

Thursday, August 6, 2009

The Board of County Commissioners met in regular session on **Thursday, August 6, 2009 at 9:25 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

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It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the August 4, 2009 meeting. Commissioner Smeiles absent, motion carries

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Commissioner Smeiles on vacation

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

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SHERIFF/EMA DIRECTOR

Present: David Doak, Jon Barber

The Sheriff and Department of Homeland Security & Emergency Management Director are attending today to discuss the remaining wireless 911 funds (approximately \$190,000), which were dedicated by the Portage County 911 Planning Committee to the purchase of a CAD system for the Sheriff. Director Barber noted that the \$190,000 may not cover the cost for a CAD system. New wireless funds are coming into the county, but are not to be dedicated to this purchase. The Director has asked all 88 Ohio counties for information regarding CAD systems and how they work in each department. The Board of Commissioners asked if the Sheriff could work with the IT department to determine if he could use the Auditor's CAD system as a basis of his system.

The Sheriff noted that the name of the PSAP was changed from Portage County Sheriff to Portage County and he is unsure of the implications. Monies could now be used out of the funds for equipment and personnel and he may have need of it for the office. With the FireCom issue coming up August 10th, he stated that he has no intention of giving up his dispatch and needs the funding associated with it. Director Barber responded that the name change was a housekeeping issue (needed to reflect the subdivision and not the agency per Portage County Prosecutor Vic Vigluicci) and the Planning Committee asked the PSAPs not to spend the money but keep them in case the funds were needed for a central dispatch center since all PSAPs were compliant. Mr. Vigluicci advised that this is a funding issue that must be decided by the Board of Commissioners and not the Planning Committee. Commissioner Keiper stated that he believes it is not good to continue to put the money into a construction fund. The County should get the funding out of the 4000 fund and into a fund where it can be spent correctly from an operational fund. Spending would be completed after direction of the Planning Committee. Jon Barber noted that the Technical Advisory Committee continues to meet to make a recommendation to the Planning Committee on September 15th.

Commissioner Frederick asked if Jon Barber can determine if the PSAPs have spent the money they have received. Jon Barber noted that all built six PSAPs that are Phase II compliant that are now not compliant with next generation equipment, although they may be kept as backup.

The Sheriff stated that he did not know that the Planning Committee had changed the PSAP name from Portage County Sheriff to Portage County – he is not interested in giving up dispatch. He enjoys a good working relationship with the Department of Homeland Security & Emergency Management. The Sheriff needs decisions to be made so that he can move the Central Dispatch issue forward. The Sheriff noted that he needs MDTs and a CAD system, which are critical for a Central Dispatch system. The Board of Commissioners agreed that the fund will stay named Portage County Sheriff's Office (PSAP A) until the Board of Commissioners decides how to proceed.

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Ravenna Township has invited the Board of Commissioners to a meeting on August 10th to discuss the FireCom issue. Jon Barber noted that the FireCom contract requires a 180 day notice of closing. The Sheriff suggested that it would be helpful to have at least one Commissioner attend this meeting.

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The Director advised the Board of Commissioners that the Homeland Security and Emergency Management Office Gator is en route to Trumbull County for the Vienna Air Show.

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WATER RESOURCES

Present: Harold Huff

Harold Huff attending to present a resolution to Enter into a Five (5) Year Agreement Between Matthew L. West (ETM West Farm Family Limited Partnership) and the Board of Commissioners for the Lease of Land for the Purpose of Disposal and Reuse of Liquid and Cake Biosolids, on Approved Application Sites/09-0730

Harold Huff attending to request approval of an ODOT change order/Journal Entry

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INTERNAL SERVICES - Cancelled

Present: JoAnn Townend

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HUMAN RESOURCES

Present: Karen U'Halie

Taxable IRS Fringe Benefits

The Board of Commissioners had forwarded the County Auditor memo to the Human Resources Department Director for review and comment. The Director noted that the Auditor has asked the Prosecutor for a Legal Opinion as to whether or not the Dog Warden is considered a Law Enforcement Officer.

10:27 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider a Woodlands at Robinson disciplinary issue. **Also present:** Human Resources Department Director Karen U'Halie, Nursing Home Administrator Gary Mitrisin, Nursing Home DON Anne Fagerstrom, and Maureen Wern. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:55 AM Nursing Home Administrator Gary Mitrisin, Nursing Home DON Anne Fagerstrom, and Maureen Wern left the Executive Session.

11:15 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick** , seconded by **Charles W. Keiper II** that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners took no action.

