

**Thursday, August 27, 2009**

The Board of County Commissioners met in regular session on **Thursday, August 27, 2009 at 9:25 AM** with the following members present:

Charles W. Keiper II

Christopher Smeiles

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Absent: Commissioner 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 August 25, 2009 meeting. Commissioner Frederick absent, motion carries

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**EXECUTIVE SESSION**

10:25 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 personnel issues including discipline, termination and compensation. **Also present: Human Resources Department Director Karen U'Halie.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

10:55 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

After exiting Executive Session, the Board of Commissioners approved Administrative Leave for a Commissioners' employee.

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**RESOLUTION No. 09-0783 - 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 August 27, 2009 in the total payment amount of **\$357,226.38 for Funds 0001-8600** 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.









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. 09-0789                      -                      RE:                      ACCEPT PROPOSAL OF ME COMPANIES AND ENTER INTO AGREEMENT FOR PROVIDING ADDITIONAL RIGHT OF WAY ACQUISITION SERVICES ON THE FRA 115 CH162A BRIDGE REPLACEMENT PROJECT IN FRANKLIN TOWNSHIP, PORTAGE COUNTY.**

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

**WHEREAS,**                      a technical and fee proposal to provide right of way acquisition services on the FRA 115 CH162A Bridge Replacement Project (Brady Lake Road Bridge) was received by the Portage County Engineer from **ME Companies**, and

**WHEREAS,**                      the Portage County Engineer, upon review of the proposal from **ME Companies**, recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it

**RESOLVED,**                      that the Board of Portage County Commissioners does hereby accept the proposal of **ME Companies** to provide said consulting services for the FRA 115 CH162A Bridge Replacement Project (Brady Lake Road Bridge), and be it further

**RESOLVED,**                      that said services will be performed by **ME Companies, 635 Brooksedge Boulevard, Westerville, OH 43081**, at a cost not to exceed \$1,950.00.

**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. 09-0790                      -                      RE:                      AGREE TO ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE PORTAGE COUNTY REGIONAL AIRPORT AUTHORITY (FAA Project No. 3-39-0099-2309)**

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





**RESOLUTIONS**

August 27, 2009

- 1. Approval of Meeting Minutes from the August 25, 2009 regular Board Meeting as presented.
- 2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-783
- ~~3.~~ Approve the wire transfer as presented by the County Auditor./09-784
- 4. Approve the Journal Vouchers as presented by the County Auditor./09-785
- 5. Approve Then & Now as presented by the County Auditor./09-786
- 6. Authorize the electronic application to the US Department of Justice Program, Violence Against Women Grant (VAWA), Domestic Violence Intervention Project./09-787
- 7. Accept and award the bid of Ruhlin Company for the project known as the Brady Lake Road Bridge Replacement (FRA 115 CH162A) over CSXT and Breakneck Creek in Franklin Township, Portage County./09-788
- 8. Accept proposal of ME Companies and enter into an agreement for providing additional right of way acquisition services on the FRA 115 CH162A Bridge Replacement project in Franklin Township, Portage County./09-789
- 9. Agree to enter into a grant agreement with the Federal Aviation Administration for the Portage County Regional Airport Authority (FAA Project No. 3-39-0099-2309)./09-790
- 10. Amendment to the Department of Job & Family Services annual appropriation/09-0791

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**INVITATIONS/MEETING NOTICES**

August 27, 2009

- 1. Invitation from Kent State University for the 2009 Centennial Parade on Saturday, October 10, 2009, 10:00-11:30 AM, Williamson Alumni Center.
- 2. Invitation from the American Cancer Society for the 2009 Akron-Canton Cattle Baron’s Ball Stetsons & Stilettos, Saturday, October 3, 2009, Quaker Square Station, Akron, 5:30 PM.
- 3. Invitation from Jackson Lewis for the Workplace Law Breakfast Series on Thursday, September 17, 2009, Jackson Lewis Conference Center, Cleveland, 8:30 AM.
- 4. Invitation from the Kent Environmental Council for the fall Forum on Monday, October 4, 2009, 7:00 PM at the Kent United Church of Christ.
- 5. Invitation for the Randolph Fair for the Appreciation Banquet on Wednesday, September 9, 2009 at the Randolph Fair Grounds Dining Hall, 6:30 PM.

