

Thursday, September 24, 2009

The Board of County Commissioners met in regular session on **Thursday, September 24, 2009 at 10:40 AM** with the following members present:

Charles W. Keiper II

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 September 22, 2009 meeting. All in favor, motion carries

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

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INTERNAL SERVICES

Present: JoAnn Townend

Discussion

1. The Director advised that Planned Parenthood would like to keep their rent at the same rate for this next lease period at \$1,726.08/Board of Commissioners agreed that the Director should bring forward the new agreement with no increase.

Resolutions

1. Set proposal date for professional design services for the Portage County Kent Municipal Court./09-0882
2. Set proposal date for Title XX services for Job & Family Services./09-0883
3. Set bid date for providing biosolids and lime application and incorporation for the Water Resources Department./09-0884
4. Set bid date for Streetsboro wastewater treatment plant aeration tank cleaning for the Water Resources Department./09-0885
5. Enter into an electronic monitoring agreement with BI Incorporated for the Adult Probation Dept./09-0886
6. Enter into an MOU between the BOC and Portage Educational Service Center for early learning initiative services./09-0887
7. Resolution for Life Chain Event/09-0888

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HUMAN RESOURCES

Present: Karen U'Halie

10:40 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. **Also present: Human Resources Department Director Karen U'Halie.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:48 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, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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H1N1 UPDATE

Present: Health Commissioner Chip Porter, DON Kelly Engelhart, Human Resources Department Director Karen U'Halie, General Services Director Jim Manion, Homeland Security and Emergency Management Office Director Jon Barber, Assistant Homeland Security and Emergency Management Office Director John Mason

The group attending today to ask for Board of Commissioners to commission an H1N1 Advisory Committee and to ask the Commissioners' assistance in focusing on and achieving the following:

- Provide leadership for community response
- Continue support for planning and continuity
- Validation of H1N1 Committee concept
 - Monitor Situation
 - Assist in COOP development
 - Make recommendation for action
- Review and adjustment of HR policies. Human Resources Department Director Karen U'Halie is working on the revision to the current sick leave policy. The Board of Commissioners must set guidelines as how to deal with sick employees.

Kelly Engelhart noted that the new recommendations are to test for H1N1 in cluster situations. Doctors are testing but not sending the results in. Treatment will not be changed but surveillance mechanisms are changing. The "watch" is focused on universities since students live and go to school together. Health Commissioner Porter added that the Health Department is encouraging physicians not to test but it is up to the doctor.

The group suggested that the Committee, once appointed, begin to monitor absenteeism rates throughout the county. Commissioner Keiper noted that there may be times that employees call in with other symptoms that will not be H1N1. How can we provide the right framework for this but not a fertile field to be taken advantage of. He added that some family issues may be dealt with under FMLA.

Health Commissioner Porter advised that the Health Department has received a Notice of Award of \$200,000 from the State through the CDC for vaccinations, anti-viral medications, epidemiology and surveillance activities. Mr. Porter added that some of the grant funds can be used to equip the Departmental Operations Center (DOP). The Board noted that they have asked JFS Director Anita Herington to meet and discuss the possible use of the JFS Conference Room #359 for the DOP.

Portage County H1N1 Advisory Committee Commissioned/09-0889. The Committee will meet regularly and make recommendations to the Board of Commissioners including the monitoring of absenteeism, the installation of sanitizing units, etc.

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MAINTENANCE - CANCELLED

Present: Tim Miller

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11:40 AM Lunch Recess

1:00 PM Board of Commissioners Reconvened

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SQUIRES, SANDERS & DEMPSEY

Present: Attorney Mike Sharb, County Auditor, County Treasurer, Denise Smith, Kelly Hettick, Audrey Tillis, Harold Huff, Karen Garman

The group attending for the note signing and the pre-closing of the USDA bond issue.

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RESOLUTION No. 09-0874 - 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 September 24, 2009 in the total payment amount of **\$312,788.29 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. 09-0875 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

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RESOLUTION No. 09-0882 - RE: SET PROPOSAL DATE FOR QUALIFICATIONS FOR PROFESSIONAL DESIGN SERVICES FOR THE PORTAGE COUNTY KENT MUNICIPAL COURT.

