

Tuesday, November 24, 2009

The Board of County Commissioners met in regular session on **Tuesday, November 24, 2009 at 10:00 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

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Absent: Christopher Smeiles

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It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the November 19, 2009 meeting. Commissioner Smeiles absent, motion carries.

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

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NURSING HOME

Present: Gary Mitrisin, Maureen Wern, Karen U’Halie, Allison Box

10:00 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider a discipline issue and a labor agreement issue. **Also present:** Gary Mitrisin, Maureen Wern, Karen U’Halie, Allison Box. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

Commissioner Smeiles attending at 10:15 AM

10:30 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** 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.

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PROSECUTOR

Present: Denise Smith

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Prosecutor’s Pending Items

1. The Board of Commissioners discussed the Whispering Meadows subdivision, noting that they received an email from a resident. Attorney Smith noted that, as agreed between the Board of Commissioners and Mr. Coffman, a Cognitive Note was sent to Mr. Coffman. His attorney has advised that he not sign it alone but to sign with his partners. The Board of Commissioners agreed to send a final letter to the developer asking for the names of his partners for inclusion on the Cognitive Note. The last option would be to file a lien on the last lot in the development.

2. The Board of Commissioners discussed the lease agreement for the Homeland Security and Emergency Management Office equipment. Attorney Scahill has advised that the owner may be in bankruptcy and delinquent in tax payments. Commissioner Keiper wondered if the rent amount can be paid to the county? Commissioner Frederick stated that she is not willing to pay public monies to someone who is so delinquent in tax payment. She wondered if the Havre Building was available for lease. Commissioner Smeiles responded that the Homeland Security and Emergency Management Office needs a 13-14 foot door to accommodate vehicles; Denise Smith agreed to determine if there is a delinquent issue at that site as well. Attorney Scahill will continue to prepare the draft lease.
3. The Board of Commissioners discussed juror compensation (currently \$15/day as set by the Board of Commissioners) noting that Portage County spends about \$55,000 per year. The Commissioners asked Attorney Smith to determine who sets the witness fees. Attorney Smith also advised that it is within the Board of Commissioners' discretion to change that daily fee.
4. Attorney Smith noted that Leigh Prugh is working with Dan Banks to finalize the agreement for the Portage County O&M Building.

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Prosecutor's Correspondence

November 24, 2009

1. The Board of Commissioners received the September 1, 2009 Report of Dog Warden's Investigation of animal(s), fowl or poultry killed or injured by dogs for owner of livestock, Terry Krauss, 613 Mishler, Suffield, for the loss of six (6) rabbits with a fair market value of \$ 20.00 each from a dog attack, as presented by Dave McIntyre, Portage County Dog Warden. Dog Warden McIntyre is disallowing the claim for the following reasons: (1) At time of loss, Claimant had unlicensed dogs; (2) Claimant is claiming three rabbits that were killed in 2008 but never reported; (3) Value of the 3 rabbits is \$60.00 per Farm Service Agency of Portage County, not the request \$220.00. The Board of Commissioners asked the Dog Warden to forward the claim information to the Prosecutor's Office for a final review.

On November 19, 2009, Attorney David Brode noted in an email that the Dog Warden "properly denied the claim for payment of the value of the rabbits killed because the claim is not timely filed and the claimant had unregistered dogs on the date the loss or injury occurred"./Journal Entry

2. November 17, 2009 correspondence from Attorney Leigh Prugh to Harold Huff regarding the FTC Red Flag Rules Compliance Policy. The Board of Commissioners adopted Resolution 09-0331 regarding this issue.
3. November 20, 2009 email from Attorney Denise Smith regarding the authority of the Board of Commissioners to offer a buyout as an incentive for an employee to retire/Information only.

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ECONOMIC DEVELOPMENT

Present: Bill Ulik

The Director noted that he has a meeting today with a company that may bring several hundred jobs to Portage County. He reminded the Board of Commissioners of the \$9.5 million available under the Recovery Zone Bonds that has been offered to the company.

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The Director noted that the Portage Development Board Articles of Incorporation have been filed with the IRS by Attorney Sarkis. Attorney Sarkis believes that he will hear within the next several months.

The Clerk will bring back the draft letter to the potential Board of Directors so the Board of Commissioners can contact each potential member directly.

The Board agreed that a Kickoff Event should be planned once the IRS approves the Articles of Incorporation.

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The Director plans to encumber funds in 2009 for the Marketing Material and Segmentation Study and the website development contract.

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Housekeeping

Mr. Ulik advised the Board of Commissioners that he is not happy with the housekeeping services at the new PCDED offices. He and Diana Fierle are vacuuming, mopping, cleaning their own bathrooms and taking out their own trash. The Board of Commissioners agreed to check with the Director of Maintenance about the cleaning schedule that is in place at that office.

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DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT

Present: Audrey Tillis

Resolutions

1. General Fund Amendments to the Annual Appropriation Resolution: /09-1094

- a. Commissioners, Supplemental – Transfer to Contingency for Departments
- b. Commissioners Other, Supplemental –BOC Appr 11-17-09 JE# 16, BOC Appr 11-19-09 JE #8, BOC Appr 11-19-09 JE #9,
- c. Budget & Financial Management, Transfer – Printing Budget Book
- d. Building Maintenance, Supplemental –Cover Year End Utility Expenses and BOC Appr 11-17-09 JE #16
- e. Clerk of Courts, Supplemental – BOC Appr 11-19-09 JE #8
- f. Sheriff’s Department, Transfer – Year End Projected Need
- g. Board of Elections, Supplemental and Transfer – BOC Appr 11-19-09 JE #9, and To cover Dues and Registration
- h. Veterans Services Commission, Transfer, DBFM Balance per Bob Park

2. Other Funds Amendments to the Annual Appropriation Resolution:/09-1095

- a. Fund 1017, Mediation & Dispute Grant DMST – Supplemental, To Close Grant
- b. Fund 1102, Marine Patrol Grant – Transfer, Year End Transfer per Grant
- c. Fund 1148, Kids in Treatment – Supplemental, End of Grant
- d. Fund 1201, Motor Vehicle and Gas Tax – Supplemental, New Road Signs
- e. Fund 1340, PCBDD General Administration – Supplemental, PCBDD Board Resolution
- f. Fund 1342, PCBDD Title V – Supplemental, PCBDD Board Resolution
- g. Fund 1343, PCBDD Part B IDEA – Supplemental, PCBDD Board Resolution
- h. Fund 1410, Job and Family Services – Transfer, Projected Need