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RESOLUTION No. 09-0723 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Maureen T. Frederick, 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 August 6, 2009 in the total payment amount of **\$552,831.94 for Funds 0001-8300** 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, Absent;

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RESOLUTION No. 09-0724 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Maureen T. Frederick, 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 August 6, 2009 in the total payment amount as follows:

1. \$95,296.76 for Medical Mutual Claims-Fund 7101; and
2. \$65,994.38 for Medical Mutual Administration Fees; and
3. \$5,001.33 for MHM Resources, Inc for processing claims for Medical Mutual; and

as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

RESOLUTION No. 09-0727

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RE: DESIGNATE AUGUST 2009 TO BE CHILD SUPPORT AWARENESS MONTH.

It was moved Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

- WHEREAS,** ensuring children grow up safe and healthy and children and families stay out of poverty; and
- WHEREAS,** ensuring that children receive the financial support they deserve involves working partnerships between county, state and federal agencies, parents, legislators, judges, healthcare professionals, advocacy groups, employers and many others; and
- WHEREAS,** through these partnerships, Ohio collected nearly two million dollars (\$2,000,000.00) , ranking 3rd in the nation for current child support distributed in 2008, and
- WHEREAS,** through the leadership of Portage County Child Support Enforcement Agency, many children’s lives are brighter because of the following accomplishments in the past year:
- While providing Child Support services for more than 12,000 children: Collected over \$25,000,000.00 for the families of Portage County. Established Paternity for 611 children born out of wedlock. Established 882 new support orders*
- WHEREAS,** these accomplishments improved their production with regard to all 4 (four) federal performance indicators and moved Portage County CSEA from 72nd to 41st in the State, and
- WHEREAS,** with the recognition of the above successes comes the acknowledgement that our children’s lives count enough to pursue every possible effort to ensure that Ohio children receive the financial support they deserve; now therefore be it
- RESOLVED,** Maureen Frederick, Charles Keiper and Christopher Smeiles, Commissioners of Portage County, Ohio, do hereby designate in conjunction with the State of Ohio:

**AUGUST 2009
CHILD SUPPORT
AWARENESS MONTH**

“Your Support Means the World to a Child.”

- 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, Absent;

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RESOLUTION No. 09-0728 - RE: APPOINTMENT TO THE PORTAGE COUNTY EMERGENCY MANAGEMENT AGENCY (EMA) ADVISORY COUNCIL.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following Resolution be adopted:

WHEREAS, the Portage County EMA Advisory Council assists and provides direction to the Portage County Emergency Management Agency to reduce the loss of life and property and protects institutions from all hazards by leading and supporting Portage County in a comprehensive, risk-based emergency management program; and

WHEREAS, In accordance with Portage County Commissioners Resolution 89-122 creating the Portage County Emergency Management Agency the Board of Commissioners agreed that the Council will be comprised of the specified officials and private citizens appointed or required; and;

WHEREAS, the Board of Commissioners accepted the recommendation of the Office of Homeland Security & Emergency Management Director and the General Services Director and adopted Resolution 07-603 updating the mandated disciplines to be represented on the Portage County Emergency Management Agency Advisory Committee;

Now therefore be it

RESOLVED, that the following are hereby appointed to serve two year terms commencing August 1, 2009 through August 1, 2011 representing the following:

<u>Name</u>	<u>Representing</u>
Michael Bakes Emerald Transportation PO Box 533 Kent OH 44240	Portage County City
Philip Snyder Windham Village Council Pres. 9502 East Center St. Windham, OH 44288	Portage County Village

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, Absent;

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RESOLUTION No. 09-0729 - RE: RECOMMENDATION FOR APPOINTMENT TO THE PORTAGE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following Resolution be adopted:

WHEREAS, the Portage County Board of Commissioners must submit a list of nominees to serve on the Portage County Local Emergency Planning Committee for a two-year cycle; and

WHEREAS, the LEPC Executive Committee reviewed the applications and made a recommendation to the Board of Commissioners for appointment to the LEPC; now therefore be it

RESOLVED, that the Board of Commissioners accepted the recommendation of the LEPC Executive Committee and does hereby recommend the following to serve on the Portage County LEPC for the term starting August 14, 2009 and ending August 15, 2011:

	<u>Nominee</u>	<u>Representing</u>
1.	Jon Barber	Emergency Management
2.	Mike Burrows	Industry
3.	Wayne Johnson	Fire
4.	Charles W. Keiper II	Elected Official
	a. Christopher Smeiles, Alternate	
	b. Maureen Frederick, Alternate	
5.	Margaret Ann Garmon	Media
6.	Bryan Ford	Transportation
7.	Cindy Hazelett	Environmental
8.	Lloyd Groves	Health
9.	Dave Doak	Law Enforcement
	a. Dennis Missimi, Alternate	
10.	Orlando Reyes	Community Group
11.	Robert Walker	Hospital
12.	Terry Kettering	First Aid (Red Cross)
13.	Jim DiPaola	Fire
14.	Amie Cajak	Mental Health and Recovery
15.	Steve Oros	Elected Official

