

Thursday, August 20, 2009

The Board of County Commissioners met in regular session on **Thursday, August 20, 2009 at 9:55 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the August 18, 2009 meeting. Commissioner Keiper absent, motion carries

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Absent: Commissioner Keiper attending the Solid Waste Advisory Council Meeting in Columbus.

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

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INTERNAL SERVICES

Present: JoAnn Townend

1. Fixed Assets - The Director reported that the group assigned to update the current policy met last week and discussed the proposed new policy. The Board of Commissioners agreed that this should be a policy and not a procedure. The Water Resources Department intends to give their report to the County Auditor next week to determine if the information gathered can be used in MUNIS. JoAnn Townend added that the Water Resources Department has offered to be retrained in the MUNIS fixed asset module. The Board of Commissioners agreed to each review the draft policy and discuss it on August 25th. Commissioner Frederick suggested that each elected official be asked to sign off on the policy, once approved.
2. The Records Center Auditorium has been completely cleaned and painted. The Director advised that Frank Whitney is recommending the purchase of 167 shelving units for installation in the Record Center Auditorium to allow the records located in the basement and regularly accessed by staff to be moved to a more convenient area. The Board of Commissioners agreed that this would be a possible purchase in 2010. Commissioner Smeiles asked if the Auditorium floor could support the weight of the shelving and records. JoAnn Townend agreed to investigate that question. Commissioner Smeiles also suggested that perhaps Maplewood carpentry students could build shelving as a class project.
3. The Director presented a variety of mileage reimbursement forms from MRDD, Mental Health & Recovery, Erie County, who does not reimburse for in-county travel, Delaware County, Franklin County, and one generic form. The Board of Commissioners agreed to discuss the forms on August 25th.
4. The Director noted that she is preparing a recap of all pending projects and associated costs for the Board of Commissioners to prioritize.

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Resolutions

1. Enter into an agreement with NDS for implementation of the Ohio Neighborhood Stabilization Program./09-0769
2. Enter into an MOU with Portage Private Industry Council, Inc. for Early Learning Initiative services for JFS./09-0770
3. Enter into an MOU with West Side Ecumenical Ministries for Early Learning Initiative services for JFS./09-0771

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HUMAN RESOURCES

Present: Karen U'Halie

The Director recommended that the Board of Commissioners contract with Medical Mutual to provide Actuarial Services for Health Care Reserves/09-0772.

The Director noted that the Prosecutor's Office has performed a pre-review of the agreement; she will provide that email for the Commissioners' files. The Purchasing Department will process the agreement.

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10:25 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to consider a Health Benefits issue and several discipline issues. **Also present:** Human Resources Department Director Karen U'Halie. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

10:50 AM 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, Absent; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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DBFM WORK SESSION

Present: Audrey Tillis and Karen U'Halie

The Board of Commissioners continued their discussion of the 2009 and 2010 budgets.

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12:50 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to consider possible employee layoffs and compensation issues. **Also present:** Human Resources Department Director Karen U'Halie and Department of Budget & Financial Management Director Audrey Tillis. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

1:25 PM Director Tillis left the Executive Session

1:25 PM Nursing Home Administrator Gary Mitrisin and Director of Nursing Anne Fagerstrom entered the Executive Session.

1:45 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, Absent; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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WOODLANDS AT ROBINSON

Present: Administrator Gary Mitrisin and Director of Nursing Anne Fagerstrom

The DON reported a census today of 81 with an average length of stay of 30 days.

Marketing events scheduled are an Alzheimers Walk at Blossom, a school supply collection for Portage County, Kevin Coleman BINGO and a Portage Area Senior Service BINGO. The DON noted that they received a good reception at the RMH ER when they delivered ice cream.

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The Administrator advised that he has scheduled a walk-through with SUMMA on October 5th from 10:00 AM-11:30 AM. The Board of Commissioners will attend.

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The Board of Commissioners discussed the recent concern of the County Auditor about the Woodlands Wal-Mart credit card use. The Board of Commissioners gave staff Resolution 06-0051 regarding the use of a credit card and asked that they follow the policy closely.

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The Board of Commissioners discussed the reimbursement to former Administrator LeAnn Schaeffer's for the replacement of a resident's cell phone at a cost of \$199.99 and other items. The Administrator noted that the phone was replaced as a customer service issue and in the best interest of the resident and the facility. The Commissioners agreed that this reimbursement should be made but noted that purchases like this should not become a common practice.

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RESOLUTION No. 09-0764 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick 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 20, 2009 in the total payment amount of **\$496,078.66 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.

