

**Tuesday, November 3, 2009**

The Board of County Commissioners met in regular session on **Tuesday, November 3, 2009 at 9:02 AM** with the following members present:

Charles W. Keiper II

Christopher Smeiles

\* \* \* \* \*

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II to approve the meeting minutes of the October 29, 2009 meeting. Commissioner Frederick absent, motion carries

\* \* \* \* \*

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

\* \* \* \* \*

**EXECUTIVE ASSISTANT**

Present: Charlene Badger

The Board of Commissioners reviewed the proposed Veterans Day Agenda.

\* \* \* \* \*

Commissioner Smeiles noted that he attended the Akron Chamber seminar yesterday; he presented a variety of material that he received.

There is a November 12<sup>th</sup> event at the Akron Fairlawn Hilton with two speakers that will focus on what can be expected in our region economically in 2010.

\* \* \* \* \*

9:30 AM Commissioner Frederick attending

\* \* \* \* \*

**THE WOODLANDS AT ROBINSON**

Present: Gary Mitrisin, Mike Coury, Bob Nedrich, Audrey Tillis, Karen U’Halie

Nursing home representatives are attending today to discuss the projected cash shortfall. Mr. Mitrisin noted that they have addressed collections with the Prosecutor’s Office, raised room and board rates, turned in a cell phone that they did not need, reduced the dietician’s hours, are investigating a new medical waste contract, cutting back on agency usage, using the minimum staffing necessary to maintain care levels, investigating a group purchase of foods to lower costs, dropped the yellow pages advertisement, are keeping overtime use down, plan to bid oxygen services, Summa has finished the needs assessment and will get back with nursing home as to how they will proceed, met with Loyaltan, and brought in a different Hospice that works with residents.

Commissioner Frederick asked if the reduction in staff overtime is cost effective when agency staff must be called in? Mr. Mitrisin responded that the system has been working well. Mike Coury added that they are working on the implementation of a new accounting system that will use internal staff and not an outside accounting agency. Commissioner Frederick asked if the resident who is \$50,000 in arrears has been referred to the Prosecutor? Mr. Mitrisin responded yes, he is working with Denise Smith.

Commissioner Keiper stated that the cuts instituted are good but not enough. He asked how staff is working to improve the census? Mr. Coury responded that there needs to be a strong marketing plan in place to bring in long-term residents.

Audrey Tillis stated that the General Fund has provided \$190,000 already and the nursing home needs another \$200,000 to get through. Director Tillis added that this does not deal with the 2010 cash flow issue. Commissioner Frederick asked if there can be any personnel cuts elsewhere? Mr. Coury responded that he could look at the departmental managers and at shortening the work weeks. He added that this problem is not only at The Woodlands – other facilities are having the same issues; The Woodlands needs to get more long-term care residents; the long-term component is the most important tool. He added that The Woodlands already averages 34 admissions per month. Commissioner Keiper stated that the question is how long can the General Fund support the nursing home in this poor economic environment. Commissioner Frederick stated that she is having reservations about signing the Generations contract due to these money concerns although she does not want to close the doors either.

9:45 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 to consider a nursing home disciplinary issue. **Also present: Gary Mitrisin, Mike Coury, Bob Nedrich, Human Resources Department Director Karen U'Halie.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

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

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

\* \* \* \* \*

**PROSECUTOR**

Present: Denise Smith

**Review of Prosecutor's Pending List**

1. Leigh Prugh has been assigned to provide a legal opinion as to whether or not the Solid Waste Management District is considered to be a public utility.
2. The delinquent charges for the Spring Lakes Mobile Home Park are being investigated by the Water Resources Department. Leigh Prugh will wait for an update from that department.
3. Attorney Smith advised that Prosecutor Vigluicci received the Board's recap of his October 22<sup>nd</sup> meeting and agreed that it was accurate.
4. Attorney Smith advised that Mr. Vigluicci intends to respond to the Board's request for assistance in moving forward the payment by the Auditor for travel reimbursement for their staff.