- i. Fund 1414, Child Support General Administration – Supplemental & Transfer, Projected Need
- j. Fund 1460, Enforcement Protection Orders – Transfer, BOC Resol 09-0948 App 10/13
- k. Fund 4002, Multi Purpose CBU Acq & Rehab – Supplemental, Projected Need
- l. Fund 4003, Engineer’s Building – Supplemental, Projected Need
- m. Fund 4010, Prosecutor’s Building – Supplemental, Anticipated Expenses
- n. Fund 5200, PCS General Administration – Supplemental, Project 07-143 O&M Garage
- o. Fund 5312, PCS State Route 44 Vacuum – Supplemental, Project Expenses
- p. Fund 5315, PCS O&M Equipment Garage – Supplemental, New Construction Project
- q. Fund 5400, PCW General Administration – Supplemental, Cleveland Aurora Waterline
- r. Fund 5507, PCW Cleveland to Aurora – Supplemental, Anticipated Expenses
- s. Fund 5600, StS General Administration – Transfer, To Move Budget to Where Needed
- t. Fund 7101, Health Benefit Program – Transfer, To Correct Previous Transfer
- u. Fund 8105, Sheriff Gifts & Donations DARE – Transfer, Projected Need

3. Discussion Item:

- a. The County Auditor has asked for a correspondence from the Board of Commissioners requesting her input in the allocating of audit costs
- b. The Director is watching the Regional Planning Commission lines. She will bring back a resolution for a cash advance on December 1, 2009.

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11:35 AM Lunch Recess

1:05 Board of Commissioners reconvened

Commissioner Smeiles absent, attending a Kent Rotary Luncheon with US Representative Tim Ryan

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BUILDING DEPARTMENT CBO

Present: Bob Wrentmore, Jim Manion, Karen U'Halie, Audrey Tillis

1:05 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider an employment issue. **Also present:** CBO Wrentmore, General Services Director Jim Manion, Human Resources Department Director Karen U'Halie, Department of Budget & Financial Management Director Audrey Tillis. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

1:35 PM 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, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

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

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RESOLUTION No. 09-1082 - 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:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-1084

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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:

| | | |
|----------|------|---------------|
| 11/24/09 | 1460 | \$ 14,293.48 |
| 11/24/09 | 1458 | 11,843.85 |
| 11/24/09 | 1453 | 87,496.84 |
| 11/24/09 | 1369 | 9,731.70 |
| 11/23/09 | 1368 | 700.00 |
| 11/23/09 | 1367 | 57.00 |
| 11/23/09 | 1366 | 100.00 |
| 11/23/09 | 1365 | 200.00 |
| | | |
| Total | | \$ 124,422.87 |

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. 09-1085

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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:

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 **\$15,672.10** as set forth in Exhibit "A" dated **November 24, 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;

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RESOLUTION No. 09-1086

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RE:

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) USED 1987 ATHEY FORCE FEED LOADER - FROM THE BROWN COUNTY HIGHWAY DEPARTMENT OF NASHVILLE, INDIANA - FOR USE BY THE PORTAGE COUNTY ENGINEER.

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

WHEREAS, the Portage County Engineer, Michael A. Marozzi, wishes to purchase one (1) used **1987 Athey Force Feed Loader** from the Brown County Highway Department of Nashville, Indiana, and

WHEREAS, said loader was inspected by the Portage County Engineer's Garage Superintendent on November 9, 2009; now therefore be it

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

- WHEREAS,** it is necessary to rescind Resolution No. 09-1061 adopted November 17, 2009, determining to proceed with the construction of Project No. PC (07-143) Operations & Maintenance Garage Facility, as funding sources have changed, and
- WHEREAS,** pursuant to authorization by the Board contained in Resolution 07-0638, 07-0639 and 07-0640 adopted July 3, 2007, the Portage County Water Resources Department has prepared plans, specifications and estimate of cost for Project Nos. PC (07-140), ST-4 (07-141) & PC-W (07-142) Operations & Maintenance Equipment Garage, and
- WHEREAS,** plans, specifications and estimate of cost were approved and setting a date and time for acceptance of bids for the PROJECT have been approved by this Board by Resolution No. 09-0921 adopted October 6, 2009; and
- WHEREAS,** bids were received on November 2, 2009; and
- WHEREAS,** that the alternate bid additions A1 of \$16,573.00 for "Pavement Work Portage County Dog Warden" and A2 of \$2,280.00 for "Pavement Work Portage County Animal Protective League", have been submitted by the lowest bidder, evaluated, and collectively total \$18,853.00; and
- WHEREAS,** an estimate of total project costs, based on actual received bids for the PROJECT is on file in the office of the clerk of this Board; and
- WHEREAS,** by Resolution No. 09-1041 adopted November 10, 2009 combined Project Nos. PC (07-140), ST-4 (07-141) & PC-W (07-142) into Project No. PC (07-143) hereinafter referred to as the "PROJECT"; now therefore be it
- RESOLVED,** by the Board of Commissioners of Portage County, Ohio:
- Section 1. That said Resolution 09-1061 determining to proceed with construction of the PROJECT is rescinded.
- Section 2. That this Board hereby ratifies and approves the plans, character and termini of the improvement and estimate of cost for the PROJECT, all of which are now on file with this Board.
- Section 3. That it is hereby determined to proceed with the construction of the PROJECT as provided for in the aforesaid Resolution No. 09-0921, adopted on October 6, 2009 and in accordance with the plans and specifications, provided therefore.
- Section 4. That the total cost of the PROJECT is estimated to be \$1,705,495.00, which will be funded by utilizing the Ohio Water Pollution Control Loan Fund (American Recovery Reinvestment Act) of \$288,000.00, by utilizing the Multi-Purpose County Building Acquisition and Rehab Fund of \$18,853.00, and the remaining

costs of approximately \$1,398,642.00 shall be initially financed from the Portage County Regional Sewer District, Fund 5200. No part of such costs shall be specially assessed.

Section 5. That the ownership of the Operations and Maintenance Equipment Garage asset and associated costs will be allocated to Portage County Regional Sewer District Fund 5200, Portage County Regional Sewer District Fund 5400 and Streetsboro Sanitary Sewer District No. 4 Fund 5600 once fully completed using the following percentages 43.88%, 25.56% and 30.56%, respectively.

Section 6. That the Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Auditor, the Department of Budget and Financial Management and the Portage County Water Resources Department within 15 days after its passage.

Section 7. That the County Auditor is requested to assign a construction fund number for the Operations & Maintenance Equipment Garage and forward such assignment to the Department of Budget and Financial Management for processing.

