

**Thursday, October 8, 2009**

The Board of County Commissioners met in regular session on **Thursday, October 8, 2009 at 9:40 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

\*

\*

\*

\*

\*

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the October 6, 2009 meeting. All in favor, motion carries

\*

\*

\*

\*

\*

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

\*

\*

\*

\*

\*

**PROSECUTOR**

Present: Denise Smith; Leigh Prugh; Ken Coffman, Whispering Meadows

Mr. Coffman requested this meeting to discuss his options for the completion of the roads in the Whispering Meadows Subdivision and added that he would prefer not to be involved with the county in a lawsuit. Mr. Coffman has obtained pricing that is three times the original quote and the project is "out of money". He noted that he fully intends to complete the project. The retention pond has been cleaned out, as requested. There are three sections of the road that are damaged; he would like to grind out the three spots, then repair and seal them. The final topcoat would be put on next year. He added that five of the 16 lots in the subdivision are empty.

Commissioner Smeiles asked Mr. Coffman if he could provide a lien on something that he owns so that the county can attach it if necessary? Mr. Coffman responded that he would need to speak with his other partners before making that determination. Attorney Prugh reminded the Board that all of the agreements are in the PECOT name and not Mr. Coffman's personally. Attorney Smith added that another issue is that the township will not do snow removal on the road because it is not theirs, although the township could plow and then place a lien on the property. Mr. Coffman responded that he has been plowing and landscaping and will continue to do that. Denise Smith noted that the county could put a mortgage on the lot that Mr. Coffman owns but that would not help his effort to get another loan. If a lien is to be placed on the lot, which belongs solely to Mr. Coffman, that lot needs to be transferred into the PECOT name according to Attorney Prugh. Mr. Coffman confirmed that this 3.5 acre lot is for sale at \$99,000.

Attorney Smith noted that there would be a cognitive note for \$40,000 with the county holding in abeyance on the note until the roads are completed next year. She added that it does not help the county to put the company in a deeper hole. This would not stop Mr. Coffman from selling the lot; the money would go into escrow through the title company until the road is finally sealed. The Prosecutor's Office will draw up the paperwork and send it to Mr. Coffman for his review.

The three partners of PECOT could sign a simple promissory note together for \$40,000 or separately at 1/3 each and a one year extension of the escrow agreement. Or, perhaps the developers can make an arrangement with an asphalt company.

The Board of Commissioners thanked Mr. Coffman for meeting with them today; the Board of Commissioners appreciates this cooperation.

\* \* \*

Commissioner Smeiles asked if there is any news with the other unfinished developments. Attorney Prugh responded that she is working on it but she is very busy. Attorney Smith added that her office is down two attorneys for the next several months.

\* \* \*

**Generations Contract**

The Board of Commissioners requested this meeting to discuss the Generations Contract for the nursing home administration. Denise Smith stated that her concern is that there are employee issues (termination/discipline) that have not in the past gone before the Board of Commissioners. The nursing home must follow the collective bargaining agreement and laws regarding civil servants, as well. Former Attorney Marsilio had added verbiage to the agreement that the company acknowledges that they are a public entity. The Board of Commissioners cannot delegate the authority to hire, fire, discipline. All nursing home actions must be ratified by the Board of Commissioners by Journal Entry concurring or ratifying the action taken. The Board of Commissioners agreed that the agreement should be revised to make the hiring language less strong, adding that Generations must obtain approval from the Board of Commissioners. The Board of Commissioners will ask Human Resources Department Director Karen U’Halie to forward to Denise Smith the form used by JFS to bring all personnel actions to the Board of Commissioners for approval. Generations may advertise, interview and select personnel but the Board of Commissioners must sign off on the final hire.