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

WHEREAS, the Portage County Board of Commissioners has a need for professional design services for the design of a new Kent Municipal Court; and

WHEREAS, in accordance with ORC 153.65 - 153.71 the project will be qualification based and publicly announced; now therefore be it

RESOLVED, that the proposal specifications, for professional design services for the design of a new Kent Municipal Court be and hereby are approved; and be it further

RESOLVED, that sealed proposals, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor- room 701, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 3:00 p.m., E.S.T. on October 30, 2009; and be it further

RESOLVED, that the notice of receiving proposals shall be published in the Record Courier on September 30, 2009 and a copy thereof be posted on the County’s website and bulletin board of the Board forthwith; 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. 09-0883 - RE: APPROVE SPECIFICATIONS AND SET THE PROPOSAL DATE FOR TITLE XX SERVICES FOR THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES

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. 09-0885

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RE:

APPROVE SPECIFICATIONS AND SET BID DATE FOR STREETSBORO WASTEWATER TREATMENT PLANT AERATION TANK CLEANING FOR THE PORTAGE COUNTY WATER RESOURCES DEPARTMENT.

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

RESOLVED, that the bid specifications, as submitted for receiving bids for Streetsboro Wastewater Treatment Plant Aeration Tank Cleaning for the Portage County Water Resources Department be and hereby are approved; and be it further

RESOLVED, that sealed bids, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 3:00 p.m. on October 21, 2009; and be it further

RESOLVED, that the notice of receiving bids shall be published in the Record Courier on September 25, 2009, posted and the County's website and a copy thereof be posted on the bulletin board of the Board forthwith; 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. 09-0886

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RE:

ENTER INTO AN ELECTRONIC MONITORING SERVICE AGREEMENT WITH BI INCORPORATED FOR THE ADULT PROBATION DEPARTMENT

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

WHEREAS, the Local Preparedness Acquisition Act, signed June 26, 2008 authorizes state and local governments to purchase from GSA (General Services Administration) alarm and signal

systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing and related services schedule 84, Contract number GS-07F-0518N; and

WHEREAS, BI Incorporated is an authorized vendor on GSA schedule 84 to provide alarm and signal systems and, warning system devices through April 30, 2013; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an electronic monitoring agreement by and between the Board of Commissioners and BI Incorporated, 6400 Lookout Rd., Ste 101, Boulder CO 80301-3377, to provide such services for the Adult Probation Department; and be it further

RESOLVED, that the cost of services are as follows:

- HomeGuard 200 & 205 unit rental charge: \$1.60 per day per unit provided from BI inventory
- HomeGuard 200 & 205 monitoring service charge: \$1.15 per unit per active day;

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. 09-0887	-	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 PORTAGE COUNTY EDUCATIONAL SERVICE CENTER FOR EARLY LEARNING INITIATIVE SERVICES.	

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

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RESOLUTION No. 09-0889 - RE: COMMISSION PORTAGE COUNTY H1N1 ADVISORY COMMITTEE.

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

RESOLVED, that the Portage County Board of Commissioners immediately commissions the Portage County H1N1 Advisory Committee, formed to provide leadership and continuing support for planning and continuity of county operations; and be it further

RESOLVED, that the Committee will assist, promote, and develop policies and procedures for recommendation to the Portage County Board of Commissioners in regard to the H1N1 pandemic; and it further

RESOLVED, that the Board of Portage County Commissioners appoints the following members to the Portage County H1N1 Advisory Committee:

- Jim Manion; Director of General Services (Chairman)
- Jon Barber; Director, Homeland Security and Emergency Management Office
- John Mason; Asst. Dir., Homeland Security and Emergency Management Office
- Duwayne Porter; Health Commissioner
- Kelly Engelhart; Health Department, Director of Nursing
- Karen U’Halie; Director of Human Resources
- Michelle Ripley; Safety & Loss Control Coordinator
- Brian Kelley; Director of Information Technology Services
- Sarah Hallsky; Health Department Public Information Officer
- Charlene Badger, Executive Assistant, Board of Commissioners

; 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. 09-0890 - RE: ENTER INTO NON-DRILLING OIL & GAS LEASE WITH BEN ENERGY LLC.