Section 8. 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 was as follows:

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

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RESOLUTION No. 09-1090 - RE: ACCEPT BIDS AND AWARD CONTRACTS FOR PROJECT NO. PC (07-143), OPERATIONS AND MAINTENANCE EQUIPMENT GARAGE.

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

WHEREAS, this Board by Resolution No. 09-0921 adopted October 6, 2009, set the date and time for bidding of Project Nos. PC (07-140), ST-4 (07-141) and PC-W (07-142) Operations and Maintenance Equipment Garage; and

WHEREAS, this Board by Resolution No. 09-1041 adopted November 10, 2009, combined Project Nos. PC (07-140), ST-4 (07-141) and PC-W (07-142) into Project No. PC (07-143), hereinafter referred to as the PROJECT; and

WHEREAS, the notice of accepting bids was advertised in the Record Courier Newspaper on October 12 and October 19, 2009; and

WHEREAS, thirty-five potential bidders received plans and specifications for the PROJECT; and

WHEREAS,

this Board received eighteen bids for Contract 1 of the PROJECT on November 2, 2009, as named below:

| | |
|-------------------------------------|----------------------|
| Cavanaugh Building Corporation | \$ 1,292,000.00 |
| DSV Builders | \$ 1,432,931.00 |
| Lakeland Management Systems, Inc. | \$ 1,538,000.00 |
| Giambrone Construction, Inc. | \$ 1,572,600.00 |
| Augere Construction Company | \$ 1,577,443.00 |
| CT Taylor Construction | \$ 1,586,000.00 |
| Intec Building Systems, Inc. | \$ 1,607,000.00 |
| Henle Builders, Inc. | \$ 1,621,000.00 |
| Cleveland Construction | \$ 1,647,000.00 |
| Hummel Construction Company | \$ 1,649,000.00 |
| Workman Industrial Services, Inc. | \$ 1,663,800.00 |
| Bogner Construction Company | \$ 1,680,200.00 |
| Sterling Professional Group | \$ 1,693,600.00 |
| Seese/Sveda Construction | \$ 1,695,400.00 |
| Stanley Miller Construction Company | \$ 1,757,000.00 |
| J.T.O., Inc. | \$ 1,788,000.00 |
| Vendrick Construction | \$ 1,814,000.00 |
| Crick Contracting, LLC | \$ 2,025,000.00; and |

WHEREAS,

this Board received thirteen bids for Contract 2 of the PROJECT on November 2, 2009, as named below:

| | |
|-----------------------------------|-----------------|
| DSV Builders | \$ 1,156,931.00 |
| Intec Building Systems, Inc. | \$ 1,282,000.00 |
| Lakeland Management Systems, Inc. | \$ 1,288,000.00 |

| | |
|-------------------------------------|----------------------|
| Giambrone Construction, Inc. | \$ 1,303,450.00 |
| CT Taylor Construction | \$ 1,340,000.00 |
| Henle Builders, Inc. | \$ 1,341,000.00 |
| Workman Industrial Services, Inc. | \$ 1,398,124.00 |
| Cleveland Construction | \$ 1,420,000.00 |
| Seese/Sveda Construction | \$ 1,438,600.00 |
| Stanley Miller Construction Company | \$ 1,440,000.00 |
| Bogner Construction Company | \$ 1,455,500.00 |
| Vendrick Construction | \$ 1,514,000.00 |
| Cavanaugh Building Corporation | \$ 1,562,000.00 |
| Crick Contracting, LLC | \$ 1,799,000.00; and |

WHEREAS,

this Board received seven bids for Contract 3 of the PROJECT on November 2, 2009, as named below:

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|----------------------------------|--------------------|
| Emery Electric, Inc. | \$ 133,000.00 |
| Kozma Electric, Inc. | \$ 146,985.00 |
| B&J Electric of Poland, Inc. | \$ 169,950.00 |
| Speelman Electric, Inc. | \$ 171,400.00 |
| Thompson Electric, Inc. | \$ 182,900.00 |
| M&M Electrical Contractors, Inc. | \$ 191,280.00 |
| Penn Ohio Electrical Contractors | \$ 212,900.00; and |

WHEREAS,

this Board received five bids for Contract 4 of the PROJECT on November 2, 2009, as named below:

| | |
|--|---------------|
| Kline & Kavali Mechanical Contractors, LLC | \$ 123,900.00 |
| Harner Plumbing, Inc. | \$ 134,300.00 |
| Superior Heating & Plumbing, Inc. | \$ 145,600.00 |

Workman Industrial Services, Inc. \$ 158,624.00

Ellyson Plumbing & Heating Company \$ 165,500.00; and

WHEREAS, in accordance with Ohio Revised Code Section 9.31, Cavanaugh Building Corporation has submitted a formal bid withdrawal request citing that they had mistakenly switched their bids for Contract 1 and Contract 2, thereby resulting in an erroneously low bid of \$1,292,000 for Contract 1; and

WHEREAS, based upon the analysis of the bids received (bid tabulation attached), the Portage County Water Resources has made a recommendation for award; and

WHEREAS, that the alternate bid additions A1 of \$16,573.00 for "Pavement Work Portage County Dog Warden" and A2 of \$2,280.00 for "Pavement Work Portage County Animal Protective League", have been submitted by DSV Builders, Inc. for Contract 2 and evaluated; and

WHEREAS, the Portage County Board of Commissioners has received approval to award from the Ohio Environmental Protection Agency, who is administering the Ohio Water Pollution Control Loan Fund (American Recovery and Reinvestment Act); now therefore be it

RESOLVED, by the Board of Commissioners of Portage County, Ohio:

Section 1. That this Board does hereby accept the bid withdrawal request of Cavanaugh Building Corporation.

Section 2. That this Board does hereby reject all remaining bids for Contract 1 for the PROJECT since the combined total of the lowest base bids for Contracts 2 through 4 are lower than the remaining lowest bid received for Contract 1.

Section 3. That this Board does hereby award Contract 2 for the PROJECT to the responsive bid of DSV Builders, 1544 North Main Street, Niles, Ohio 44446, in the base bid amount of \$1,156,931.00.

Section 4. That this Board hereby authorizes Portage County Water Resources to accept the alternate A1 for "Pavement Work Portage County Dog Warden" for Contract 2, for an addition of \$16,573.00.

Section 5. That this Board hereby authorizes Portage County Water Resources to accept the alternate A2 for "Pavement Work Portage County Animal Protective League" for Contract 2, for an addition of \$2,280.00.

