to amend the General Fund 2009 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below,

		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 0001 General Fund</b>			
<b>010 Commissioners Other</b>			
00107	Commissioner Other OE	0	70,910
<b>MEMO TOTAL</b>		<u><u>\$ -</u></u>	<u><u>\$ 70,910</u></u>

Note: Balastic vests, res. #09-0682 BOC Appr 7-14-09 JE #17

<b>017 Microfilm</b>			
00174	Microfilm CS	500	0
00175	Micorfilm MS	0	500
<b>MEMO TOTAL</b>		<u><u>\$ 500</u></u>	<u><u>\$ 500</u></u>

Note: To Fund Vehicle Maintenance & Repairs

<b>500 Clerk of Courts</b>			
05005	Clerk Common Pleas Ct MS	4,850	0
05025	Clerk-Civil/Criminal MS	0	4,850
<b>MEMO TOTAL</b>		<u><u>\$ 4,850</u></u>	<u><u>\$ 4,850</u></u>

Note: Projected Need

<b>700 Sheriff's Department</b>			
07005	Sheriff-General Admin MS	30,500	0
07303	Sheriff-Road Deputies Fringes	578	0
0730D	Sheriff-Road Deputis Full Time	39,832	0
<b>MEMO TOTAL</b>		<u><u>\$ 70,910</u></u>	<u><u>\$ -</u></u>

Note: Balastic vests, res. #09-0682 BOC Appr 7-14-09 JE #17, Reimb. for retirement payout

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		<u>Increase</u>	<u>Decrease</u>
<b>902 Board Of Elections</b>			
09027	Board Of Elections OE	0	6,500
0902H	Board of Elections Election Wo	6,500	0
<b>MEMO TOTAL</b>		<u><u>\$ 6,500</u></u>	<u><u>\$ 6,500</u></u>

Note: Transfer for Poll Workers 8/09 Payroll

<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<u><u>\$ 82,760</u></u>	<u><u>\$ 82,760</u></u>
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and be it further,

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

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, and be it further,

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

Roll call as Follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-0693

RE: AMENDMENT TO THE NON GENERAL FUND 2009 ANNUAL APPROPRIATION RESOLUTION NO. 08-1182 ADOPTED DECEMBER 11, 2008.

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

RESOLVED, that it has become necessary to amend the Non General Fund 2009 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below,

		<i>Increase</i>	<i>Decrease</i>
		<hr/>	<hr/>
<b>Fund: 1103</b>	<b>Drug Abuse Resistance Educatio</b>		
	<b>700 Sheriff's Department</b>		
11033	Sheriff-DARE Program Fringes	1,323	0
1103D	Sheriff-DARE Program Full Time	5,993	0
	<b>MEMO TOTAL</b>	<hr/> <b>\$ 7,316</b> <hr/>	<hr/> <b>\$ -</b> <hr/>

Note: Increase approp per grant award

<b>Fund: 1201</b>	<b>Motor Vehicle And Gas Tax</b>		
	<b>800 Engineer's Department</b>		
12013	Motor Vehicle/Gas Tax Fringes	600	0
12015	Motor Vehicle/Gas Tax MS	300,000	0
	<b>MEMO TOTAL</b>	<hr/> <b>\$ 300,600</b> <hr/>	<hr/> <b>\$ -</b> <hr/>

Note: ROAD MAINTENANCE PROJECTS

<b>Fund: 1251</b>	<b>CDBG County Formula</b>		
	<b>081 Community Development</b>		
12514	CDBG Conty Formula CS	16,000	0
	<b>MEMO TOTAL</b>	<hr/> <b>\$ 16,000</b> <hr/>	<hr/> <b>\$ -</b> <hr/>

Note: Projected Need

<b>Fund: 1254</b>	<b>Neighborhood Stabilization NSP</b>		
	<b>081 Community Development</b>		
12544	Neighborhd Stabilizat NSP CS	1,253,137	0
	<b>MEMO TOTAL</b>	<hr/> <b>\$ 1,253,137</b> <hr/>	<hr/> <b>\$ -</b> <hr/>