\* \* \*

**Prosecutor’s Correspondence**

- 1. October 5, 2009 email from Denise Smith in response to the Board of Commissioners’ question as to whether or not the Board must pay old court costs, as presented by the Clerk of Courts/Journal Entry

Invoice Date	Legal Aid / News Date	Case Number	Amount
6-30-09	7-28-98	1998 CV 00624	\$22.35
6-29-09	4-29-93	1993 CV 00354	15.35
6-29-09	12-30-02	2002 CV 01428	22.35
6-29-09	1-25-08	2008 CV 00196	33.24
6-29-09	4-19-92	1992 CV 00349	18.85
6-29-09	12-14-93	1993 CV 00942	22.35
6-29-09	7-26-07	2007 CV 01002	\$33.24

- 2. October 5, 2009 e-mail from JoAnn Townend, Internal Services to Denise Smith, regarding the legal opinion for Sheriff’s Deputy off duty patrol/Clerk to schedule a meeting with the Sheriff to discuss this issue.
- 3. October 6, 2009 e-mail from Leigh Prugh, regarding the Senior Center kitchen/Information only.

\* \* \* \* \*

**HUMAN RESOURCES**

Present: Karen U’Halie, Vickie Steiner

The Director advised the Board of Commissioners that two more employee dependents have been removed from the county health insurance during the amnesty program making a total of eight removed.

10:30 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session regarding Health Benefits. **Also present:** Karen U’Halie and Vickie Steiner. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:00 AM Vickie Steiner left the Executive Session

11:20 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

\* \* \* \* \*

**INTERNAL SERVICES**

Present: JoAnn Townend

**Discussion**

1. The Board of Commissioners approved the revised SOP for Neighborhood Development Services, Inc. dated 9/23/09/Journal Entry
2. Bill Lillich, City of Kent, contacted the Director to ask about a possible collaboration with the city on the Kent Courthouse. The Director noted that 40 firms have responded to the RFP for the courthouse.

\* \* \*

**Resolutions**

1. Notice to institutions of date of designation on depositories./09-0932
2. Enter into amendment no. 2 with Catholic Charities for PRC child safety kit services for JFS./09-0933
3. Enter into amendment no. 3 with Family & Community Services for PRC emergency shelter services for JFS./09-0934
4. Enter into amendment no. 2 with Family & Community Services for PRC homeless shelter services for JFS./09-0935
5. Enter into amendment no. 2 with Family & Community Services for PRC domestic violence shelter services for JFS./09-0936
6. Enter into amendment no. 2 with Community Legal Aid Services for PRC legal services for JFS./09-0937
7. Enter into amendment no. 1 with Coleman Professional Services for Child & Adult Emergency Reporting services for JFS./09-0938
8. Enter into amendment no. 2 with Coleman Professional Services for Title XX for Adult Day Care services for JFS./09-0939
9. Enter into amendment no. 2 with United Way 211 Portage for Information & Referral Services for JFS./09-0940

- 10. Enter into amendment no. 2 with Coleman Wellness Solutions for the Employee Assistance Program services for Human Resources./09-0941
- 11. Enter into an agreement with the Portage County Prosecutor's Office for a legal services agreement to obtain USDA financing for the Aurora Meadows Subdivision Sanitary Improvements project./09-0942
- 12. Approve specifications and set bid date for providing inmate food service./09-0943

\* \* \* \* \*

**GENERAL SERVICES - Cancelled**

\* \* \* \* \*

**JOB & FAMILY SERVICES**

Present: Anita Herington

- I. The Director presented the State Allocations for SFY2009
- II. The Director presented the Food Assistance, OWF & Medicaid Statistics for Portage County, August 2009
- III. The Director noted that the CSEA Early Intervention preliminary numbers are promising.
- IV. The Director discussed the 2007 Audit Responses to 2008 Audit Report. The Board of Commissioners agreed to ask the State Auditor if he still needed this information.
- V. The Director advised the Board of Commissioners that the Family Connections Discretionary Kinship Navigator Grant has been awarded to Ashtabula, Clark, Crawford, Hardin, Lorain, Portage & Richland Counties for \$137,000 with at \$32,500 local match. These funds will be used to provide educational materials as well as other items. There are 255 Portage County families eligible for these grant services.

11:50 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 discuss a possible reorganization. **Also present:** JFS Director Anita Herington. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

12:05 PM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by 12:05 PM **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.