Ex Officio Members:
 16. Craig Peeps; and be it further

RESOLVED, that all Applications for Appointment to the Portage County LEPC will be forwarded to the State Emergency Response Commission (SERC); P.O. Box 1049; Columbus Ohio 43216-1049; and be it further

2. Does the Board wish to receive the free 2009 Public Records Press newsletter as presented by Isaac, Brany, Ledman & Teetor LLP? August 2009 Edition included/Clerk to subscribe.
3. August 4, 2009 e-mail from Dave McIntyre, Dog Warden, regarding taxable fringe benefit questions/Discussed today with the Human Resources Department Director.
4. August 4, 2009 e-mail from Janet Esposito, County Auditor, regarding fixed assets/the Board of Commissioners agreed that JoAnn Townend, Carol Kurtz, Harold Huff and Anita Herington or her designee be a part of this committee and to ask the County Engineer if he would want to serve or have a designee on the committee.
5. Does the Board wish to attend the Thursday, August 20, 2009 Robinson Memorial Hospital Groundbreaking for the new Surgical Services? Event is scheduled for 9:00 AM. (Commissioner Keiper at the Solid Waste Advisory Council meeting in Columbus) /Add to calendar
6. August 4, 2009 correspondence from Dennis Lager, Public Defender, requesting a final budgetary supplement of \$3,551.76 for final invoicing costs for legal fees from Attorney Bell in the case of Robin Bostick vs. Portage County Public Defender's office. (cc: Department of Budget and Financial Management)/Approved – Clerk to bring back the necessary resolution.

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JOURNAL ENTRIES

August 6, 2009

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending August 2, 2009 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$150.00 in Court Donations and \$2,406.75 in License Sales.

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REFERRED

August 6, 2009

1. August 3, 2009 correspondence from Connie Leedom, Combined General Health District, requesting an additional levy of four-tenths (0.4) of a mill for the benefit of the Health Department be placed on the next General Election ballot. Referred to Auditor and Department of Budget and Financial Management.
2. July 31, 2009 correspondence from Janet Esposito, County Auditor, regarding a change in real estate appraisal value for Parcel No. 28-055-00-00-028-001 (1506 St Rte 44, Randolph Township). Referred to Executive Assistant.
3. August 3, 2009 e-mail from Carol Kurtz, Internal Auditor, regarding the July 22, 2009 correspondence from the Auditor of State Mary Taylor, regarding Local Government Services or Uniform Accounting Network fees. Referred to the Auditor's Office for completion.
4. July 28, 2009 correspondence from Hugh Quill, Ohio Department of Administrative Services, regarding layoffs. Referred to Human Resources Department and Job and Family Services.

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INFORMATION ONLY

August 6, 2009

1. July 24, 2009 correspondence from Director Anita Herington, Job and Family Services to the following County employees, regarding layoffs: Omeka Scott, Patricia Brett, Marie Minard, Debbie Smith, Elaine Schneider, and Sue Dougherty.
2. July 30, 2009 correspondence from Michael Hiler, Ohio Department of Development, regarding a monitoring visit for Grant No. B-F-07-062-1. No findings/corrective actions were noted. (cc: Regional Planning Commission by Ohio Department of Development).
3. The Board of Commissioners received information from HMP Special Events & Promotions.

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PLEASE ADD TO AGENDA

August 6, 2009

1. August 5, 2009 memo from Eileen Stiffler, Community Development Specialist for the Regional Planning Commission, advising that the White Rubber Demolition Project was not approved by the Ohio Department of Development for inclusion in the FY 09 Formula Grant. The Ohio Department of Development is requesting a revision to the application/Journal Entry.
2. DRAFT RESOLUTION: Recommendation for appointment to the Portage County Local Emergency Planning Committee/09-0729.
3. July 28, 2009 correspondence from Robert Cherry, Ravenna Township to Jon Barber, Department of Homeland Security & Emergency Management, regarding Fire.Com/Add the meeting to the calendar.