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**INCOMING CORRESPONDENCE  
DISCUSSION**

August 27, 2009

1. Discussion: Storm Water Program. Consultant Shawn Arden advising that he needs direction from the Board of Commissioners regarding the proposed billing rates/Hold for discussion on September 3, 2009
2. August 21, 2009 correspondence from Steve Colecchi, Robinson Memorial Hospital, regarding Townhall II funding/Information only. The Board of Commissioners noted that they have not received a similar request from Townhall II.
3. Undated correspondence (received August 24, 2009) from Janet Esposito, County Auditor, regarding Portage County's Tax Year 2009 Triennial Update for the following parcels. The Board of Commissioners notes that these three properties are being demolished. Forwarded to the Executive Assistant for investigation.
  - A. 31-361-23-00-198-000
  - B. 31-361-23-00-176-000
  - C. 31-361-23-00-175-000
4. DRAFT RESOLUTION: August 24, 2009 e-mail from Shawn Arden, MS Consultants, Inc., including the following for Board consideration/Hold for discussion on September 3, 2009
  - (A) Resolution establishing Portage County Storm Water District.
  - (B) Resolution fixing charges for the use of the Portage County Storm Water District, Fund 6800 (Storm Water Management), pursuant to Chapter 6117, Ohio Revised Code.
  - (C) Resolution adopting rules for illicit discharge detection and elimination, construction, and post-construction storm water management.
5. August 25, 2009 e-mail from Rick Hawksley, Design with a Vision, regarding the Portage County Senior Center's fire suppression system/Bring back on September 1, 2009
6. Discussion: New process for review of documents currently reviewed by Internal Auditor/The Board of Commissioners agreed to discuss an interim process with Audrey Tillis and Dan Banks.

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**JOURNAL ENTRIES**

August 27, 2009

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending August 23, 2009 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$800 in Court Donations and \$2,599.50 in License Sales.
2. Board of Commissioners' signature requested on the August 25, 2009 Maintenance Assessments for County Assessed Ditches, as presented by the Portage County Engineer as follows: Allen Moss Ditch and Lateral, Culler Johnson Ditch, East Park Ditch, Labelle Heights Ditch, Rootstown #7 Ditch, Wahoo Ditch, Geiger Ditch, and Englehart Ditch. Copy forwarded to the Portage County Auditor, as requested by the County Engineer.

3. Board of Commissioners' signature requested on the payment authorization form for \$22,167.00 payable to Swauger Building Company Inc. for Townhall II Horizon House alterations located at 5536 S. Prospect St., Ravenna as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #03 Conversion/Rehab/Renovate is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
4. Board of Commissioners' authorization requested to have Commissioner Keiper sign the June 25, 2009 correspondence to Auditor of State Mary Taylor and Martin Kubic, regarding the audit of basic financial statements as of December 31, 2008.

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**REFERRED**

August 27, 2009

1. August 20, 2009 correspondence from Matthew Thys, US Department of Transportation Federal Aviation Administration to the Portage County Regional Airport Authority, regarding a grant offer, AIP Project No. 3-39-0099-2309. Referred to Department of Budget and Financial Management and Grants Administrator.
2. August 13, 2009 correspondence from the Ohio Air Quality Development Authority giving notice regarding 2009 Qualified Energy Conservation Bond Allocations/Referred to the Executive Assistant to investigate and bring back to the Board of Commissioners.

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**INFORMATION ONLY**

August 27, 2009

1. Undated correspondence (received August 24, 2009) from Brian Ebie, regarding the 2009 Portage County Randolph Fair Junior Livestock sale.
2. Undated correspondence (received August 24, 2009) from LaRee and Joseph Nelson, regarding the 2009 Portage County Randolph Fair Junior Livestock sale.
3. Undated correspondence (received August 25, 2009) from Diane Nobles, CVS Caremark, regarding procedures for conducting business with CVS Caremark.

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**Journal Entry**

August 27, 2009

Motion by Christopher Smeiles, 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 23, 2009, as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$800 in Court Donations and \$2,599.50 in License Sales.
2. The Board of Commissioners signed the August 25, 2009 Maintenance Assessments for County Assessed Ditches, as presented by the Portage County Engineer as follows: Allen Moss Ditch and Lateral, Culler

Johnson Ditch, East Park Ditch, Labelle Heights Ditch, Rootstown #7 Ditch, Wahoo Ditch, Geiger Ditch, and Englehart Ditch. Copy forwarded to the Portage County Auditor, as requested by the County Engineer.