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:

08/19/09	851	\$ 4,864.83
08/19/09	835	579.58
08/19/09	838	5,868.62
08/19/09	837	436.27
08/19/09	836	12,608.01
Total		\$ 24,357.31

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, Absent; Maureen T. Frederick, Yea; Christopher Smeiles, Yea;

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RESOLUTION No. 09-0767 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (Then and Now Certification), and

WHEREAS, the Then and Now Certification is recommended by the State Auditor's Office, the Portage County Auditor's Office, and the Portage County Prosecutor's Office, and

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

- WHEREAS,** the Early Learning Initiative is a collaboration between the Ohio Department of Education and Ohio Department of Job & Family Services to provide children often identified at-risk of school failure with education experiences that will help them enter kindergarten ready for success and meet the child care needs of working families; and
- WHEREAS,** the Early Learning Initiative will provide funding for services to children through full and part day early learning services in center-based programs; and
- WHEREAS,** the Portage Private Industry Council, Inc. holds themselves capable of providing the services; now therefore be it resolved
- RESOLVED,** that the Board of Portage County Commissioners hereby agree to enter into an agreement with the Portage Private Industry Council, Inc. for the time period of July 1, 2009 through August 22, 2009 at no cost; 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 adopting 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, Absent;	Maureen T. Frederick, Yea;	Christopher Smeiles, Yea;
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RESOLUTION No. 09-0771	-	RE:	ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND WEST SIDE ECUMENICAL MINISTRIES FOR EARLY LEARNING INITIATIVE SERVICES.
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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick that the following resolution be adopted:

- WHEREAS,** the Early Learning Initiative is a collaboration between the Ohio Department of Education and Ohio Department of Job & Family Services to provide children often identified at-risk of school failure with education experiences that will help them enter kindergarten ready for success and meet the child care needs of working families; and
- WHEREAS,** the Early Learning Initiative will provide funding for services to children through full and part day early learning services in center-based programs; and
- WHEREAS,** the West Side Ecumenical Ministries holds themselves capable of providing the services; now therefore be it resolved

Section 3. The Group agrees that within 60 days of the last day of each fiscal year during the term of this agreement it will provide Medical Mutual with the complete list of information set out on the Required Information List incorporated herein and attached hereto as Exhibit A and payment of the required fee. Medical Mutual agrees that immediately following receipt of the fee and information it will commence preparation of and will complete and submit to the Group, within 30 days, the Report in a form and with contents that comply with Section 9.833, Ohio Revised Code, and any rules adopted by the Auditor of the State of Ohio (the "Auditor") pursuant to the authority granted to him in that Section, or any other applicable state law. The Report will address the Group's unpaid claims liability and reserve requirements as of the last day of the prior fiscal year. The Report will not address the contingency reserve requirements of the Group. In the event the Auditor should disapprove the Report, Medical Mutual shall prepare and deliver to the Group such amended or supplemental Report, documents or statistics as shall satisfy the requirements of the Auditor and as may be necessary to obtain the Auditor's approval of the Report. Such amended or supplemental Report, documents or statistics shall be prepared and delivered by Medical Mutual within such period as permits that the amended or supplemental Reports, documents or statistics to be forwarded to the Auditor within the reasonable period of time determined by the Auditor. Except as provided in this section, the Group shall not direct or control the manner in which Medical Mutual or its employee(s) perform under this Agreement. Medical Mutual and its employee(s) shall be subject to direction and control of the Group only as to the result of their performance (i.e., securing the approval of the Auditor) and not as to the means or method of accomplishing that result.

Section 4. In connection with this contract, Medical Mutual will be given access to confidential or restricted information. Medical Mutual and its employee(s) agreed to hold that information in confidence and not to utilize such information for any purpose other than providing services under this Agreement and not to disclose to third parties such information.

Section 5. Compensation for the preparation of the Report and any amended or supplemental Report, documentation or statistics required to satisfy the Auditor shall be the annual amount of \$0.00, which amount shall be made payable to Medical Mutual of Ohio at the same time the Required Information is submitted. This amount may be adjusted by Medical Mutual if it determines that the requirements of O.R.C. Section 9.833 and subsequent rules impose greater duties and responsibilities on Medical Mutual and its employee(s) than those contemplated by this Agreement.