\* \* \* \* \*

**RESOLUTION No. 09-0927 - 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 October 8,



**RESOLUTION No. 09-0929 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

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

**WHEREAS,** the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

**WHEREAS,** there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

**WHEREAS,** the Journal Vouchers/Entries are recommended by the County Auditor’s Office for review and approval by the Board of Commissioners; now therefore be it

**RESOLVED,** that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor’s Office:

10/07/09	328	\$ 4,027.86
10/07/09	329	188.54
10/07/09	330	334.54
10/07/09	331	4,707.90
10/07/09	333	3,660.90
10/07/09	340	48,165.42
10/07/09	345	253,199.91
10/08/09	347	217.31
10/08/09	348	938.05
10/08/09	349	1,660.50
10/08/09	353	756.35
10/08/09	381	25,000.00
<b>Total</b>		<b>\$ 342,857.28</b>

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;

\*

\*

\*

\*

\*

**RESOLUTION No. 09-0930**

-

**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

**WHEREAS,** a listing of expenditures, attached hereto as Exhibit "A" and incorporated herein by reference, has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

**RESOLVED,** that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$41,244.80** as set forth in Exhibit "A" dated **October 8, 2009** shall be paid; 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;

\*

\*

\*

\*

\*

**RESOLUTION No. 09-0931**

-

**RE:**

**A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE AMENDMENT TO LOCAL PUBLIC AGENCY (LPA) AGREEMENT #20923 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PROJECT, KNOWN AS THE TALLMADGE ROAD (EDI 16 CH18L) BRIDGE REPLACEMENT PROJECT OVER SILVER CREEK IN EDINBURG TOWNSHIP, PORTAGE COUNTY.**

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

**WHEREAS,** resolution 05-0702 authorized the Portage County Engineer to execute the Local Public Agency (LPA) Agreement with the Director of the Ohio Department of Transportation for the project known as the **Tallmadge Road (EDI 16 CH18L) Bridge Replacement Project** over Silver Creek in Edinburg Township, Portage County , and

**WHEREAS,** resolution 08-0200 authorized the Portage County Engineer to execute the Local Public Agency (LPA) Agreement amendment to divide the federal share of the referenced project's funding from \$562,500 LBR Funds to \$187,500 CSTP Funds and \$375,000 LBR Funds , and

**WHEREAS,** the Director of the Ohio Department of Transportation has amended said LPA agreement to redistribute the federal share of the referenced project's funding from \$375,000 LBR Funds to \$306,274 LBR Funds and from \$187,500 CSTP Funds to \$256,225 CSTP Funds; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to execute amendment to LPA Agreement #20923 with the Director of the Ohio Department of Transportation for the project known as the **Tallmadge Road (EDI 16 CH18L) Bridge Replacement over Silver Creek** in Edinburg Township, Portage County, and be it further

**RESOLVED,** that said LPA agreement has been amended to redistribute the federal share of the referenced project's funding from \$375,000 LBR Funds to \$306,274 LBR Funds and from \$187,500 CSTP Funds to \$256,225 CSTP Funds, and be it

**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;

\*

\*

\*

\*

\*

**RESOLUTION No. 09-0932**

-

**RE:**

**DEPOSITORIES FOR PORTAGE COUNTY – NOTICE TO INSTITUTIONS OF DATE ON WHICH THE DESIGNATION IS TO BE MADE.**

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

**WHEREAS,** The designation of the public depository for the County of Portage will be made on the 19<sup>th</sup> day of November, 2009 during the regular session of the Board of County Commissioners, and

**WHEREAS,** The amount that has been estimated to be available for deposit is \$80,000,000.00 of Inactive Funds (1-730 days) and \$30,000,000.00 of Active Funds (Demand account). See exhibit (A) for service analysis, and



**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;

\*    \*    \*    \*    \*

**RESOLUTION No. 09-0934                      -                      RE:                      ENTER INTO AMENDMENT NO. 3 FOR PREVENTION, RETENTION AND CONTINGENCY (PRC) EMERGENCY SHELTER SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND FAMILY & COMMUNITY SERVICES, INC.**

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

**WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20080328 (the "Original Contract") on July 3, 2008 by Resolution No. 08-0595 to provide Prevention, Retention & Contingency ("PRC") Emergency Shelter Services; and