Section 6. That the Water Resources is hereby authorized and directed to issue the Notice Of Award for Contract 2 to the contractor named in Section 3 in the total amount of \$1,175,784.00.

Section 7. That this Board does hereby award Contract 3 for the PROJECT to the responsive bid of Emery Electric, Inc., 2080 Case Parkway South, Twinsburg, Ohio 44087, in the bid amount of \$133,000.00.

Section 8. That the Water Resources is hereby authorized and directed to issue the Notice Of Award for Contract 3 to the contractor named in Section 7.

Section 9. That this Board does hereby award Contract 4 for the PROJECT to the responsive bid of Kline & Kavali Mechanical Contractors, Inc., 130 South Depeyster Street, Kent, Ohio 44240, in the bid amount of \$123,900.00.

Section 10. That the Water Resources is hereby authorized and directed to issue the Notice Of Award for Contract 4 to the contractor named in Section 9.

Section 11. That the funds to cover the cost of the PROJECT are budgeted in the "Operations and Maintenance Equipment Garage", Fund 5315 and the Multi-Purpose County Building Acquisition and Rehab Fund 4002.

Section 12. That the Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Auditor and the Department of Budget and Financial Management within 15 days after its passage.

Section 13. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote was as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-1091

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RE:

APPROVE THE REVISED PREVENTION, RETENTION AND CONTINGENCY PLAN, EFFECTIVE DECEMBER 1, 2009, FOR THE PORTAGE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES.

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

WHEREAS,

Chapter 5108 of the Ohio Revised Code and rules issued under the chapter require that the Department of Job & Family Services to adopt a written statement of policies governing the prevention, retention, and contingency program for Portage County; and,

WHEREAS,

Revision No. 1 of the Prevention-Retention-Contingency Plan was entered into on February 22, 2007 through Resolution No. 07-0163 and became effective March 1, 2007; and

WHEREAS,

Revision No. 2 of the Prevention-Retention-Contingency Plan was entered into on October 4, 2007 through Resolution No. 07-0996 and became effective November 1, 2007; and

WHEREAS, Revision No. 3 of the Prevention-Retention-Contingency Plan was entered into on January 24, 2008 through Resolution No. 08-0085 and became effective February 15, 2008; and

WHEREAS, Revision No. 4 of the Prevention-Retention-Contingency Plan was entered into on May 22, 2008 through Resolution No. 08-0469 and became effective July 1, 2008; and

WHEREAS, Revision No. 5 of the Prevention-Retention-Contingency Plan was entered into on September 25, 2008 through Resolution No. 08-0980 and became effective October 1, 2008; and

WHEREAS, Revision No. 6 of the Prevention-Retention-Contingency Plan was entered into on September 10, 2009 through Resolution No. 09-0841 and became effective October 1, 2009; and

WHEREAS, the Director of the Portage County Department of Job & Family Services presented the Board of Commissioners with the Revised Prevention-Retention-Contingency Plan for the Portage County Department of Job & Family Services Division of Family Employment & Support Services, advising the Board of Commissioners that the Plan was revised in accordance with Substitute House Bill 408 and Chapter 5108 of the Ohio Revised and reviewed by the County Community Planning Committee; and,

WHEREAS, the Portage County Prosecutor's Office reviewed the revised Plan and advised that the proposed changes are consistent with the requirements of the applicable statutes and related regulations; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby certify that the Portage County Department of Job & Family Services complied with Chapter 5108 of the Ohio Revised Code in adopting the statement of policies and agrees to adopt this revised Prevention, Retention and Contingency (PRC) Plan in its entirety, as presented by the Director of the Portage County Department of Job and Family Services, effective December 1, 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;

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RESOLUTION No. 09-1092

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RE:

AUTHORIZE THE APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT, OHIO ENERGY OFFICE FOR THE RENEWABLE ENERGY PROGRAM.

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

WHEREAS, the Ohio Department of Development, Ohio Energy Office is seeking applications to implement renewable energy projects limited to solar electric, wind electric and solar thermal systems for governmental agencies in Ohio; and

WHEREAS, the Portage County Board of Commissioners is eligible to apply for this grant program and desires to submit an application to purchase solar and or wind technology for use at the County Administration Building; and

WHEREAS, the Portage County Grants Administrator has worked with the Portage County Regional Planning Commission, Family & Community Services, and the Portage County Solid Waste District, to form a collaborative grant project that includes solar panels for the Portage County Administrative Building, a high efficiency HVAC unit for the RPC building, energy efficient HVAC and chiller units for F&CS, and an energy efficient lighting retrofit for the Portage County Solid Waste District; and

WHEREAS, the Portage County Board of Commissioners will act as the lead entity on the grant application; and

WHEREAS, the Portage County Solid Waste District’s Board of Commissioners passed resolution 09-077 on November 17, 2009 authorizing the Portage County Solid Waste District to participate in this joint grant application with a request of \$18,000.00 for an energy efficient lighting retrofit; now therefore be it

RESOLVED, that the Portage County Board of Commissioners authorizes an application for Ohio Department of Development, Ohio Energy Office grant funding in the amount of \$490,000.00 for the purchase of energy efficient lighting for the Solid Waste Management District facility, solar panels for the Portage County Administration Building, a high efficiency HVAC unit for the Portage County Regional Planning Commission building, and high efficiency HVAC and chiller units for Family & Community Services; and be it further

RESOLVED, that the grant does not require a local match from Portage County; and be it further

RESOLVED, that the Portage County 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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RESOLUTION No. 09-1093

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RE:

ENTER INTO AMENDMENT NO. 3 BETWEEN THE BOARD OF COMMISSIONERS AND COLEMAN WELLNESS

SOLUTIONS FOR THE EMPLOYEE ASSISTANCE PROGRAM.

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles 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 December 1, 2009 to December 31, 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;

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RESOLUTION No. 09-1094

RE: AMENDMENT TO THE GENERAL FUND 2009 ANNUAL
APPROPRIATION RESOLUTION NO. 08-1181 ADOPTED
DECEMBER 11, 2008.