Section 6. The term of this Agreement shall commence upon the execution and delivery of this Agreement by the Group and Medical Mutual and shall continue until the Group terminates this Agreement by giving notice to Medical Mutual of that termination at least fifteen (15) calendar days prior to the end of fiscal year, or until Medical Mutual terminates this Agreement by giving notice to the Group of that termination at least sixty (60) calendar days prior to the end of the fiscal year. The Group may terminate this Agreement at any time if Medical Mutual does not employ an actuary who is a member in good standing of the American Academy of Actuaries. This Agreement will also terminate upon termination of the Group Agreement.

Section 7. This Agreement shall be interpreted in accordance with the laws of the State of Ohio.

Section 8. This Agreement supersedes any and all understandings or agreements between the parties hereto and constitutes the sole and exclusive understanding between the parties with respect to the subject matter hereof. The Agreement may not be modified or amended except by a written instrument signed by both parties to this Agreement.

Section 9. This Group represents that all information submitted pursuant to Exhibit A is true, accurate and complete.

IN WITNESS WHEREOF, the Group and Medical Mutual have each executed this Agreement as of the date above.

MEDICAL MUTUAL Services, LLC

By: _____

Title: _____

Date: _____

PORTAGE COUNTY BOARD OF COMMISSIONERS

Charles W. Keiper II
President

Maureen T. Frederick
Vice-President

Christopher Smeiles
Board Member

APPROVED AS TO FORM
Prosecutor's Office

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EXHIBIT A

**ACTUARIAL CERTIFICATION
REQUIRED INFORMATION LIST**

1. A copy of the financial statement for the fiscal year or the following minimum information.

- A. Annual revenue
- B. Annual expenses
- C. Reserve for unpaid health insurance claims
- D. Reserve for contingencies (surplus funds)

An audited statement is preferred. The following will be submitted:

- Audited financial statement
- Unaudited financial statement
- Minimum financial information

2. A copy of work papers used to calculate the reserve for unpaid health insurance claims for the Group.

- Work papers submitted
- Work papers not available

3. The amount of cash and investments as of the last day of the fiscal year. This should be separated between cash and cash equivalents (investments with maturities of six (6) months or less) and long-term investments.

4. If the Group has a stop loss contract (aggregate, specific or both) with an insurer other than MMO, a copy of the contract is required. Any available settlement data with respect to the stop loss contract for the fiscal year must be submitted.

- Stop loss incurred by MMO
- Stop loss contract submitted
- No stop loss insurance
- Stop loss settlement data submitted
- Stop loss settlement data not available
- Stop loss data not available

5. If the Group is aware of any lawsuits brought against the Group with respect to the health insurance program, documentation must be submitted, including legal costs expended as of the end of the fiscal year.

- No known lawsuits
- Documentation submitted

6. Consultant fees paid as of the last day of the fiscal year.

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4. Approve the Journal Vouchers as presented by the County Auditor./09-0766
5. Approve Then & Now as presented by the County Auditor./09-0767
6. Accept proposal of Traffic Safety Analysis Systems and Services, Inc. and enter into an agreement to perform the 2009 Crash Data/High Hazard Location Analysis Study on all County Highways outside Municipal boundaries in Portage County (County Engineer)./09-0768

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INVITATIONS/MEETING NOTICES

August 20, 2009

1. Invitation from Neighborhood Development Services for the Maplewood Village Apartments Groundbreaking on Friday, September 18, 2009, 11:00 AM at 1634 Maplewood Drive, Streetsboro.
2. Invitation from Joe Leonard, Custom Woodcarving, to the Nelson Township Community Meeting at the Community House on Nelson Circle, Thursday, August 20, 2009, 7:00 PM.
3. Invitation from the Jennifer Brunner Committee for a Campaign Celebration on Tuesday, August 25, 2009, 5:00-7:00 PM, Bricco, Akron.

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INCOMING CORRESPONDENCE

DISCUSSION

August 20, 2009

1. Discussion: Please define the question for Attorney Denise Smith regarding fixed assets: What authority does the Board of Commissioners have over equipment purchased – who owns all county assets purchased? Who is responsible for the policies related to inventory, use, maintenance, reassignment of value, and disposal of items as related to accounting of assets/Board of Commissioners to discuss on August 25th.
2. August 13, 2009 correspondence from Mark Shanahan, Ohio Air Quality Development Authority, regarding 2009 Qualified Energy Conservation Bond Allocations/Executive Assistant to investigate and bring back.
3. August 14, 2009 correspondence from Mayor Kevin Poland, City of Ravenna, regarding the Portage County Senior Center Hood System/the Board of Commissioners agreed to forward this correspondence to the architect for a recommendation as to how to proceed.
4. August 14, 2009 correspondence from The Supreme Court of Ohio, including an application for attorney fees in the case of the State of Ohio vs. James E. Trimble for \$10,540.57 and \$12,447.85/Information only
5. On August 13th, the Board of Commissioners sent a memo to Elected Officials and Departments asking that they being to use the newly created *Substantiate Necessity for Travel* forms. The following questions have been asked:
 - a. Anita Herington asks “Is this form to be attached to out-of-counties for all travelers or only dept. heads?” Anita Herington advises that the Board of Commissioners approves only her requests for travel, she approves her supervisors’ requests and the supervisors approve their employees/Board of Commissioners agreed that they will see only the forms that they currently approve. Directors should review all travel requests by their supervisors to make certain that the travel is necessary.