**WHEREAS,** an Amendment No. 1 was entered into on October 1, 2008 through Resolution No. 08-0953; and

**WHEREAS,** an Amendment No. 2 was entered into on August 4, 2009 through Resolution No. 09-0656; and

**WHEREAS,** the parties desire to amend the Original Contract to continue such services; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby enter into Amendment No. 3 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Family & Community Services, Inc. for the period July 1, 2009 to June 30, 2010; and be it further

**RESOLVED,** that pursuant to the revised PRC Plan effective October 1, 2009, families are limited to ten (10) nights in a local motel/hotel not to exceed a total of Five hundred fifty and 00/100 dollars (\$550.00); and be it further

**RESOLVED,** that the Department of Job & Family Services agrees to pay for PRC Emergency Shelter Services rendered at a unit rate up to Fifty-five and 00/100 dollars (\$55.00) per unit for a maximum of four hundred twenty (420) units, not to exceed a total of Twenty-three thousand one hundred and 00/100 dollars (\$23,100.00); and be it further







Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

\*

\*

\*

\*

\*

**RESOLUTION No. 09-0938**

-

**RE: ENTER INTO AMENDMENT NO. 1 FOR CHILD AND ADULT EMERGENCY REPORTING SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND COLEMAN PROFESSIONAL SERVICES.**

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

- WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20090248 (the "Original Contract") by Resolution No. 09-0241 to provide emergency response in situations where child and adult abuse and neglect may be occurring, stabilize a family and prevent removal of children from their homes and link families to other community services; and
- WHEREAS,** the parties desire to amend the Original Contract to continue such services; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby enter into Amendment No. 1 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services ("PCDJFS") and Coleman Professional Services ("PROVIDER") for the period November 1, 2008 through October 31, 2009; and be it further
- RESOLVED,** that PCDJFS agrees to pay PROVIDER for an additional eight hundred fifty (850) units, where a unit is defined as an hour of telephone line coverage, at a unit rate of Five and 28/100 dollars (\$5.28) per unit, for a maximum of six thousand four hundred fifty (6,450) units or Four thousand four hundred eighty-eight and 00/100 dollars (\$4,488.00); and be if further
- RESOLVED,** that the total amount of this Agreement is not to exceed Thirty-four thousand one hundred thirty-six and 00/100 dollars (\$34,136.00); 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;

\* \* \* \* \*

**RESOLUTION No. 09-0939** - **RE: ENTER INTO AMENDMENT NO. 2 BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND COLEMAN PROFESSIONAL SERVICES DBA COLEMAN ADULT DAY SERVICES TO PROVIDE TITLE XX ADULT DAY SERVICES PROGRAM.**

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

**WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20070403 (the "Original Contract") by Resolution No. 07-1018 to provide Adult Day Services which offers supervised daytime care to prevent and/or reduce neglect, abuse or exploitation under Adult Protective Services ("APS"), disabled adults or senior citizens, who are residents of Portage County; and

**WHEREAS,** an Amendment No. 1 was entered into on September 18, 2008 through Resolution No. 08-0955; and

**WHEREAS,** the parties desire to amend the Original Contract to continue such services; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into Amendment No. 2 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Coleman Professional Services doing business as Coleman Adult Day Services to extend the agreement two (2) additional months from October 1, 2009 to November 30, 2009; and be it further

**RESOLVED,** that the total amount of this Agreement shall not exceed Thirty thousand and 00/100 dollars (\$30,000.00); and be if 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;

\* \* \* \* \*

**RESOLUTION No. 09-0940** - **RE: ENTER INTO AMENDMENT NO. 2 BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND UNITED WAY OF**

**PORTAGE COUNTY DBA UNITED WAY 211 PORTAGE  
TO PROVIDE TITLE XX INFORMATION AND REFERRAL  
SERVICES.**

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

- WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20070394 (the "Original Contract") on October 18, 2007 by Resolution No. 07-0992 to provide Title XX Information and Referral Services for disabled adults and senior citizens who are residents of Portage County; and
- WHEREAS,** an Amendment No. 1 was entered into on September 23, 2008 through Resolution No. 08-0928; and
- WHEREAS,** the parties desire to amend the Original Contract to continue such services; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into Amendment No. 2 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and United Way of Portage County d.b.a. United Way 211 Portage to extend the agreement two (2) additional months from October 1, 2009 to November 30, 2009; and be it further
- RESOLVED,** that the parties agree that services are to be rendered at a rate no more than Sixteen and 67/100 dollars (\$16.67) per unit for a maximum of nine hundred forty-three (943) units, and that the annual service amount shall not exceed Fifteen thousand seven hundred nineteen and 81/100 dollars (\$15,719.81); and be if 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;