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

RESOLVED, that it has become necessary to amend the General Fund 2009 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below,

| | | <u>Increase</u> | <u>Decrease</u> |
|-------------------|--------------------------|--------------------|-------------------------|
| Fund: 0001 | General Fund | | |
| | 001 Commissioners | | |
| 00017 | Commissioners OE | 0 | 12,870 |
| 00019 | Commissioners ME | 0 | 14,500 |
| | MEMO TOTAL | <u><u>\$ -</u></u> | <u><u>\$ 27,370</u></u> |

Note: Transfer to Contingency for Departments

| | | | |
|-------|--------------------------------|-------------------------|--------------------------|
| | 010 Commissioners Other | | |
| 00107 | Commissioner Other OE | 74,500 | 57,140 |
| 00109 | Commissioner Other ME | 0 | 60,000 |
| | MEMO TOTAL | <u><u>\$ 74,500</u></u> | <u><u>\$ 117,140</u></u> |

Note: BOC Appr 11-17-09 JE#16 BOC Appr 11-19-09 JE #9 BOC Appr 11-19-09 JE #8

| | | | |
|-------|--|----------------------|----------------------|
| | 011 Budget & Financial Management | | |
| 00114 | DBFM CS | 0 | 100 |
| 00115 | DBFM MS | 100 | 0 |
| | MEMO TOTAL | <u><u>\$ 100</u></u> | <u><u>\$ 100</u></u> |

Note: Printing Budget Book

| | | | |
|-------|---------------------------------|-------------------------|--------------------|
| | 016 Building Maintenance | | |
| 00163 | Justice Center Maint Fringes | 3,240 | 0 |
| 00164 | Justice Center Maint CS | 30,000 | 0 |
| | MEMO TOTAL | <u><u>\$ 33,240</u></u> | <u><u>\$ -</u></u> |

Note: BOC Appr 11-17-09 JE# 16 To Cover Year End Expenses

| | <u>Increase</u> | <u>Decrease</u> |
|-------------------------------|-------------------------|--------------------|
| 500 Clerk of Courts | | |
| 05025 Clerk-Civil/Criminal MS | 12,870 | 0 |
| MEMO TOTAL | <u><u>\$ 12,870</u></u> | <u><u>\$ -</u></u> |

Note: BOC Appr. 11-19-09 JE #8

| | | |
|---------------------------------------|-------------------------|-------------------------|
| 700 Sheriff's Department | | |
| 07003 Sheriff-General Fringes | 1,000 | 0 |
| 07004 Sheriff-General Admin CS | 5,000 | 0 |
| 07005 Sheriff-General Admin MS | 10,000 | 0 |
| 0700E Sheriff-General Part Time | 0 | 2,000 |
| 0700M Sheriff-General Overtime | 1,000 | 0 |
| 07104 Sheriff-Corrections CS | 22,000 | 10,000 |
| 07105 Sheriff-Corrections MS | 9,000 | 0 |
| 0710D Sheriff-Corrections Full Time | 0 | 5,000 |
| 0710M Sheriff-Corrections Overtime | 0 | 5,000 |
| 0720D Sheriff-Detectives Full Time | 0 | 3,000 |
| 07303 Sheriff-Road Deputies Fringes | 4,000 | 9,000 |
| 0730D Sheriff-Road Deputies Full Time | 0 | 15,000 |
| 0740M Sheriff-Dispatch Overtime | 0 | 3,000 |
| MEMO TOTAL | <u><u>\$ 52,000</u></u> | <u><u>\$ 52,000</u></u> |

Note: Year end transfers

| | | |
|-------------------------------------|-------------------------|------------------------|
| 902 Board Of Elections | | |
| 09024 Board Of Elections CS | 1,643 | 0 |
| 09025 Board Of Elections MS | 0 | 1,643 |
| 09020 Board of Elections Retirement | 23,900 | 0 |
| MEMO TOTAL | <u><u>\$ 25,543</u></u> | <u><u>\$ 1,643</u></u> |

Note: Trans funds to pay registration and dues BOC Appr 11-19-09 JE #9

| | | |
|---|-------------------------|-------------------------|
| 903 Veterans Services Commission | | |
| 09033 Veterans Services Fringes | 3,000 | 0 |
| 0903D Veterans Services Full Time | 7,000 | 0 |
| 0903E Veterans Services Part Time | 0 | 10,000 |
| MEMO TOTAL | <u><u>\$ 10,000</u></u> | <u><u>\$ 10,000</u></u> |

Note: DBFM Bal. PER B. Park

| | | |
|--|--------------------------|--------------------------|
| TOTAL MEMO BALANCE ALL AMENDMENTS | <u><u>\$ 208,253</u></u> | <u><u>\$ 208,253</u></u> |
|--|--------------------------|--------------------------|

and be it further,

RESOLVED, that the notes stated in the resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation.

RESOLVED, that a certified copy of this resolution be filed with the 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 as Follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-1095

RE: AMENDMENT TO THE NON GENERAL FUND 2009
ANNUAL APPROPRIATION RESOLUTION NO. 08-1182
ADOPTED DECEMBER 11, 2008.

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

RESOLVED, that it has become necessary to amend the Non General Fund 2009 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below,

| | <i>Increase</i> | <i>Decrease</i> |
|--|-------------------------|--------------------|
| Fund: 1017 Mediation & Dispute Grant DMST | | |
| 550 Domestic Relations | | |
| 10179 Mediation & Dispute Grant ME | 38,110 | 0 |
| MEMO TOTAL | <u><u>\$ 38,110</u></u> | <u><u>\$ -</u></u> |

Note: TO CLOSE GRANT

| | | |
|---------------------------------------|----------------------|----------------------|
| Fund: 1102 Marine Patrol Grant | | |
| 700 Sheriff's Department | | |
| 11024 Sheriff-Marine Patrol CS | 0 | 300 |
| 11025 Sheriff-Marine Patrol MS | 700 | 400 |
| MEMO TOTAL | <u><u>\$ 700</u></u> | <u><u>\$ 700</u></u> |

Note: Year end transfer per grant

| | | |
|-------------------------------------|-------------------------|--------------------|
| Fund: 1148 Kids In Treatment | | |
| 570 Juvenile Court | | |
| 11489 Kids In Treatment ME | 26,125 | 0 |
| MEMO TOTAL | <u><u>\$ 26,125</u></u> | <u><u>\$ -</u></u> |

Note: END OF GRANT

| | | |
|--|------------------------|--------------------|
| Fund: 1160 Hazmat Operations | | |
| 930 Emergency Management Agency | | |
| 11605 Hazmat Operation MS | 4,000 | 0 |
| MEMO TOTAL | <u><u>\$ 4,000</u></u> | <u><u>\$ -</u></u> |

Note: Increase budget for bills

| | | <i>Increase</i> | <i>Decrease</i> |
|-------------------|--|-----------------|-----------------|
| Fund: 1165 | Homeland Security B (SHSP) | | |
| | 930 Emergency Management Agency | | |
| 11655 | Homeland Security B (SHSP) MS | 0 | 86 |
| 11657 | Homeland Security B (SHSP) OE | 86 | 0 |
| | MEMO TOTAL | \$ 86 | \$ 86 |