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

WHEREAS, the Board of Commissioners owns permanent parcel numbers 35-023-00-00-137-000 and 35-023-00-00-138-000 containing 1.950 acres more or less known as the Well House Land located south of Diane Avenue and Greenhaven Street in Streetsboro, Ohio; and

WHEREAS, Ben Energy LLC has an interest in leasing said property; and

WHEREAS, the City of Streetsboro Director of Planning, Zoning and Economic Development advised the Board of Commissioners in a September 22, 2009 email that the city has no objections to the well; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a non-drilling oil and gas lease Agreement for the property listed above for a period of ten (10) years and so much longer thereafter as oil, gas or their constituents are produced in paying quantities, or operations are maintained on that certain tract of land; and be it further

RESOLVED, in consideration Ben Energy LLC shall pay the field market price per thousand cubic feet of gas for one-eighth (1/8) of all gas marketed from said premises, less transportation charges; and be it further

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

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTIONS

September 24, 2009

1. Approval of Meeting Minutes from the September 22, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-0874
3. Approve the wire transfer as presented by the County Auditor./09-0875
4. Approve the Journal Vouchers as presented by the County Auditor./09-0876
5. Approve Then & Now as presented by the County Auditor./09-0877
6. Public Announcement of available contracts for the project known as the Cartographically Styled Geodatabase of the Portage County Highway Map (County Engineer)./09-0878

7. Wire Transfer to United States Department of Agriculture approved and certified to the Portage County Auditor for payment. (Department of Budget and Financial Management)./09-0879
8. Wire Transfer to Depository Trust Company approved and certified to the Portage County Auditor for payment. (Department of Budget and Financial Management)./09-0880
9. Acknowledge Amendment II to the Joint Economic Development District #1 (JEDD I) between the City of Kent and Brimfield Township./09-0881
10. Resolution to enter into a non-drilling oil & gas lease with Ben Energy in the city of Streetsboro/09-0890

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INVITATIONS/MEETING NOTICES

September 24, 2009

1. Meeting notice for the next NEFCO meeting on Wednesday, October 21, 2009, 8:30 AM at the Summa Health Center, Green.
2. Invitation from GroundWorks for the Dance Theater Landmarks Series, Friday-Sunday, October 2-4, 2009, 8:00 PM (Fri & Sat) & 2:00 PM (Sun), Trinity Cathedral, Cleveland.
3. Invitation from Empowering and Strengthening Ohio's People (ESOP) for the 2009 Gala Celebration Dinners held across Ohio on Thursday, October 8, 2009, 6:00-8:00 PM.

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INCOMING CORRESPONDENCE

DISCUSSION

September 24, 2009

1. Does the Board wish to advertise in the Garrettsville Curtains Up 2009/2010 Theatre Playbill/Each Commissioner to consider advertising.
2. The Board of Commissioners received a Judgment Entry for the State of Ohio vs. Angela Hamilton indicating Ms. Hamilton's vehicle has been forfeited to the Board of Commissioners/Forwarded to the Internal Services Director for action.

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JOURNAL ENTRIES

September 24, 2009

1. The Board of Commissioners received the September 18, 2009 notice from Lois Enlow, Portage County Board of Elections, indicating that the Board of Elections will be open to the public in preparation for the November 3, 2009 General Election as follows:

Saturday, September 19, 2009	8:00 AM-Noon
Saturday, September 26, 2009	8:00 AM-Noon
Saturday, October 3, 2009	8:00 AM-Noon

Monday, October 5, 2009	8:00 AM-9:00 PM
Saturday, October 24, 2009	8:00 AM-Noon
Saturday, October 31, 2009	8:00 AM-Noon
Tuesday, November 3, 2009	5:45 AM-Until Business is Completed

Poll Worker Training

Tuesday, October 13, 2009	10:00 AM, 2:00 PM & 5:30 PM
Wednesday, October 14, 2009	10:00 AM & 2:00 PM
Thursday, October 15, 2009	10:00 AM, 2:00 PM & 5:30 PM
Friday, October 16, 2009	10:00 AM & 2:00 PM
Monday, October 19, 2009	10:00 AM & 2:00 PM
Tuesday, October 20, 2009	10:00 AM, 2:00 PM & 5:30 PM
Wednesday, October 21, 2009	10:00 AM
Thursday, October 22, 2009	10:00 AM, 2:00 PM, & 5:30 PM
Friday, October 23, 2009	10:00 AM & 2:00 PM
Saturday, October 24, 2009	10:00 AM

2. September 17, 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, 2009 as presented by the Portage County Auditor's Office (cc: Department of Budget and Financial Management).
3. Board of Commissioners' authorization requested to approve the September 17, 2009 request for funding for the Medical Clinic for calendar year 2009 as presented by Townhall II. Referred to Department of Budget & Financial Management.
4. The Board of Commissioners received the Weekly Report of Kennel population for the week ending September 20, 2009 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$450 in Court Donations and \$1,518.50 in License Sales.