\*

\*

\*

\*

\*

**RESOLUTION No. 09-0941**

-

**RE:**

**ENTER INTO AMENDMENT NO. 2 BETWEEN THE BOARD OF COMMISSIONERS AND COLEMAN WELLNESS SOLUTIONS FOR THE EMPLOYEE ASSISTANCE PROGRAM.**

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

**WHEREAS,** an agreement between the Board of Commissioners and Coleman Wellness Solutions known as Portage County Contract No. 20080340 to provide an employee assistance program to the County's employees, spouses, and eligible dependents on July 10, 2008; and

**WHEREAS,** it has been determined that services under the annual contract have increased requiring bids to be issued per ORC 307.86; and

**WHEREAS,** the parties desire to amend the Original Contract to continue such services until the bid process is finalized and a new contract is in place; now therefore it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and Coleman Wellness Solutions at the same amount of Twenty three and 60/100 (\$23.60) per employee for the time period of October 1, 2009 to November 30, 2009; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in 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;

\*

\*

\*

\*

\*

**RESOLUTION No. 09-0942**

-

**RE:**

**ENTER INTO AN AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND THE PORTAGE COUNTY PROSECUTING ATTORNEY'S OFFICE**

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

**WHEREAS,** the Board of Portage County Commissioners has entered into an agreement with the United States Department of Agriculture to obtain financing for the Aurora meadows Subdivision Sanitary Improvements project; now therefore be it

**RESOLVED,** that the Portage County Commissioners agree to enter into an agreement with the Portage County Prosecuting Office to provide such legal services as are necessary to accomplish the objective of obtaining USDA financing; and now therefore be it

**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 resulting 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.



2. The continuation of funding for the full-time Administrative Assistant in the Notification program, with the grant portion salary \$10.22/hour
3. The continuation of funding for the full-time Advocate position for Juvenile Court, with the grant portion salary of \$10.81/hour
4. The increase of funding for the part-time Advocate position for other Courts, with the grant portion salary of \$10.66/hour; and,

**WHEREAS,** the Portage County Board of Commissioners fully supports the Portage County Prosecutor's Office in its efforts to support the victims of crime in Portage County; and,

**WHEREAS,** the Portage County Board of Commissioners acknowledges that submittal of the acceptance documentation to the Ohio Attorney General's Office occurred without review by the Department of Budget Finance Management or the Grants Administrator, nor was the acceptance of the grant approved by the Board of Commissioners prior to being submitted by the Prosecutor's Office; now therefore be it,

**RESOLVED,** the Board of Portage County Commissioners does hereby agree to accept the Crime Victims Assistance Office of the Attorney General of Ohio VOCA Grant Award on behalf of the Portage County Prosecutor's Office, for \$107,801.00 with a General Fund Match of \$35,934.00 for a project total of \$143,735.00 and the SVAA Grant Award of \$10,157.00 **with no local match;** and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Department of Budget & Financial Management, the Portage County Prosecutor's Office Victim Assistance and the Portage County Auditor's Office; 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;

\*

\*

\*

\*

\*

**RESOLUTIONS**

October 8, 2009

1. Approval of Meeting Minutes from the October 6, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-0927
3. Approve the wire transfer as presented by the County Auditor./09-0928

4. Approve the Journal Vouchers as presented by the County Auditor./09-0929
5. Approve Then & Now as presented by the County Auditor./09-0930
6. Resolution presented by the County Engineer to authorize the Engineer to execute an amendment to the Local Public Agency (LPA) Agreement #20923 with the Director of the ODOT for the Tallmadge Road Bridge Replacement Project./09-0931
7. Authorize the submission of the American Recovery and Reinvestment Act (ARRA) of 2009 application to the Ohio Department of Health Bureau of Early Intervention Services for the Help Me Grow Program of Portage County. (Grants Administrator)/09-HOLD
8. Accept grant award VOCA (Grants Administrator)/09-0944

\* \* \* \* \*

**INVITATIONS/MEETING NOTICES**

October 8, 2009

1. Invitation from NAACP for the Freedom Fund Dinner on Saturday, October 24, 2009, 5:30-8:00 PM, First Congregational United Church of Christ, 266 S. Chestnut St., Ravenna.