Note: Reimburse overpayment per grantor

| | | | |
|-------------------|----------------------------------|------------------|-------------|
| Fund: 1201 | Motor Vehicle And Gas Tax | | |
| | 800 Engineer's Department | | |
| 12013 | Motor Vehicle/Gas Tax Fringes | 15,500 | 0 |
| 12015 | Motor Vehicle/Gas Tax MS | 40,000 | 0 |
| 1201D | Motor Vehicle/Gas Tx Full Time | 25,000 | 0 |
| 1201E | Motor Vehicle/Gas Tx Part Time | 6,600 | 0 |
| | MEMO TOTAL | \$ 87,100 | \$ - |

Note: NEW ROAD SIGNS

| | | | |
|-------------------|---|-------------------|-------------|
| Fund: 1340 | PCBDD General Administration | | |
| | 905 Mental Ret & Dev Disability Bd | | |
| 13404 | MRDD General Admin CS | 90,000 | 0 |
| 13405 | MRDD General Admin MS | 11,900 | 0 |
| 13406 | MRDD General Admin CO | 198,100 | 0 |
| | MEMO TOTAL | \$ 300,000 | \$ - |

Note: PCBDD BOARD RESOLUTION

| | | | |
|-------------------|---|-------------|--------------|
| Fund: 1342 | PCBDD Title V | | |
| | 905 Mental Ret & Dev Disability Bd | | |
| 13425 | MRDD Title V Direct Serv MS | 0 | 81 |
| | MEMO TOTAL | \$ - | \$ 81 |

Note: PCBDD BOARD RESOLUTION

| | | | |
|-------------------|---|-----------------|---------------|
| Fund: 1343 | PCBDD Part B IDEA | | |
| | 905 Mental Ret & Dev Disability Bd | | |
| 13435 | MRDD Part B IDEA MS | 0 | 160 |
| 1343D | MRDD Part B IDEA Full-Time | 2,160 | 0 |
| | MEMO TOTAL | \$ 2,160 | \$ 160 |

Note: PCBDD BOARD RESOLUTION

| | | <i>Increase</i> | <i>Decrease</i> |
|-------------------|--|------------------|-----------------|
| Fund: 1390 | Women Infants And Children | | |
| | 053 Women, Infants & Children | | |
| 13903 | Women Infant Children Fringes | 30,000 | 0 |
| 13904 | Women Infants & Children CS | 1,000 | 0 |
| 1390E | Women Infant Childrn Part Time | 1,000 | 0 |
| | MEMO TOTAL | \$ 32,000 | \$ - |

Note: Balance 2009 Budget

| | | | |
|-------------------|------------------------------------|------------------|------------------|
| Fund: 1410 | Job And Family Services | | |
| | 051 Job And Family Services | | |
| 14103 | Job & Family Services Fringes | 0 | 24,593 |
| 14104 | Job & Family Services CS | 80,249 | 0 |
| 14105 | Job & Family Services MS | 0 | 4,865 |
| 14106 | Job & Family Services CO | 0 | 4,494 |
| 14107 | Job & Family Services OE | 0 | 23 |
| 1410D | Job & Family Service Full Time | 0 | 13,349 |
| 1410M | Job & Family Service Overtime | 0 | 14,675 |
| 14100 | Job & Family Services Retirement | 0 | 18,250 |
| | MEMO TOTAL | \$ 80,249 | \$ 80,249 |

Note: Projected need

| | | | |
|-------------------|-------------------------------------|-------------------|-------------------|
| Fund: 1414 | Child Support General Admini | | |
| | 051 Job And Family Services | | |
| 14143 | JFS Child Support Gen Fringes | 57,000 | 0 |
| 14144 | JFS Child Support General CS | 65,000 | 0 |
| 14145 | JFS Child Support General MS | 0 | 6,000 |
| 14149 | JFS Child Support General ME | 0 | 111,000 |
| 1414D | JFS Child Support Ge Full Time | 195,000 | 0 |
| | MEMO TOTAL | \$ 317,000 | \$ 117,000 |

Note: Projected need

| | | <i>Increase</i> | <i>Decrease</i> |
|-------------------|--------------------------------------|-----------------|-----------------|
| Fund: 1460 | Enforcement Protection Orders | | |
| | 300 Prosecutor | | |
| 14603 | Enforcement Protection Fringes | 1,597 | 0 |
| 14604 | Enforcement Protection CS | 0 | 3,500 |
| 14605 | Enforcement Protection MS | 0 | 2,187 |
| 1460D | Enforcement Protection Full-Time | 3,236 | 0 |
| | MEMO TOTAL | \$ 4,833 | \$ 5,687 |

Note: BOC Resol 09-0948 App 10/13

| | | | |
|-------|----------------------------------|-----------------|-----------------|
| | 590 Adult Probation | | |
| 14603 | Enforcement Protection Fringes | 768 | 0 |
| 14604 | Enforcement Protection CS | 0 | 2,500 |
| 14605 | Enforcement Protection MS | 0 | 272 |
| 1460D | Enforcement Protection Full-Time | 2,858 | 0 |
| | MEMO TOTAL | \$ 3,626 | \$ 2,772 |

Note: BOC Resol 09-0948 App 10/13

| | | | |
|-------------------|---|-------------|-------------------|
| Fund: 4002 | Multi Purpose C Bu Acq & Rehab | | |
| | 012 Central Purchasing Services | | |
| 40024 | Multi Purpose C Bu Acq & Re CS | 0 | 206,405 |
| | MEMO TOTAL | \$ - | \$ 206,405 |

Note: Projected Need

| | | | |
|-------------------|----------------------------------|-------------------|-------------|
| Fund: 4003 | Engineers Building | | |
| | 800 Engineer's Department | | |
| 40038 | Engineers Building DE | 139,890 | 0 |
| | MEMO TOTAL | \$ 139,890 | \$ - |

Note: Projected Need

| | | | |
|-------------------|--|---------------|-------------|
| Fund: 4010 | Prosecutor's Building | | |
| | 012 Central Purchasing Services | | |
| 40104 | Prosecutor's Building CS | 256 | 0 |
| | MEMO TOTAL | \$ 256 | \$ - |