Note: NEW GRANT

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1340</b>	<b>MRDD General Administration</b>		
	<b>905 Mental Ret &amp; Dev Disability Bd</b>		
13403	MRDD General Admin Fringes	0	57,000
13404	MRDD General Admin CS	30,000	0
13405	MRDD General Admin MS	25,600	0
13406	MRDD General Admin CO	1,400	0
	<b>MEMO TOTAL</b>	<u><u>\$ 57,000</u></u>	<u><u>\$ 57,000</u></u>

Note: APPROPRIATION MODIFICATION

<b>Fund: 1364</b>	<b>Child Health Grant</b>		
	<b>051 Job And Family Services</b>		
13643	Child Health Grant Fringes	0	257
13644	Child Health Grant CS	698	0
1364E	Child Health Grant Part-Time	0	441
	<b>MEMO TOTAL</b>	<u><u>\$ 698</u></u>	<u><u>\$ 698</u></u>

Note: Projected need

<b>Fund: 1390</b>	<b>Women Infants And Children</b>		
	<b>053 Women, Infants &amp; Children</b>		
13904	Women Infants & Children CS	20,000	0
13905	Women Infants & Children MS	10,000	0
	<b>MEMO TOTAL</b>	<u><u>\$ 30,000</u></u>	<u><u>\$ -</u></u>

Note: Projected expenses

<b>Fund: 4002</b>	<b>Multi Purpose CBu Acq &amp; Rehab</b>		
	<b>012 Central Purchasing Services</b>		
40024	Multi Purpose C Bu Acq & Re CS	206,405	0
	<b>MEMO TOTAL</b>	<u><u>\$ 206,405</u></u>	<u><u>\$ -</u></u>

Note: Project expenses

		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 5100</b>	<b>Nursing Home General Administr</b>		
	<b>054 Nursing Home</b>		
5100D	Nursing Home Gen Full Time	0	187,000
5100E	Nursing Home Gen Part Time	160,000	0
5100M	Nursing Home Gen Overtime	27,000	0
	<b>MEMO TOTAL</b>	<b>\$ 187,000</b>	<b>\$ 187,000</b>

Note: To cover a negative

<b>Fund: 5200</b>	<b>PCS General Administration</b>		
	<b>060 Water Resources</b>		
52003	Portage County Sewer Fringes	1,500	0
52004	Portage County Sewer CS	18,346	0
52005	Portage County Sewer MS	5,000	0
52006	Portage County Sewer CO	0	24,846
52009	Portage County Sewer ME	1,000,000	0
	<b>MEMO TOTAL</b>	<b>\$ 1,024,846</b>	<b>\$ 24,846</b>

Note: Projected Need

<b>Fund: 5201</b>	<b>Portage County Sewer Notes</b>		
	<b>060 Water Resources</b>		
52018	PCS Notes DE	467	0
	<b>MEMO TOTAL</b>	<b>\$ 467</b>	<b>\$ -</b>

Note: ADJUST TO ACTUAL

<b>Fund: 5312</b>	<b>PCS State Route 44 Vacuum</b>		
	<b>060 Water Resources</b>		
53128	PCS State Route 44 Vacuum DE	0	466
	<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 466</b>

Note: ADJUST TO ACTUAL

<b>Fund: 5314</b>	<b>PCS A/C Pipe Replacement</b>		
	<b>060 Water Resources</b>		
53146	PCS A/C Pipe Replacement CO	211,073	0
	<b>MEMO TOTAL</b>	<b>\$ 211,073</b>	<b>\$ -</b>