\* \* \* \* \*

**INCOMING CORRESPONDENCE  
DISCUSSION**

October 8, 2009

1. Invitation from Goodwill to the Public Open Houses for a behind the scenes tour of the Akron facility. No RSVP necessary/Information only

Thursday, October 8, 2009 from 5PM-7 PM  
 Friday, October 9, 2009 from 11AM – 2PM  
 Saturday, October 10, 2009 from 11AM – 2 PM

2. In response to the Board’s request for review and comment on the September 23, 2009 correspondence from Timothy Cronin, Prudential, Human Resources Department Director Karen U’Halie recommends that the paperwork be forwarded to Suzanne Lipps, Financial Network.

\* \* \* \* \*

**JOURNAL ENTRIES**

October 8, 2009

1. The Board of Commissioners acknowledged the receipt of the Portage County Dog Warden’s Weekly Report for the week ending October 4, 2009 advising of \$800 in Court Donations and \$1,356 in license sales, as presented by Dog Warden Dave McIntyre.
2. September 23, 2009 Notice from Ohio Division of Liquor Control of a request for a new liquor license for Jimmy DS Lil Store LLC dba Jimmy DS Lil Store, 3174 State Route 82, Mantua Township, Mantua, Ohio

44255. Does Board of Commissioners wish to request a hearing? The Township Trustees have no objections and are not requesting a hearing. Board authorization requested to have the Clerk to sign and return the notice.

3. Board of Commissioners' authorization requested to pay the Portage County Regional Airport Authority Invoice No. 2009-060 dated October 5, 2009 for \$281.41 for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight not to exceed \$6,000 annually.
4. The Commissioners received the October 6, 2009 Amended Certificate of Estimated Resources for the year beginning January 1, 2009 as submitted by the Portage County Budget Commission (cc: Department of Budget & Financial Management).

\* \* \* \* \*

**REFERRED**

October 8, 2009

1. October 1, 2009 correspondence from Roetzel and Andress Attorney Stephen Funk regarding payment as authorized by Resolution No. 09-0864 for Judge Pittman. Referred to JoAnn Townend who contacted Attorney Funk to advise him that payment will be made by purchase order by Judge Pittman's staff.
2. September 23, 2009 correspondence from the Prudential Company regarding the Portage County Deferred Comp Plan. Referred to the Human Resources Department for comment.
3. The Board of Commissioners received the Owner/Tenant Statement of balance due for water usage at County owned properties for September 2009 as presented by the City of Ravenna. Referred to Internal Services Department.
4. September 28, 2009 correspondence from Mark Shanahan, Ohio Air Quality Development Authority, regarding the 2009 Qualified Energy Conservation Bond Allocation. Referred to Executive Assistant for October 20, 2009 deadline.

\* \* \* \* \*

**PLEASE ADD TO THE AGENDA**

October 8, 2009

1. October 7, 2009 e-mail from Chris Craycroft, Park District, regarding budget hearings/Clerk to send information regarding hearings, once set.
2. October 7, 2009 e-mail from Todd Peetz, Regional Planning Commission, regarding review and signature on correspondence in pursuit of a US EPA Brownfield Assessment Grant/Journal Entry.
3. October 7, 2009 e-mail from Harold Huff, Water Resources Department, regarding Regional Planning Subdivision Regulations update/Information only.
4. October 7, 2009 e-mail from Audrey Tillis, Department of Budget and Financial Management, regarding storm water budget for 2010/Information only.