Note: ANTICIPATED EXPENSES

| | | <i>Increase</i> | <i>Decrease</i> |
|-------------------|-----------------------------------|----------------------------|--------------------------|
| Fund: 5200 | PCS General Administration | | |
| | 060 Water Resources | | |
| 52003 | Portage County Sewer Fringes | 2,400 | 0 |
| 52004 | Portage County Sewer CS | 168,216 | 0 |
| 52005 | Portage County Sewer MS | 3,708 | 0 |
| 52009 | Portage County Sewer ME | 1,800,000 | 174,324 |
| | MEMO TOTAL | <u><u>\$ 1,974,324</u></u> | <u><u>\$ 174,324</u></u> |

Note: Project 07-143 O&M garage

| | | | |
|-------------------|----------------------------------|--------------------------|--------------------|
| Fund: 5312 | PCS State Route 44 Vacuum | | |
| | 060 Water Resources | | |
| 53126 | PCS State Route 44 Vacuum CO | 161,809 | 0 |
| | MEMO TOTAL | <u><u>\$ 161,809</u></u> | <u><u>\$ -</u></u> |

Note: PROJECT EXPENSES

| | | | |
|-------------------|-------------------------------------|----------------------------|--------------------|
| Fund: 5315 | PCS O&M Equipment Garage | | |
| | 060 Water Resources | | |
| 53156 | PCS O&M Equipment Garage CO | 1,413,831 | 0 |
| | MEMO TOTAL | <u><u>\$ 1,413,831</u></u> | <u><u>\$ -</u></u> |

Note: NEW CONSTRUCTION PROJECT

| | | | |
|-------------------|-----------------------------------|----------------------------|-------------------------|
| Fund: 5400 | PCW General Administration | | |
| | 060 Water Resources | | |
| 54004 | Portage County Water CS | 15,817 | 0 |
| 54005 | Portage County Water MS | 7,278 | 0 |
| 54007 | Portage County Water OE | 2,500 | 0 |
| 54009 | Portage County Water ME | 1,000,000 | 25,595 |
| | MEMO TOTAL | <u><u>\$ 1,025,595</u></u> | <u><u>\$ 25,595</u></u> |

Note: Cleveland Aurora Water Line

| | | | |
|-------------------|--------------------------------|---------------------|--------------------|
| Fund: 5507 | PCW Cleveland to Aurora | | |
| | 060 Water Resources | | |
| 55076 | PCW Cleveland to Aurora CO | 94 | 0 |
| | MEMO TOTAL | <u><u>\$ 94</u></u> | <u><u>\$ -</u></u> |

Note: ANTICIPATED EXPENSES

| | | <i>Increase</i> | <i>Decrease</i> |
|-------------------|-----------------------------------|-------------------------|-------------------------|
| Fund: 5600 | StS General Administration | | |
| | 060 Water Resources | | |
| 56004 | Streetsboro Sewer CS | 19,406 | 0 |
| 56005 | Streetsboro Sewer MS | 1,549 | 0 |
| 56009 | Streetsboro Sewer ME | 0 | 20,955 |
| | MEMO TOTAL | <u><u>\$ 20,955</u></u> | <u><u>\$ 20,955</u></u> |

Note: TO MOVE BUDGET TO WHERE NEEDED

| | | | |
|-------------------|--------------------------------|----------------------|----------------------|
| Fund: 7101 | Health Benefits Program | | |
| | 018 Human Resources | | |
| 71014 | HR Health Benefits CS | 750 | 0 |
| 71015 | HR Health Benefits MS | 0 | 750 |
| | MEMO TOTAL | <u><u>\$ 750</u></u> | <u><u>\$ 750</u></u> |

Note: To Correct Previous Transfer

| | | | |
|-------------------|---|----------------------|----------------------|
| Fund: 8105 | Sheriff Gifts & Donations DARE | | |
| | 700 Sheriff's Department | | |
| 81054 | Sheriff Gift Donation DARE CS | 0 | 100 |
| 81055 | Sheriff Gift Donation DARE MS | 100 | 0 |
| | MEMO TOTAL | <u><u>\$ 100</u></u> | <u><u>\$ 100</u></u> |

Note: Projected Need

| | | |
|---|----------------------------|--------------------------|
| TOTAL MEMO BALANCE FOR ALL FUNDS | <u><u>\$ 5,633,593</u></u> | <u><u>\$ 634,864</u></u> |
|---|----------------------------|--------------------------|

and be it further,

RESOLVED, that the notes stated in the resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation.

RESOLVED, that a certified copy of this resolution be filed with the 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 as Follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 09-1096 - RE: THE PORTAGE COUNTY BOARD OF COMMISSIONERS SUPPORTS THE 'STRENGTHENING AND UPDATING RESOURCES AND EQUIPMENT (SURE) ACT'

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

WHEREAS, The 'Strengthening and Updating Resources and Equipment (SURE) Act', H.R. 3837, has been introduced in the U.S. Congress to enable Federal Emergency Management Agency (FEMA) grant funds to be used by local governments to maintain equipment, not only to buy new equipment; and

WHEREAS, This amendment to the Homeland Security Act of 2002 to provide for clarification on the use of funds relating to homeland security grants is extremely important to local governments in order to adequately maintain homeland security equipment without unduly burdening our local budgets in these difficult economic times;

Now therefore be it

RESOLVED, that the Portage County Board of Commissioners does strongly encourage our representatives in Congress to support the passage of H.R. 3837, amending the Homeland Security Act of 2002 to allow grant funds to be used for maintenance costs for homeland security emergency equipment; 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 was as follows:

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

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RESOLUTION No. 09-1097 - RE: AWARD THE BID AND ENTER INTO AN AGREEMENT WITH LIFESERVICES EAP FOR AN EMPLOYEE ASSISTANCE PROGRAM.

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

WHEREAS, eight (8) firms requested bid documents for the employee assistance program; and

WHEREAS, on September 30, 2009 the Portage County Internal Services Department received, opened and tabulated four (4) bids for the program; and

Internal Services Director attending

13. Resolution presented by JoAnn Townend to extend the Coleman Contract for EAP Services. The Director advised the Board of Commissioners that this agreement should be extended to allow a transition period for the new contract to be in place/09-1093.
14. Resolution to award the bid and enter into an agreement with LifeServices EAP for an Employee Assistance Program. The Director contacted the references provided and noted that the city of Hudson did not return her call, Tallmadge is happy with the services provided in particular the training, and a county in Tennessee has been using LifeServices for eight years and is pleased with the service. Commissioner Smeiles noted that he would prefer to use a local company but Coleman was not the low bidder/09-1097
15. Resolution to support the Strengthening and Updating Resources and Equipment (SURE) Act/09-1096.