3. The Board of Commissioners signed the payment authorization form for \$22,167.00 payable to Swauger Building Company Inc. of Rootstown for Townhall II Horizon House alterations at 5536 South Prospect Street in Ravenna, as presented by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #03 Conversion/Rehab/Renovate is funding this expense. Documents reviewed by Carol Kurtz, Internal Auditor with no exceptions noted.
4. The Board of Commissioners authorized Commissioner Keiper to sign the June 25, 2009 Representation Letter to Auditor of State Mary Taylor and Chief Auditor Martin Kubic for the county audit for the year ending December 31, 2008.
5. After meeting today in an Executive Session with Human Resources Department Director Karen U'Halie, the Board of Commissioners authorized paid Administrative Leave with pay for a Board of Commissioners' employee beginning Thursday, August 27, 2009 and ending at close of business on Monday, August 31, 2009.
6. The Board of Commissioners authorized payment of \$107.24 to attorney Warren Perl of Cleveland for his services rendered in State vs. Lepke, 08CRB1659, as ordered by Judge John J. Plough.

Commissioner Frederick 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 27, 2009**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Charles W. Keiper II to adjourn the official meeting at 10:56 AM. Commissioner Frederick absent, motion carries.

Charles W. Keiper II, President

ABSENT  
Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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**PAYINS FOR THE MONTH OF AUGUST 2009**

07/30/09	9119	Maureen T. Frederick – Cell Phone: \$10.34, Burkey, Burkey and Scher – Annexation Filing Fee: \$225.00 Total: \$235.34
08/04/09	9220	Christopher Smeiles- Copies/Faxes: \$2.00, Charles W. Keiper II – Cell Phone: \$20.00, Range Resources – Oil Lease: \$243.01 Total: \$265.01
08/12/09	9356	Deb Mazanec – Copies/Faxes: \$5.25 Total: \$5.25
08/13/09	9380	Ergon Oil Purchasing – Oil Lease: \$45.11 Total: \$45.11
08/19/09	9479	Beck Energy – Oil Lease: \$158.31, Audrey Tillis – Copies/Faxes: \$2.75 Total: \$161.06
08/20/09	9498	Ohio Department of Public Safety – 2006-JG-D01-6467: \$10,001.25 Total: \$10,001.25
08/20/09	9499	Deb Mazanec – Copies/Faxes: \$2.00 Total: \$2.00
08/24/09	9546	US Dept. of Justice – 2007-WE-AX-0048: \$37,697.58 Total: \$37,697.58
08/25/09	9562	Charles W. Keiper II – Cell Phone: \$16.80 Total: \$16.80

**AUTHORIZATION OF EXPENSES FOR THE MONTH OF AUGUST 2009**

01/29/09	Tommie Jo Marsilio/Attend Hearings and Trainings/Various Locations in Ohio/Various Dates in 2009/\$500.00	
06/18/09	Becky Porcase/Rapid Response – Employer Meeting/Tallmadge, Ohio/June 18/\$14.30	
06/22/09	Becky Porcase/Rapid Response – Employer Meetings/Hudson, Ohio/June 22/\$14.30	
07/10/09	Kathi Guckelberger, Kelly Ristity, and Rose Stegh-Fox/NEORTC Liaison Meeting/August 6/\$59.40	
07/13/09	Pam Cree, Anne Fagerstrom, and Cathy Eggleston/The Essential MDS Basic Course/Canfield, Ohio/May 27-28/\$633.75	
07/13/09	Cathy Eggleston, Pam Cree and Anne Fagerstrom/Essential MDS Basic Course/Canfield, Ohio/May 27-28/\$42.02	
07/14/09	Dawn Kurtz and Diane Jones/Child Support Interstate Training Procedures/Columbus, Ohio/July 28/\$163.00	
07/22/09	Lynn Kline and Joan Lambach/SSI User Conference/Aurora, Ohio/September 16-18/\$518.00	
07/24/09	Benito Antognoli/Domestic Abuse Issues: Training for Mediators/Painesville, Ohio/July 23-24/\$56.00	
07/27/09	Norma Thomas/2009 Annual Court Investigator’s Continuing Education Course/Columbus, Ohio/October 26/\$384.79	
07/27/09	Susan Hilegas and Kari Scherer/DARE Retrainer/Kings Island/August 10-14/\$1,050.00	
07/27/09	Bill Ulik/Cascade Capital Corporation Meeting/Akron, Ohio/August 11/\$27.00	
07/27/09	Employees to be named later depending on new hires/NEORTC Social Worker Training/Akron, Ohio/August 3 – September 30/\$2,678.00	
07/28/09	Harry Miller/Latent Print Development/Richfield, Ohio/October 7-8/\$200.00	