5. Discussion: Does the Board wish to accept the Dog Warden McIntyre's recommendation to deny an animal claim for two (2) Alpaca injured by two (2) female Shepard mix dogs? Dog Warden indicates claim is denied because Alpaca's don't fall under ORC Section 955.29/Journal Entry.

\* \* \* \* \*

**INFORMATION ONLY**

October 8, 2009

1. The Human Resources Director sent an October 2, 2009 memo to all elected officials and departments including the Commissioners' temporary amendment to their Personnel Policy Manual regarding the sick leave policy.
2. The Portage County nursing home sent the Ohio Department of Health its certification of long term care beds as of July 1, 1993.

\* \* \* \* \*

**JOURNAL ENTRY**

October 8, 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 Portage County Dog Warden's Weekly Report for the week ending October 4, 2009 advising of \$800 in Court Donations and \$1,356 in license sales, as presented by Dog Warden Dave McIntyre.
2. In response to the September 23, 2009 Notice from Ohio Division of Liquor Control of a request for a new liquor license for Jimmy DS Lil Store LLC dba Jimmy DS Lil Store, 3174 State Route 82, Mantua Township, Mantua, Ohio 44255, the Board of Commissioners agreed not to request a hearing noting that the Mantua Township Board of Trustees has no objections and are not requesting a hearing. The Board authorized the Clerk to sign and return the notice.
3. The Board of Commissioners authorized payment of the Portage County Regional Airport Authority Invoice No. 2009-060 dated October 5, 2009 for \$281.41 for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight not to exceed \$6,000 annually.
4. The Board of Commissioners acknowledged the receipt of the October 6, 2009 Amended Certificate of Estimated Resources for the year beginning January 1, 2009, as submitted by the Portage County Budget Commission.
5. On June 2, 2009 the Board of Commissioners approved the June 2, 2009 version of the Neighborhood Development Services, Inc./Board of Commissioners Standard Operating Procedure (SOP), as presented. Today, the Board of Commissioners approved revisions to this document, as reviewed by the Department of Budget & Financial Management, Grants Administrator, Clerk and staff, and Neighborhood Development Services, Inc., and approved the revised SOP, as presented.

6. The Board of Commissioners accepted the Portage County Dog Warden's recommendation and denied an Animal Claim for two (2) Alpacas injured by two (2) female Shepherd mix dogs on Laubert Road in Randolph Township on September 28, 2009. The Dog Warden recommends denying this claim Alpacas do not appear on the approved animals list in Ohio Revised Code Sections 955.29 and 955.51.
7. The Board of Commissioners signed the letter of support for the United States EPA Brownfield Assessment Grant, as presented by Regional Planning Commission Director Todd Peetz.
8. The Board of Commissioners signed the letter of support for the initiative aimed at reducing childhood obesity through community collaborations and research, as presented by the research team from Kent State University and the Portage County Obesity Coalition.
9. The Board of Commissioners signed the October 8, 2009 correspondence to Portage County Auditor Janet Esposito requesting an expenditure correction for expenses charged to the Ohio Pet Smart Grant in error:

<u>Org</u>	<u>Object</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
<b>Credit:</b> 13300454	400000	9PLAT	\$ 21.00	Memorial Animal Host 10/08-09
<b>Debit:</b> 13300454	400000	9PETS	\$21.00	Memorial Animal Host 10/08-09

10. The Board of Commissioners accepted the recommendation of Attorney Denise Smith and authorized payment of the following Invoices, as presented by Clerk of Courts Linda Fankhauser.

<u>Invoice Date</u>	<u>Legal Aid / News Date</u>	<u>Case Number</u>	<u>Amount</u>
6-30-09	7-28-98	1998 CV 00624	\$22.35
6-29-09	4-29-93	1993 CV 00354	15.35
6-29-09	12-30-02	2002 CV 01428	22.35
6-29-09	1-25-08	2008 CV 00196	33.24
6-29-09	4-19-92	1992 CV 00349	18.85
6-29-09	12-14-93	1993 CV 00942	22.35
6-29-09	7-26-07	2007 CV 01002	\$33.24

All in favor, motion carries.

\* \* \* \* \*

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **October 6, 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 **12:15 PM**.

All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

\* \* \* \* \*