\* \* \* \* \*

**SHERIFF DOAK**

Present: David Doak, Denise Smith, Audrey Tillis

The Board of Commissioners had asked Maximus to determine an hourly rate for special patrol functions and other security details performed by the Road Patrol Division. Maximus has determined that hourly rate to be \$50.59.

Commissioner Keiper noted that Attorney Denise Smith has advised the Board that the Sheriff can enter into an agreement for off-duty patrols without Board of Commissioners' authorization.

Commissioner Smeiles suggested a two tier system with one charge for governmental agencies and another for a for-profit entity in order to subsidize the lower rate. He noted that Franklin Township Trustee Mark Beckwith has advised him that he appreciates the coverage but the Township cannot afford to pay much more.

The Sheriff stated that he checked with the Ohio State Patrol and found that they charge around \$56.00/hour plus the cost of a supervisor when three or more cars are requested. Other departments charge \$39.50/hour for the officer plus \$17.00/for the car.

Commissioner Keiper stated that the Board wants to be certain that the cost of the service is covered by the hourly rate. He added that the Sheriff has chosen not to use the Pay for Stay Program, which could keep three deputies on the road. The Sheriff responded that he does not like to Pay for Stay and would never have signed the agreement. He noted that the off duty details charge different rates; for example, contractors pay a different rate than schools.

Commissioner Keiper asked if the cities require the use of their own officers within the city limits? The Sheriff believes that the county could work within the boundaries because they have county-wide jurisdiction.

Commissioner Keiper stated that Attorney Smith has advised that the Sheriff can enter into an agreement without Board authorization but the funds must be deposited into a "policing fund". The Sheriff noted that the outside agency issues a check to the officer working the detail and not to the county. Schools are charged \$25/hour but there are not usually county vehicles involved. There is an additional fee if a car is involved in the agreement. The construction/road traffic control hires do have requirements for on-duty officers and/or vehicles.

Attorney Smith noted that the Sugar Bush Knolls agreement is one that the Sheriff will send an officer during duty hours. The off-duty details are different except that once the officer starts an arrest process, the county liability kicks in. If a Sheriff's Officer is injured during an off-duty detail, the hiring agency is responsible.

The Commissioners and the Sheriff agreed that Ron Rost, Denise Smith, and Audrey Tillis should meet and work out a recommendation as to the process and the pricing schedule. The Board of Commissioners agreed that they like the idea to have different levels of charges for government, schools and outside agencies.

Commissioner Keiper stated that the Board of Commissioners should remember that this is a challenging time financially but the people of Portage County still want a Sheriff and road patrol available for emergencies. The Board of Commissioners may have to consider the addition of ¼% sales tax dedicated to road patrol and/or a countywide dispatch system; the General Fund supports the road patrol but it is not a mandated service. The public may desire road patrol but it is not a mandate.

\*

\*

\*

\*

\*

**WATER RESOURCES - Cancelled**

\* \* \* \* \*

**DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis

- 1. Journal entry approval(s):
  - a. Local Match Child Support/Journal Entry
- 2. Discussion Items:
  - a. The Director discussed the possibility of including additional agencies in the Cost Allocation Plan Actual 2008 For Use in 2010.
  - b. The Director advised the Board of Commissioners that the Veterans Services Commission will have an employee retire soon. They intend to rehire a replacement with some double coverage.
  - c. The Board of Commissioners approved a budget transfer for the Clerk of Courts/Journal Entry

\* \* \* \* \*

2:30 pm The Board of Commissioners met with the PCDED and Maintenance Directors to discuss their 2010 budgets. Commissioner Frederick absent

\* \* \* \* \*

3:30 PM Board of Commissioners recessed to the Solid Waste Management District Meeting  
3:55 PM Board of Commissioners reconvened

\* \* \* \* \*

**RESOLUTION No. 09-1022 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles 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 November 3, 2009 in the total payment amount of **\$181,206.21 for Funds 0001-8300** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Roll call vote as follows:

Charles W. Keiper II, Yea; Maureen T. Frederick, Yea; Christopher Smeiles, Yea;

\* \* \* \* \*

**RESOLUTION No. 09-1023 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles 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:

11/02/09	43	\$ 78,722.60
11/02/09	37	27,250.18
11/02/09	35	3,244.00
11/02/09	34	50.00
11/02/09	33	35,608.00
11/02/09	32	691.68
11/02/09	29	48,958.98
<b>Total</b>		<b>\$ 194,525.44</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. 09-1024 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

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



of this Board in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State or any political subdivision, or the execution of public trusts. For those legal services provided through delivery of the Bonds, R&A shall be paid a reasonable fee as agreed upon between R&A and the Company and, in addition to that fee, R&A shall also be reimbursed for actual out-of-pocket expenses (including, but not limited to, long distance telephone, travel and duplicating expenses) incurred in providing those legal services. Those fees and expenses shall be paid solely from the proceeds of the sale of the Bonds, by the original purchaser of the Bonds as part of the purchase price therefore, or by the Company, and if the Bonds are for any reason not delivered, shall be paid by the Company pursuant to the provision in the Agreement obligating the Company to indemnify the County against any and all loss, cost, expense, claims or actions arising”; and

**WHEREAS,** the Portage County Board of Commissioners adopted Resolution No. 99-208 on March 18, 1999 authorizing the Issuance and Sale of \$5,000,000 County of Portage, Ohio Variable Rate Industrial Development Revenue Bonds, Series 1999 (Mantaine Corporation Project) for the purpose of making a loan to assist the Mantaine Corporation in the financing of costs of a project within the meaning of Chapter 165, Ohio Revised Code, authorizing the execution and delivery of a Loan Agreement pertaining to the Project, a Trust Indenture securing the payment of the Bonds and a Bond Purchase Agreement and authorizing the use and distribution of an Offering Memorandum, each relating to the sale of the Bonds; and approving related matters; NatCity Investments, Inc. of Cleveland, Ohio was identified as the “Original Purchaser”; and

**WHEREAS,** the Board of Commissioners was notified in a September 11, 2009 memo from NatCity Investments, Inc. that they have been acquired by PNC Capital Markets LLC. As part of the internal restructuring, the remarketing agency business of NatCity Investments is being transferred to PNC Capital Markets LLC; and

**WHEREAS,** the Amendment and Assignment of the Remarketing Agreement was reviewed by Bond Counsel Amanda Gordon, Roetzel & Andress; now therefore be it

**RESOLVED** that the Board of Commissioners accepts the advice of Bond Counsel and agrees to sign the Amendment to and Assignment of the Remarketing Agreement from NatCity Investments, Inc. to PNC Capital Markets LLC; 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 an 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. 09-1026 - RE: SET TIME AND PLACE FOR ANNUAL MEETING OF COUNTY AND TOWNSHIP AUTHORITIES AS PRESCRIBED BY OHIO REVISED CODE 5543.06.**

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

**WHEREAS,** Ohio Revised Code 5543.06 requires that the County Engineer annually call a meeting, within the County, of all the Township and County authorities having directly to do with the construction and repair of roads and bridges within the County, and

**WHEREAS,** Michael A. Marozzi, Portage County Engineer, recommends that said meeting be held on **Saturday, November 14, 2009** at the **Italian American Society** in Ravenna, Ohio, beginning at **6:00 P.M.**; now therefore be it

**RESOLVED,** that the annual meeting of County and Township authorities, as prescribed by Ohio Revised Code 5543.06, be held on **Saturday, November 14, 2009** at the **Italian American Society** in Ravenna, Ohio, beginning at **6:00 P.M.**, 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. 09-1027 - RE: ENTER INTO A RENTAL HALL AGREEMENT FOR THE DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT FOR THE ACCESS TO INDEPENDENCE MINI-HALL.**

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

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the rental of the Access to Independence mini-hall by the Portage County Department of Homeland Security & Emergency Management on November 3, 5, and 6, 2009 at no charge for the Volunteer Reception Center; 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;