Note: NEW CONSTRUCTION FUND

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 5400</b>	<b>PCW General Administration</b>		
	<b>060 Water Resources</b>		
54003	Portage County Water Fringes	800	0
54004	Portage County Water CS	6,341	0
54005	Portage County Water MS	3,050	0
54006	Portage County Water CO	0	10,191
54009	Portage County Water ME	700,000	0
	<b>MEMO TOTAL</b>	<b>\$ 710,191</b>	<b>\$ 10,191</b>

Note: To move budget to where needed

<b>Fund: 5401</b>	<b>Portage County Water Notes</b>		
	<b>060 Water Resources</b>		
54018	Portage County Water Notes DE	406	0
	<b>MEMO TOTAL</b>	<b>\$ 406</b>	<b>\$ -</b>

Note: INTEREST PAYMENT DUE IN OCT

<b>Fund: 5507</b>	<b>PCW Cleveland to Aurora</b>		
	<b>060 Water Resources</b>		
55078	PCW Cleveland to Aurora DE	0	405
	<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 405</b>

Note: ADJUST TO ACTUAL

<b>Fund: 5600</b>	<b>StS General Administration</b>		
	<b>060 Water Resources</b>		
56003	Streetsboro Sewer Fringes	2,050	0
56004	Streetsboro Sewer CS	3,614	0
56005	Streetsboro Sewer MS	13,000	0
56006	Streetsboro Sewer CO	0	22,664
56007	Streetsboro Sewer OE	4,000	0
56009	Streetsboro Sewer ME	1,300,000	0
	<b>MEMO TOTAL</b>	<b>\$ 1,322,664</b>	<b>\$ 22,664</b>

Note: To move budget to where needed

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<b>\$ 5,327,803</b>	<b>\$ 303,270</b>
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and be it further,

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

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, and be it further,

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

Roll call as Follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-0694 - RE: AGREE TO ENTER INTO AMENDMENT #5 TO THE LETTER OF ARRANGEMENT BETWEEN PORTAGE COUNTY AND THE AUDITOR OF STATE FOR AUDIT OF GENERAL PURPOSE FINANCIAL STATEMENTS OF PORTAGE COUNTY FOR THE YEAR ENDED DECEMBER 31, 2007.**

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

- WHEREAS,** on January 29, 2008, the Board of Commissioners adopted resolution No. 08-0099 agreeing to sign and accept a Letter of Arrangement, dated January 29, 2008, by and between the Auditor of State and the Board of Commissioners which sets forth the nature and scope of services, related fee arrangements and other terms and conditions of the County Audit as of and for the period ended December 31, 2007, in accordance with generally accepted auditing standards and the standards for financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, in a total audit amount estimated to be \$130,000.00 (One hundred thirty thousand dollars and no cents); and
- WHEREAS,** the Board of Commissioners agreed to amend the Letter of Arrangement to reflect additional charges and signed and accepted Amendment #1, authorized by Resolution 08-0612 adopted on July 1, 2008; and
- WHEREAS,** the Board of Commissioners agreed to amend the Letter of Arrangement to reflect additional charges and signed and accepted Amendment #2, authorized by Resolution 08-0913 adopted on September 9, 2008; and
- WHEREAS,** the Board of Commissioners agreed to amend the Letter of Arrangement to reflect additional charges and signed and accepted Amendment #3, authorized by Resolution 08-1231 adopted on December 23, 2008; and
- WHEREAS,** the Board of Portage County Commissioners adopted Resolution No. 09-0211 accepting Amendment #4 to the Letter of Arrangement, dated February 25, 2009, increasing the total audit amount from \$180,260.00 (One hundred eighty thousand two hundred sixty dollars and no cents) to \$225,260.00 (Two hundred twenty five thousand two hundred sixty dollars and no cents); and
- WHEREAS,** the State Auditor presented additional charges to the Letter of Arrangement; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to sign and accept Amendment #5 to the Letter of Arrangement, dated June 24, 2009, by and between the Auditor of State and the Board of Commissioners which sets forth the nature and scope of services, related fee arrangements and other terms and conditions of the County Audit as of and for the period ended December 31, 2007, in accordance with generally accepted auditing standards and the standards for financial audits contained in Government