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Journal Entry

August 6, 2009

Motion by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending August 2, 2009, as presented by Dog Warden Dave McIntyre. The Board of Commissioners acknowledged the receipt of \$150.00 in Court Donations and \$2,406.75 in License Sales.
2. The Board of Commissioners signed the Personnel Action Form authorizing the lay off of Omeka Scott as an IM Aide 2, effective August 14, 2009, as presented by Human Resources Department Director Karen U’Halie and approved by Department of Job & Family Services Director Anita Herington.
3. The Board of Commissioners signed the Personnel Action Form authorizing the lay off of Patricia Brett as an IM Aide 2, effective August 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 signed the Personnel Action Form authorizing displacement rights per the Collective Bargaining Agreement, Article 15.04 for Marie Minard from an IM Worker 2 to an IM Aide 2 due to a personnel layoff, effective August 17, 2009, as presented by Human Resources Department Director Karen U’Halie and approved by Department of Job & Family Services Director Anita Herington.

5. The Board of Commissioners signed the Personnel Action Form authorizing displacement rights per Collective Bargaining Agreement Article 15.04 for Elaine Schneider from an IM Worker 2 to an IM Aide 2 due to a personnel layoff, effective August 17, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.
6. The Board of Commissioners signed the Personnel Action Form authorizing displacement rights per COLLECTIVE BARGAINING AGREEMENT, Article 15.04 for Debbie Smith from an IM Worker 2 to an IM Aide 2 due to a personnel layoff, effective August 17, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.
7. The Board of Commissioners signed the Personnel Action Form authorizing displacement rights per COLLECTIVE BARGAINING AGREEMENT, Article 15.04 for Suzanne Dougherty from a Fraud Investigator 2 to a SCEA Case Manager due to a personnel layoff, effective August 17, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.
8. The Board of Commissioners signed the Personnel Action Form authorizing the lay off of Robert Williams from a CSEA Case Manager, effective August 21, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.
9. On May 5, 2009, the Board of Commissioners approved the activities for submission to the 2009 Community Development Block Grant Program (CDBG) Small Cities Formula Allocation Grant Application to the Ohio Department of Development, Office of Housing and Community Partnerships. Today, Eileen Stiffler, Community Development Specialist for the Regional Planning Commission, advised the Board of Commissioners that the White Rubber Demolition Project was not approved by the Ohio Department of Development for inclusion in the FY 09 Formula Grant and the Ohio Department of Development is requesting a revision to the application. The Board of Commissioners agreed to fund the alternate project chosen and distribute the funds as follows:

Total 2009 CDBG Formula Grant	\$350,000
Administration	52,500
Fair Housing	7,000
Slot 1. Coleman Professional Services – Rehab of apartment building (porches, doors, plumbing) at 164 East Spruce Street, Ravenna	66,800
Slot 2. Townhall II – Rehab of Kent Office Building, stabilization of exterior wall, three heater controls, replace door	28,800
Slot 3. Family & Community Services of Portage County – Pave parking lot at Oakwood Street Building	31,400
Slot 4. Community Action Council – Replace roof on CAC building, 1036 West Main Street, Ravenna	50,000
Slot 5. Village of Hiram – Demolition of old Hiram School for health and safety and removal of blight.	113,500
Family & Community Services of Portage County - Demolition of White Rubber Building under slum and blight	Not Funded
Total	350,000

10. On January 8, 2008, the Board of Commissioners adopted Resolution No. 08-0008 authorizing their participation in the Ohio Department of Transportation (ODOT) improvement project along State Route 59 in Brady Lake Village, Franklin Township and Ravenna Township to pay a portion of the overall work involving the installation and/or relocation of water lines and sanitary force main at a total anticipated cost for both water and sewer authorized under Resolution No. 08-0008 of \$32,810.00. The sewer portion only was \$6, 916.30.

Today, Water Resources Department Director Harold Huff advised the Board of Commissioners that a portion of the sanitary sewer work was not required and that the Ohio Department of Transportation is willing to release \$2,864.00 to the Portage County Regional Sanitary Sewer District as a result of unused bid quantities and the corresponding bid amounts from the total sewer work of \$6,916.30.

The Board of Commissioners accepted the recommendation of Director Huff and authorized Commissioner Keiper to sign Ohio Department of Transportation Change Order Number 14, Reference Numbers 154 and 155 only, Project No. POR SR-59 004.04, Contract Number 080120, Federal Number DOT1 E031 0 000 905, authorizing a reduction of the Ohio Department of Transportation contract with Northstar Asphalt Inc., which will result in the return of \$2,864.00 to the Portage County Regional Sanitary Sewer District when the Ohio Department of Transportation closes out their contract.

Christopher Smeiles, absent. 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 **August 6, 2009**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to adjourn the official meeting at **11:30 AM**. Commissioner Smeiles absent, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

ABSENT

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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