\*

\*

\*

\*

\*

## **RESOLUTIONS**

November 3, 2009

1. Approval of Meeting Minutes from the October 29, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-1022
3. Approve the Journal Vouchers as presented by the County Auditor./09-1023
4. Approve Then & Now as presented by the County Auditor./09-1024
5. Approval of Robinson Memorial Hospital proposed 2010 Operating and Capital Budgets./09-Hold for the Board of Commissioners meeting with Steve Colecchi
6. Set Time and Place for Annual meeting of County and Township Authorities as Prescribed by ORC 5543.06 (County Engineer)./09-1026

\*

\*

\*

\*

\*

## **INVITATIONS/MEETING NOTICES**

November 3, 2009

1. Invitation from HalfMoon LLC for the Ohio Natural Gas Pipelines and Storage Facilities half day seminar on Thursday, December 17, 2009, Middleburg Hts., OH, 8:00 AM.
2. Invitation from MADD to attend the 2009 Victim Remembrance Ceremony on Sunday, November 15, 2009, 6:00 PM at Maplewood Christian Church, S.R. 88, Ravenna.

\*

\*

\*

\*

\*

## **INCOMING CORRESPONDENCE**

### **DISCUSSION**

November 3, 2009

1. October 27, 2009 correspondence from Sue Whitehurst, Townhall II, requesting \$60,000 in order to continue support of the free clinic/Forwarded to the Department of Budget & Financial Management Director to bring back for a budget discussion.
2. October 27, 2009 e-mail from Denise Smith, regarding Brimfield Town Center maintenance bond/Information only at this time.
3. October 27, 2009 correspondence from Suzanne Lipps, Financial Network of America Ltd., in response to the Board's request for review and comment on the Prudential Annuities plan/Information only.
4. October 28, 2009 e-mail from Jodie Cline, Office of the Governor, regarding upcoming events in Portage County/The Board of Commissioners agreed to email their weekly calendar to the office

5. October 29, 2009 e-mail from Vickie Steiner, Human Resources Department, requesting use of the Giant Eagle card to purchase bagels and juice for the 2010 health plan kick off meeting on November 10, 2009 with a cost not to exceed \$ 60.00/Journal Entry.

\* \* \* \* \*

## **JOURNAL ENTRIES**

November 3, 2009

1. Board of Commissioners' authorization requested to pay the October 6, 2009 Invoice #30616 for \$3,917.50 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of August and September 2009 for General Labor matters. Documents reviewed by Human Resources Department Director Karen U'Halie with no exceptions noted.
2. The Board of Commissioners received the monthly operating expenses and caseload report for the County Public Defender's Office as presented by the County Auditor.
3. October 28, 2009 Certificate of the County Auditor that the Annual Appropriations from each fund do not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2009 as presented by the Portage County Budget Commission.
4. Board of Commissioners' authorization requested to pay Portage County Regional Planning Commission for 2008 Aurora CHIP Fair Housing (citywide) for \$88.71 as requested by Neighborhood Development Services. No review required.
5. Board of Commissioners' authorization requested to pay Goff's Roofing for 2008 Portage County CHIP Home Repair at 9429 Tower Drive, Streetsboro, OH 44241 for \$2,475.00 as requested by Neighborhood Development Services. No review required.
6. Board of Commissioners' authorization requested to pay Goff's Roofing for 2008 Portage County CHIP Home Repair for 9429 Tower Drive, Streetsboro, OH 44241 for \$275.00 as requested by Neighborhood Development Services. No review required.
7. Board of Commissioners' authorization requested to pay Advanced Contracting for work completed at 3870 State Route 14, Rootstown, OH 44272 for \$4,482.00 as requested by Neighborhood Development Services. No review required.
8. Board of Commissioners' authorization requested to pay P&K Enterprises for work completed at 6537 Terrill Street, Ravenna, OH 44266 for \$4,950.00 as requested by Neighborhood Development Services. No review required.
9. October 19, 2009 Notice from the Ohio Division of Liquor Control of a request for transfer of liquor license from Sunoco Inc R&M, dba Sunoco 6044 to Daily Enterprises Inc., 1836 State Route 59, Franklin Township, Kent, OH 44240. Does the Board of Commissioners wish to request a hearing? The Franklin Township Trustees were notified and have no objections; they are not requesting a hearing. Board of Commissioners' authorization also requested to have the Clerk to sign and return the Notice.