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REFERRED

September 24, 2009

1. September 17, 2009 correspondence from Jim Hale, CORSA, regarding the CORSA Loss Control Incentive Program (LCIP). Referred to Human Resources.
2. September 14, 2009 correspondence from Michael Hiler, Ohio Department of Development, including a notice of project specific release of funds respecting environmental grant conditions for Grant No. B-Z-08-062-1. Referred to Neighborhood Development Services and Grants Administrator.
3. September 17, 2009 e-mail from Michelle Ripley, Safety/Loss Control, regarding Juvenile Detention Center jeep settlement/Journal Entry

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INFORMATION ONLY

September 24, 2009

1. September 18, 2009 correspondence from Karen U’Halie, Human Resources Department to a County employee, regarding accrued vacation and personal time.
2. September 16, 2009 correspondence from Joseph Hadley, NEFCO, including a packet from today’s General Policy Board meeting. Note: next meeting is Wednesday, October 21, 2009, 8:30 AM at the Summa Health Center, Green.

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Journal Entry

September 24, 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 September 18, 2009 notice from Lois Enlow, Portage County Board of Elections, indicating that the Board of Elections will be open to the public in preparation for the November 3, 2009 General Election as follows. Copy sent to the Directors of Maintenance and Security:

Saturday, September 19, 2009	8:00 AM-Noon
Saturday, September 26, 2009	8:00 AM-Noon
Saturday, October 3, 2009	8:00 AM-Noon
Monday, October 5, 2009	8:00 AM-9:00 PM
Saturday, October 24, 2009	8:00 AM-Noon
Saturday, October 31, 2009	8:00 AM-Noon
Tuesday, November 3, 2009	5:45 AM-Until Business is Completed

Poll Worker Training

Tuesday, October 13, 2009	10:00 AM, 2:00 PM & 5:30 PM
Wednesday, October 14, 2009	10:00 AM & 2:00 PM
Thursday, October 15, 2009	10:00 AM, 2:00 PM & 5:30 PM
Friday, October 16, 2009	10:00 AM & 2:00 PM
Monday, October 19, 2009	10:00 AM & 2:00 PM
Tuesday, October 20, 2009	10:00 AM, 2:00 PM & 5:30 PM
Wednesday, October 21, 2009	10:00 AM
Thursday, October 22, 2009	10:00 AM, 2:00 PM, & 5:30 PM
Friday, October 23, 2009	10:00 AM & 2:00 PM
Saturday, October 24, 2009	10:00 AM

2. The Board of Commissioners acknowledged the receipt of the September 17, 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, 2009, as presented by the Portage County Auditor.
3. The Board of Commissioners approved the September 17, 2009 request for funding for the Medical Clinic for calendar year 2009 for \$20,500 for the period covering January-December 2009, as presented by Barb Deakins, Townhall II. Referred to Department of Budget & Financial Management who noted that is request has been approved by the Board of Commissioners.

4. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending September 20, 2009, as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$450 in Court Donations and \$1,518.50 in License Sales.
5. The Board of Commissioners agreed to release the \$3,284 insurance settlement (following an accident) from the General Fund to the Portage-Geauga County Juvenile Detention Center. The Commissioners noted that the original value of the claim was \$5,909.00, including a towing bill, minus the deductible of \$2,500.00 and the towing charges allowing the release of \$3,284. The Department of Budget & Financial Management to make the journal entry correction.
6. The Board of Commissioners authorized payment to the Neighborhood Development Services Inc. for \$500.00 for foreclosure counseling and for \$3,000.00 to the USDA c/o the Neighborhood Development Services for mortgage rescue for Client Number 2009-004C and 2009-004P, as presented by the Neighborhood Development Services Inc. Documents reviewed by Department of Budget and Financial Management with noted that the original mortgage document will be revised to change the name from Portage County (Rescue Fund) to Portage County Commissioners, resigned by the client and presented to the Board of Commissioners before payment is made.

All in favor, 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 **September 24, 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 2:00 PM. 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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