2. Discussion: Ohio EPA Air Pollution Control Permit issued for local facility. Comments and/or a request for public hearing will be accepted within 30 days of the date of notice/Forward to the Mayor of Mogadore and to the Portage County Environmental Round Table, who were not copied on this correspondence.
3. July 21, 2009 correspondence from George Elmaraghy, Ohio EPA, regarding storm water program. Response requested within 30 days/Forward to the County Engineer to prepare a response for the Board of Commissioners or advise the Board of Commissioners how to respond.
4. Board of Commissioners authorized use of the Portage County Administration Building WIC Parking Lot for the Mammo Van Medical Imaging Network for County employees on Tuesday, August 18, 2009 and Friday, August 21, 2009 from 7:00 AM until 2:00 PM, as requested by the Human Resources Department.

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**JOURNAL ENTRIES**

July 28, 2009

1. The Board of Commissioners received the July 21, 2009 correspondence from Robert Park, Director/Service Officer of the Portage County Veterans Service Commission, including the monthly report of departmental activity for the Veterans Service Office for 2<sup>nd</sup> Quarter 2009.
2. July 22, 2009 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2007 as presented by the Portage County Auditor's Office.
3. Pursuant to House Bill 355, Board of Commissioners' acknowledgement of the receipt of the Portage County Combined General Health District 2<sup>nd</sup> Quarter Report, as presented by DuWayne Porter, Health Commissioner.
4. Board of Commissioners' authorization requested to prepare a purchase order for KCI Associates of Ohio to survey and stake the proposed alignment for additional survey work for the Ethan Avenue Pump Station Elimination, Project No. ST-4 (02-110) with a cost not to exceed \$1,200.00 as requested by the Water Resources Department.
5. Board of Commissioners' authorization requested to purchase a Kubota Diesel Drive Zero Turn mower from Coia Implement Sales Inc. for \$9,699.00 in order to maintain the grass at the Streetsboro Wastewater Treatment Plant facility as the existing mower is twelve years old and scheduled to be replaced as requested by the Water Resources Department. Funding for this expenditure has been budgeted in Fund 56001006 621 000 of the approved 2009 Streetsboro Plant Operating Budget.
6. Board of Commissioners' authorization requested to purchase and install two (2) access gates at the Holland Easement on State Route 59 in Ravenna Township from Bochert Excavating Inc. at a cost of \$5,254.00 as requested by the Water Resources Department. Funding for this expense has been budgeted in the 2009 Portage County Water and Sewer Operating budget.
7. Board of Commissioners' authorization requested to execute a purchase order to Trushel Excavating Inc. in an amount not to exceed \$12,000 to cover the required work for the Portage Point Pump Station Elimination, Project No. ST-4 (09-040) as requested by the Water Resources Department. Funding for this

expense has been budgeted in the Streetsboro Sewer line item in the current 2009 budget, Fund 5600, Org 560040S6 Object 684000 Project 09040.

\* \* \* \* \*

**REFERRED**

July 28, 2009

1. July 22, 2009 correspondence from Matthew Dietrich, Ohio Rail Development Commission, regarding grant and loan funding under the Ohio Rail Development Commission's Rail Line Rehabilitation Program. Referred to Internal Auditor and Grants Administrator.
2. The Board of Commissioners received the Revocation of Certification in the case of the State of Ohio Employment Relations Board in the matter of Michael Church and Teamsters Local 437 and Portage County. Referred to Internal Services and Human Resources/Journal Entry.

\* \* \* \* \*

**PLEASE ADD TO THE AGENDA**

July 28, 2009

1. Board of Commissioners' signature requested on Amendment No. 3 to the Letter of Arrangement dated June 24, 2009 for the final costs to perform the WIA Grant for the 2007 audit as presented by the Auditor of State Mary Taylor's Office/09-0694. The Board of Commissioners asked the Internal Services Department and Department of Budget & Financial Management to investigate to determine if this fee can be charged back to the GAPP.