10. Board of Commissioners' signature requested on the correspondence to Lemmon & Lemmon, Inc., North Canton, Ohio, advising that the Portage County Water Resources Department records indicate that Project No. BR-2 (09-060), Sterling Green Phase II, has been completed, including construction of all sewers, testing, and adjustment of manholes to final grade and restoration. All conditions of the Escrow Account Agreement and the General Sewer Agreement have been met and the sewer project is accepted by Portage County subject to the usual one year guarantee of workmanship and material.
11. Board of Commissioners' authorization requested to allow Floyd Browne Group to perform final environmental assessment reports for a fee not to exceed \$3,100.00 for the Streetsboro Sanitary Sewer District No. 4, Streetsboro Trunk Sewer Rehabilitation Phase 2, Project No. ST-4 (06-270) and Phase 3, Project No. ST-4 (06-280) as requested by the Water Resources Department. Funding for this expense is available in the Streetsboro Sewer Fund - Professional Services Line.
12. Pursuant to House Bill 355, Board of Commissioners received the Portage County Combined General Health District Third Quarterly Report, as presented by DuWayne Porter, Health Commissioner.
13. The Board of Commissioners received a copy of the transcript of proceedings related to the \$6,200,000 Various Purpose Notes, Series 2009 as presented by Squire Sanders.
14. Board of Commissioners' authorization requested to pay Neighborhood Development Services Inc. \$10,000 for the 2008 CHIP administration for the period of January through September 2009 as requested by Neighborhood Development Services. Documents reviewed by the Grants Administrator with no exceptions noted.
15. Board of Commissioners' authorization requested to pay Neighborhood Development Services Inc. \$4,000.00 for Homebuyers Education services as presented by the Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
16. Board of Commissioners' authorization requested to pay Neighborhood Development Services Inc. \$1,359.00 for HOME RLF Administration for January through February 2009 as presented by the Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
17. Board of Commissioners' signature requested on two (2) Satisfaction of Mortgage for John and Rita Kuhar as requested by the Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
18. Board of Commissioners' signature requested on the purchase requisition for Record Publishing for advertising Release of Funds for B-F-09 Formula Grant for \$200.00 as requested by the Regional Planning Commission. The B-F-09-062-1 Formula Grant Activity #08 Administration is funding this request. Documents reviewed by the Grants Administrator with no exceptions noted.
19. Board of Commissioners' signature requested on the payment authorization form for Habitat for Humanity of Portage County for two (2) water wells for Habitat houses located at 1453 Hillcrest, Atwater and 1463 Hillcrest, Atwater for \$3,533.24 as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #01 New Construction is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.

\* \* \* \* \*

**REFERRED**

November 3, 2009

1. October 26, 2009 correspondence from Virginia Fisher, Office of the Attorney General Richard Cordray's office, regarding Harold J. Copen vs. Administrator et al. Referred to Human Resources Department and Prosecutor's Office.
2. October 29, 2009 correspondence from Dave Vaughan, Neighborhood Development Services, regarding Windham Daycare Center closure. Referred to Department of Budget and Financial Management and Grants Administrator.
3. October 28, 2009 e-mail from Howard Tibbs, Ohio Energy Office, Ohio Department of Development regarding a bidders' conference scheduled for Thursday, November 12, 2009 from 2:00-4:00 PM. Referred by Commissioner Keiper to the Leadership Team.
4. October 27, 2009 correspondence from Greg Pollack, Boy Scout Troop 269, requesting a Certificate for the Eagle Scout Award Ceremony for Ian Cassidy. Referred to the Executive Assistant.
5. October 29, 2009 correspondence from Joseph Hadley, NEFCO, including an invoice for second half FY2010 for Portage County's dues to NEFCO. Referred to the Water Resources Department and Solid Waste Management District.
6. October 26, 2009 correspondence from Michael Hiler, Ohio Department of Development, regarding the grant close out of B-F-07-062-1. Referred to Grants Administrator and Department of Budget and Financial Management.