b. Bill Ulik asks "Will this replace the Request for Authorization of Expenses form? How much in advance will this form need to be submitted prior to travel dates? Will Section 13 of the Personnel Policy Manual be amended? The Board of Commissioners agreed that the PPM will not be amended and that the form is required for ALL travel both in and out of county and submitted with the current travel forms.

6. August 18, 2009 e-mail from Vickie Steiner, Human Resources Department, regarding the Employee Appreciation event on Saturday/the Board of Commissioners agreed that Commissioner Keiper will open the event and Commissioner Smeiles will close the event.
7. July 20, 2009 correspondence from Daniel Smith, City of Kent, including an amendment to the existing JOED contract. Forwarded to Attorneys Chris Meduri and Denise Smith, Prosecutor's Office/Board of Commissioners agreed to hold this for the receipt of the township resolution and comment by the Prosecutor's Office.
8. August 10, 2009 correspondence from several organizations, regarding Recovery Ohio.Gov. Does the Board wish to forward this information to local nonprofit organizations/The Board of Commissioners agreed to forward the correspondence to Anita Herington and Mark Frisone.

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JOURNAL ENTRIES

August 20, 2009

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending August 15, 2009 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$200.00 in Court Donations and \$3,846.00 in License Sales.
2. Board of Commissioners' authorization requested to have Commissioner Frederick sign the ED RLF Semi-Annual List of Loans for Economic Development for the period of January 1 through June 30, 2009 as presented by Neighborhood Development Services. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.

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REFERRED

August 20, 2009

1. August 2009 correspondence from the US Department of Commerce US Census Bureau, regarding the 2010 Census New Construction Program. Referred to Regional Planning Commission.
2. August 12, 2009 memo from County Commissioners Association of Ohio regarding regional CORSA Training Program for Peace Officers/Corrections Officers. Referred to Safety Loss Control and Sheriff's Department.

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PLEASE ADD TO THE AGENDA

August 20, 2009

1. Support and approval of the Ohio Attorney General's Drug use prevention grant application for the Portage County Sheriff previously known as the Drug Abuse Resistance Education (DARE) grant/09-0773.

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INFORMATION ONLY

August 20, 2009

1. The Board of Commissioners received a catalog from The Gallery Collection.
2. The Board of Commissioners received notice from Michelle Clark, regarding her animals at auction at the Portage County Randolph Fair on August 29th at 3:00 and 5:00 PM.

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PROSECUTOR
August 20, 2009

1. August 17, 2009 e-mail from Attorney Leigh Prugh, regarding the Senior Center code of conduct/The Board of Commissioners agreed to meet with Leigh Prugh and Sally Kelly to discuss this issue and the request from F&CS staff to use the Senior Center kitchen.

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Journal Entry
August 20, 2009

Motion by Christopher Smeiles, seconded by Maureen T. Frederick 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 15, 2009, as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$200.00 in Court Donations and \$3,846.00 in License Sales.
2. The Board of Commissioners authorized Commissioner Frederick to sign the ED RLF Semi-Annual List of Loans for Economic Development for the period of January 1 through June 30, 2009 as presented by Neighborhood Development Services. Documents reviewed by Carol Kurtz, Internal Auditor who reviewed the report and that it appears to be correct at this time.
3. The Board of Commissioners signed the Personnel Action form acknowledging the resignation of Brandon Cajuste as a Social Service Worker 3 for the Portage County Department of Job and Family Services, effective July 21, 2009, as presented by the Human Resources Department Director Karen U’Halie and approved by the Department of Job and Family Services Director Anita Herington.

Commissioner Keiper, 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 20, 2009**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Maureen T. Frederick to adjourn the official meeting at 2:10 PM. Commissioner Keiper absent, motion carries.

ABSENT

Charles W. Keiper II, President Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member Deborah Mazanec, Clerk

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