07/28/09	Christopher Smeiles/OPWC District 7 Integrating Committee/Chardon, Ohio/August 12/\$40.00
07/28/09	Jon Barber/Northeast Ohio Emergency Managers Association/Medina County, Ohio/July 31/\$0.00
07/28/09	Bill Ulik/NEFCO Meeting/Summa Health Center/July 15/\$26.40
07/28/09	Bill Ulik/NEFCO CEDS Committee Meeting/Akron, Ohio/July 9/\$24.20
07/28/09	Bill Ulik/NEOTEC OCO Global Meeting/Cuyahoga Falls, Ohio/June 24/\$17.60
07/28/09	Ron Rost/Cleveland Account Show/Cleveland, Ohio/September 23-24/\$450.00
07/29/09	Karen U'Halie/Ohio Council of County Officials/Columbus, Ohio/August 12/\$169.40
07/29/09	Reva Weekly/Protect Ohio Data Evaluation/Westat, Maryland/August 11-14/\$0.00
07/29/09	Brenda Kavali, Terri Dubos, Erika Benedict, Kelly Rembo, Shelley Toot, and Liz Brown/FY09 Statewide Breastfeeding Coordinators Meeting/Columbus, Ohio/September 8/\$370.00
07/31/09	Nancy Dailey, Kelly Rembo, Julie Seifert, Maria Colista, Lindy Goist, Amy Cooper, Kate Atsos, Becky Chonko, Julie Mosholder, and Brenda Kavali/Childhood Obesity/Warren, Ohio/September 30/\$555.00
07/31/09	All Health Professionals and Peer Helpers/8 <sup>th</sup> Annual Breastfeeding Conference/Boardman, Ohio/October 9/\$1,500.00
08/03/09	Paul Brannon/HOF Workshop AWWA/Canton, Ohio/August 27/\$65.00
08/04/09	Bill Steiner/Composting Meeting/Akron, Ohio/August 5/\$30.00
08/04/09	Bill Ulik/NEFCO/Various Locations/Various Dates (August 2009 - December 2009)/\$150.00
08/04/09	Charles W. Keiper II/JOED Board Meeting/Wadsworth, Ohio/August 21/\$40.00
08/05/09	Bill Steiner/Northeast Ohio Food Recovery Initiative/Akron, Ohio/August 5/\$30.00
08/05/09	Brian Kelley and Joe Reichlin/Portage County Trustee Association/Randolph, Ohio/August 15/\$70.00
08/05/09	Becky Porcase/Automotive National Emergency Grant Training/Summit County/August 10/\$0.00
08/05/09	Mary Boston/Service Coordination Committee/Akron, Ohio/August 5/\$40.60
08/06/09	Maureen T. Frederick and Charles W. Keiper II/Robinson Health Center at Streetsboro/Streetsboro, Ohio/August 6/\$0.00
08/06/09	Ronald Evans/Hearing Officer Refresher/Canton, Ohio/August 27/\$104.00
08/07/09	Bill Steiner/Commercial Contracts/Various Locations in Summit County/August 11/\$30.00
08/07/09	Bill Steiner and Nick Dicenzi/Summit Racing/Tallmadge, Ohio/August 11/\$5.00
08/07/09	Janet Esposito and Brian Kelley/Goodwill Employee of Distinction Luncheon/Ravenna, Ohio/September 11/\$50.00
08/07/09	Thomas J. Carnes/2009 Ohio Judicial Conference Annual Meeting/Dublin, Ohio/September 17-18/\$660.00
08/10/09	Bill Steiner/Sandrich Foods - Potential Tin Recycling/Medina, Ohio/August 14/\$40.00
08/13/09	Bill Ulik/NEOTEC Logistics Conference/Firestone Country Club/September 1/\$0.00
08/13/09	Bill Steiner/Commercial Contracts/Various Locations in Summit County/August 11/\$25.00
08/14/09	Maureen T. Frederick/LEPC/EMA Meetings/Ravenna, Ohio/Various Dates 2009/\$0.00
08/17/09	Bill Ulik/AMATS - TAC/Stow, Ohio/September 22/\$20.00
08/18/09	Bill Steiner/Commercial Contracts/Akron, Ohio/August 18/\$20.00
08/19/09	Bill Steiner and Charles W. Keiper II/SWAC/Columbus, Ohio/August 20/\$200.00

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