\* \* \* \* \*

**PLEASE ADD TO THE AGENDA**

November 3, 2009

1. DRAFT RESOLUTION: Accept amendment to and assignment of remarketing agreement between Mantaline Corporation, Portage County and NatCity Investments, Inc./09-1025
2. Board of Commissioners' signature requested on the support letter for the Randolph Township grant request to the Ohio Department of Natural Resources for funding for a litter prevention/cleanup effort/Board of Commissioners agreed to sign the letter.
3. November 2, 2009 correspondence from Dennis Lager, Public Defender, regarding a request for approval of equipment purchase/The Board of Commissioners noted that they do not need to approve this purchase but acknowledged that they appreciated the advance notice of this purchase/Forward to JoAnn Townend for her files and information and to investigate the necessity of purchasing the warranty
4. Resolution to authorize an agreement for the Homeland Security and Emergency Management Office to use the Access to Independence mini-hall/09-1027

\* \* \* \* \*

**INFORMATION ONLY**

November 3, 2009

1. Undated correspondence (received October 30, 2009) from Director Dave McIntyre, Dog Warden, regarding the success of the October 24, 2009 Rabies Clinic.

2. October 26, 2009 correspondence from Todd Peetz, Regional Planning Commission, regarding the status of technical assistance hours utilized and available for 2009.
3. Undated correspondence (received October 29, 2009) from Erin Hoefinger, Anthem, regarding a free special report – Health Care Trends: 7 Strategies to Improve Employee Health & Lower Employer Costs. Offer ends Tuesday, December 1, 2009.

\* \* \* \* \*

**Journal Entry**

November 3, 2009

Motion by Christopher Smeiles, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners authorized payment of the October 6, 2009 Invoice #30616 for \$3,917.50 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of August and September 2009 for General Labor matters. Documents reviewed by Human Resources Department Director Karen U’Halie with no exceptions noted. The Board of Commissioners directed the Department of Budget & Financial Management to make an expenditure correction for the nursing home for \$3,917.50.
2. The Board of Commissioners acknowledged the receipt of the monthly operating expenses and caseload report for the County Public Defender’s Office, as presented by the County Auditor.
3. The Board of Commissioners acknowledged the receipt of the October 28, 2009 Certificate of the County Auditor that the Annual Appropriations from each fund do not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2009, as presented by the Portage County Budget Commission.
4. The Board of Commissioners authorized payment to the Portage County Regional Planning Commission for the 2008 Aurora CHIP Fair Housing (citywide) for \$88.71, as presented by Neighborhood Development Services. No review required in accordance with the NDS/Board of Commissioners’ Commissioners’ Standard Operating Procedure (SOP).
5. The Board of Commissioners authorized payment to Goff’s Roofing of Windham for a 2008 Portage County CHIP Home Repair at 9429 Tower Drive in Streetsboro for \$2,475.00, as presented by Neighborhood Development Services. No review required in accordance with the NDS/Board of SOP.
6. The Board of Commissioners authorized payment to Goff’s Roofing of Windham for 2008 Portage County CHIP Home Repair for 9429 Tower Drive in Streetsboro for \$275.00 as presented by Neighborhood Development Services. No review required in accordance with the NDS/Board of Commissioners’ SOP.
7. The Board of Commissioners authorized payment to Advanced Contracting of Atwater for work completed at 3870 State Route 14 in Rootstown for \$4,482.00, as presented by Neighborhood Development Services. No review required in accordance with the NDS/Board of Commissioners’ SOP.
8. The Board of Commissioners authorized payment to P&K Enterprises of Ravenna for work completed at 6537 Terrill Street in Ravenna for \$4,950.00, as presented by Neighborhood Development Services. No review required in accordance with the NDS/Board of Commissioners’ SOP.