Total additional work for WIA Grant \$33,322.60  
Previous fee estimate \$225,260.00  
Revised fee estimate \$258,582.60.

2. VOCA Grant Application for October 1, 2009 through September 30, 2010 on behalf of the Prosecutor's Office as prepared by Dan Banks/09-0695.
3. July 23, 2009 correspondence from Justin Meiser, Neighborhood Development Services, in response to the Portage County Internal Auditor's request for additional certification as to the accuracy of the timesheets submitted for administrative services for the CDBG ED RLF for the time period of June through September 2008/Journal Entry.

Additionally, Board of Commissioners' authorization is requested to pay Neighborhood Development Services Inc. for RLF Administration costs for \$ 28,238.49 as requested by Neighborhood Development Services.

4. Board of Commissioners' authorization requested to pay the renewal subscription to the Record Courier for one year for \$124.00/Journal Entry.

**INFORMATION ONLY**

July 28, 2009

1. July 22, 2009 e-mail from Mayor Lou Bertrand, Hiram Village, regarding Hiram Military Veterans' Monument.

2. July 21, 2009 correspondence from Bob Wrentmore, Building Department to Mayor Donna Hawkins, Village of Mantua, regarding Glacial Esker Trail Observation Decks request for fee waiver.
3. July 21, 2009 memo from Ryan Gies, Ohio Department of Youth Services to Juvenile Court Judges, Court Administrators and Subsidy Grant Contacts, regarding FY 2010 Subsidy Grant Applications.
4. July 24, 2009 e-mail from Jon Barber, Security, to Anita Herington, Job and Family Services regarding F Lot gate access.
5. The Board of Commissioners received the July 24, 2009 Weekly Traffic Advisory as presented by Ohio Department of Transportation.

\* \* \* \* \*

**Journal Entry**

July 28, 2009

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

1. The Board of Commissioners acknowledged the receipt of the July 21, 2009 correspondence from Robert Park, Director/Service Officer of the Portage County Veterans Service Commission, including the monthly report of departmental activity for the Veterans Service Office for the 2<sup>nd</sup> Quarter 2009.
2. The Board of Commissioners acknowledged the receipt of the July 22, 2009 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2007, as presented by the Portage County Auditor.
3. Pursuant to House Bill 355, the Board of Commissioners acknowledged the receipt of the Portage County Combined General Health District 2<sup>nd</sup> Quarter Report, as presented by DuWayne Porter, Health Commissioner.
4. The Board of Commissioners authorized the execution of a purchase order for KCI Associates of Ohio to survey and stake the proposed alignment for additional survey work for the Ethan Avenue Pump Station Elimination, Project No. ST-4 (02-110), at a cost not to exceed \$1,200.00, as recommended by Water Resources Department Director Harold Huff.
5. The Board of Commissioners authorized the purchase of a Kubota Diesel Drive Zero Turn mower from Coia Implement Sales Inc. of Ravenna for \$9,699.00 for the maintenance of the grass at the Streetsboro Wastewater Treatment Plant facility, as recommended by Water Resources Department Director Harold Huff. The Board of Commissioners noted that the existing mower is twelve years old and scheduled to be replaced. Funding for this expenditure has been budgeted in Fund 56001006 621 000 of the approved 2009 Streetsboro Plant Operating Budget.
6. The Board of Commissioners authorized the purchase and installation of two (2) access gates at the Holland Easement on State Route 59 in Ravenna Township by Bochert Excavating Inc. at a cost of \$5,254.00, as recommended by Water Resources Department Director Harold Huff. Funding for this expense has been budgeted in the 2009 Portage County Water and Sewer Operating budget.