9. In response to the October 19, 2009 Notice from the Ohio Division of Liquor Control of a request for transfer of liquor license from Sunoco Inc R&M, dba Sunoco 6044 to Daily Enterprises Inc., 1836 State Route 59, Franklin Township, Kent, OH 44240, the Board of Commissioners agreed to not request a hearing noting that the Franklin Township Trustees were notified, have no objections, and are not requesting a hearing. The Board of Commissioners further authorized the Clerk to sign and return the Notice.
10. The Board of Commissioners signed the correspondence to Lemmon & Lemmon, Inc. of North Canton, Ohio, advising that the Portage County Water Resources Departmental records indicate Project No. BR-2 (09-060), Sterling Green Phase II, has been completed, including construction of all sewers, testing, and adjustment of manholes to final grade and restoration. All conditions of the Escrow Account Agreement and the General Sewer Agreement have been met and the sewer project is accepted by Portage County subject to the usual one year guarantee of workmanship and material.
11. The Board of Commissioners authorized the Floyd Browne Group to perform the final environmental assessment reports for a fee not to exceed \$3,100.00 for the Streetsboro Sanitary Sewer District No. 4, Streetsboro Trunk Sewer Rehabilitation Phase 2, Project No. ST-4 (06-270) and Phase 3, Project No. ST-4 (06-280), as recommended by Water Resources Department Director Harold Huff. Funding for this expense is available in the Streetsboro Sewer Fund - Professional Services Line.
12. Pursuant to House Bill 355, the Board of Commissioners acknowledged the receipt of the Portage County Combined General Health District Third Quarterly 2009 Report, as presented by DuWayne Porter, Health Commissioner.
13. The Board of Commissioners acknowledged the receipt of the transcript of proceedings related to the \$6,200,000 Various Purpose Notes, Series 2009, as presented by Squire Sanders.
14. The Board of Commissioners authorized payment to the Neighborhood Development Services Inc. for \$10,000 for the 2008 CHIP administration for the period of January through September 2009, as presented by the Neighborhood Development Services. Documents reviewed by the Grants Administrator who noted that the request appears to be in order.
15. The Board of Commissioners authorized payment to Neighborhood Development Services Inc. for \$4,000.00 for eight (8) Homebuyers Education counseling sessions, as presented by the Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
16. The Board of Commissioners authorized payment to Neighborhood Development Services Inc. for \$1,359.00 for the HOME RLF Administration for January through February 2009, as presented by the Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
17. The Board of Commissioners signed two (2) Satisfaction of Mortgages for John and Rita Kuhar, 6464 Lakeview in Brady Lake, as presented by the Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.

18. The Board of Commissioners signed the purchase requisition for Record Publishing for advertising for the Release of Funds for the B-F-09 Formula Grant for \$200.00, as presented by the Regional Planning Commission. The B-F-09-062-1 Formula Grant Activity #08 Administration is funding this request. Documents reviewed by the Grants Administrator who noted that the request appears to be in order.
19. The Board of Commissioners signed the payment authorization form for Habitat for Humanity of Portage County for the drilling of two (2) water wells for Habitat houses located at 1453 and 1463 Hillcrest in Atwater for \$3,533.24, as presented by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #01 New Construction is funding this expense. Documents reviewed by the Grants Administrator who noted that the request appears to be in order.
20. The Board of Commissioners signed the November 3, 2009 request to the Portage County Auditor asking that staff debit the General Fund and credit the Child Support Fund as follows, as recommended by the Department of Budget & Financial Management Director Audrey Tillis:

	ORG	OBJECT	AMOUNT	DESCRIPTION
Debit	00100004	492100	\$70,210.00	Local Share
Credit	84009211	160000	\$70,210.00	Local Match/Share

21. The Board of Commissioners authorized the Human Resources Department to use the Commissioners' Giant Eagle card to purchase bagels and juice for the 2010 Health Plan kick off meeting on November 10, 2009 at a cost not to exceed \$60.00. The Human Resources Department will reimburse the Commissioners for this purchase.
22. The Board of Commissioners accepted the recommendation of Department of Budget & Financial Management Director Audrey Tillis and approved a budget transfer of \$10,600 from the General Fund Contingency to the Clerk of Courts for an employee election change in Health Benefits.

Commissioner Frederick absent, motion carries.

\* \* \* \* \*

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **November 3, 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 4:00 PM. Commissioner Frederick absent, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

\* \* \* \* \*