7. The Board of Commissioners authorized the execution of a purchase order for Trushel Excavating Inc. of Newbury in an amount not to exceed \$12,000 to cover the required work for the Portage Point Pump Station Elimination, Project No. ST-4 (09-040), as recommended by Portage County Water Resources Department Director Harold Huff. Funding for this expense has been budgeted in the Streetsboro Sewer line item in the current 2009 budget, Fund 5600, Org 560040S6 Object 684000 Project 09040.
8. The Board of Commissioners authorized the use of the Portage County Administration Building WIC Parking Lot for the Mammo Van Medical Imaging Network for County employees on Tuesday, August 18, 2009 and Friday, August 21, 2009 from 7:00 AM until 2:00 PM, as presented by the Human Resources Department. Forwarded to the Internal Services Department to process.
9. The Board of Commissioners signed the July 28, 2009 correspondence to County Auditor Janet Esposito requesting that staff process an expenditure reimbursement for the Portage County Randolph Fair in the amount of \$200.00 to be paid from the Portage County Dog & Kennel Fund 1330 to the Solid Waste General Administration Fund 8300, as requested by the Solid Waste Management District and the Dog Warden's Office and approved the Department of Budget and Financial Management:

	<b>ORG</b>	<b>OBJECT</b>	<b>PROJECT</b>	<b>AMOUNT</b>	<b>DESCRIPTION</b>
Debit	13300457	710000		\$ 200.00	Fair Booth Space Rental
Credit	83009012	250000		\$ 200.00	Fair Booth Space Rental

10. The Board of Commissioners signed the July 28, 2009 correspondence to County Auditor Janet Esposito requesting that staff process an expenditure correction a Johnson, Miller & Schmitz LLP invoice as requested by The Woodlands At Robinson and approved the Department of Budget and Financial Management:

	<b>ORG</b>	<b>OBJECT</b>	<b>PROJECT</b>	<b>AMOUNT</b>	<b>DESCRIPTION</b>
Debit	51000544	422000		\$148.00	General Labor Matters
Credit	00010004	422000		\$148.00	General Labor Matters NH

11. The Board of Commissioners signed the July 28, 2009 correspondence to County Auditor Janet Esposito requesting that staff process an expenditure correction for a Johnson, Miller & Schmitz LLP invoice as requested by Job & Family Services and approved the Department of Budget and Financial Management:

	<b>ORG</b>	<b>OBJECT</b>	<b>PROJECT</b>	<b>AMOUNT</b>	<b>DESCRIPTION</b>
Debit	14140514	422000		\$1,127.50	General Labor Matters
Credit	00010004	422000		\$1,127.50	General Labor Matters JFS

12. The Board of Commissioners signed the Personnel Action Form authorizing the transfer within agency (lateral move) for Gennifer Woodworth from an Income Maintenance Supervisor 1 to a CSEA Intake Supervisor (replacing Jeff Mittiga) for the Portage County Department of Job & Family Services effective August 10, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.

13. The Board of Commissioners authorized payment of the December 9, 2008 Neighborhood Development Services Invoice Number CDBG ED RLF Admin submitted for administrative services for the CDBG ED RLF for the time period of June through September 2008, as presented by CFO Justin Meiser in the amount of \$28,238.49.

14. The Board of Commissioners authorized payment of the July 28, 2009 invoice from the Record-Courier for \$116.00 for the renewal subscription for one year of service from May 31, 2009 – May 30, 2010.
15. The Board of Commissioners approved the Department of Job & Family Services request for the display of a Child Support Awareness Month banner at the Riddle Block Building, 209 South Chestnut Street in Ravenna, for the month of August 2009. The Board of Commissioners noted that the JFS Maintenance staff will hang the banner.
16. The Board of Commissioners acknowledged the receipt of the Revocation of Certification from the State of Ohio Employment Relations Board in the matter of Michael Church (Portage County Motor Pool), Teamsters Local 437 and Portage County, which approves the Disclaimer of Interest signed by Mr. Church.

All in favor, motion carries.

\* \* \* \* \*

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **July 28, 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 10:43 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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