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INVITATIONS/MEETING NOTICES

November 24, 2009

1. Invitation to the Friday, December 11, 2009 Retirement Reception for Judge Watson from 1:00-3:00 PM in Courtroom B.
2. Invitation to the Tri-County Building and Trades Council Christmas Cocktail Party on Thursday, December 10, 2009 from 6:30 PM – 10:30 PM at the Hilton Akron/Fairlawn.

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INCOMING CORRESPONDENCE

DISCUSSION

November 24, 2009

1. The Board of Commissioners received notice that the following departments located in the Administration Building are open from 8:00 AM – Noon on December 24th and December 31st, 2009:
 - a. County Auditor
 - b. County Engineer's Tax Map
 - c. County Recorder
 - d. County Treasurer
 - e. Health Department

The Board of Elections will be open normal hours 8:00 AM – 4:30 PM both days/09-1098

2. On November 18, 2008, the Board of Commissioners approved the appointment of Deborah Mazanec as the Portage County Port Authority Secretary-Treasurer for 2009 and Diana Fierle as the Portage County Port Authority Assistant Secretary for 2009. The Port Authority meets on December 1, 2009 to make their 2010 appointments/Journal Entry
3. November 16, 2009 invoice from the Western Reserve Resource Conservation & Development (RC&D) Council for the 2010 annual dues in the amount of \$250.00/Journal Entry

4. The Health Commissioner presents the November 19, 2009 update in the H1N1 effort/Information only
5. EMA Director Jon Barber presents the COOP Proposal, as presented by Annette Petranic/Board of Commissioners agreed to meet with Homeland Security and Emergency Management Office Director Jon Barber to discuss this proposal.
6. November 18, 2009 request from Adult Probation for an \$18,000 cash advance in anticipation of receipt of federal funding. Referred to the Department of Budget & Financial Management and Grants Administrator/Information only at this time. Department of Budget & Financial Management Director Tillis advised the Board of Commissioners that she has provided Adult Probation with several options and noted that there will not be a General Fund operating transfer.
7. November 18, 2009 correspondence from AMATS regarding the availability of federal funding for transportation projects. Deadline to submit a Letter of Intent is December 18, 2009/Forward to the Grants Coordinator.
8. The Regional Planning Commission submits the draft resolution of support and concurrence with the NEFCO Comprehensive Economic Development Strategy for 2010 – 2011/The Board of Commissioners agreed that the Shalersville Industrial Park should be added to this project list. Clerk to contact the Regional Planning Commission to make that addition.
9. The Board of Commissioners agreed that their staff will continue to pay the Christley, Herington & Pierce invoices for labor negotiations for the Sheriff to allow the Department of Budget & Financial Management to track and monitor of spending.

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JOURNAL ENTRIES

November 24, 2009

1. The Board of Commissioners acknowledged the receipt of the Portage County Sheriff's Transporting Report for October 2009, in accordance with Ohio Revised Code Section 325.07. Forwarded to the Department of Budget & Financial Management for review and comment.
2. The Board of Commissioners received the **revised** Johnson & Angelo Invoice No. 30692 for \$1,874.00 for Nursing Home labor matters. Invoice reviewed by Human Resources Department Director Karen U'Halie who noted that the invoice was revised at her request after she noticed a discrepancy in the charges for a 10 minute call on October 29, 2009 that was billed at 30 minutes.
3. The Board of Commissioners authorized payment to P & K Enterprises of Ravenna, Ohio in the amount of \$7,875.00 for the 2008 Portage County CHIP Private Rahab for services provided for Walter Collins at 6537 Terrill Street in Ravenna, as presented by the Neighborhood Development Services. No review required.
4. The Board of Commissioners authorized payment to James Construction of Girard, Ohio in the amount of \$26,145.00 for the 2008 Portage County CHIP Private Rahab for services provided for Alma Coney at 6628 Cleveland Road in Ravenna, as presented by the Neighborhood Development Services. No review required.

5. The Portage County Engineer presents the Inventory of Road Machinery, Tools and Equipment as of November 15, 2009, in accordance with the Ohio Revised Code Section 5549.01. The Board of Commissioners noted that the Engineer is recommending the purchase of two Tandem Axle Dump Trucks in 2010.
6. Portage County Water Resources Department Director Harold Huff presents the Application and Certificate for Payment for the Brimfield/Shalersville Water Interconnection, Brimfield Booster Pump Station, Project No. SH-W (00-075) in Brimfield Township, authorizing payment of \$8,458.02 to Contractor Northeast Ohio Trenching Service of Warrensville Heights, Ohio.
7. The Portage County Engineer presents the Ohio Department of Transportation Annual County Highway 2009 County Highway System Mileage Certification, certifying that the total certified mileage at the end of Calendar Year 2009 in Portage County was 369.38 miles. After consideration of all mileage adjustments during Calendar Year 2009, the County Engineer certifies a total of 368.144 County miles as of December 31, 2009.
8. The Board of Commissioners acknowledged the receipt of the Animal Claim for a November 3, 2009 livestock kill by a dog(s) at 10663 Yale Road in Deerfield Township, as claimed by Chris Campbell. The Board of Commissioners noted that the Dog Warden will reimburse the livestock owner \$100.00 for five (5) rabbits.
9. Board of Commissioners' signature requested on the payment authorization form for SA Comunale Company of Barberton, Ohio for the installation of a point module for the Senior Center Hood Suppression System in the amount of \$2,242, as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #06 Senior Center is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
10. Board of Commissioners' signature requested on the payment authorization form for Sherwin Williams of North Canton, Ohio for the installation of carpeting at the Portage County Senior Center in the amount of \$5,853.40 as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #06 Senior Center is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
11. 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 Wells Fargo Home Mortgage c/o the Neighborhood Development Services for mortgage rescue for Client Number 2009-004, as presented by the Neighborhood Development Services Inc. Documents reviewed by Department of Budget and Financial Management with noted that the paperwork appears to be properly authorized and complete and that the purchase order and cash balance is sufficient to process payments.

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REFERRED

November 24, 2009

1. November 17, 2009 correspondence from Magistrate Dick Badger regarding the heating and cooling system in the county courthouse. Referred to the Director of Maintenance and General Services Director. Director Miller advised on November 19, 2009 that he would contact Mr. Badger immediately to investigate his concerns.

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INFORMATION ONLY

November 24, 2009

1. The Board of Commissioners received the November 18, 2009 email from JFS Director Herington regarding the Title XX awards for 2009-2010.
2. NEFCO presents the full packet of the November 18, 2009 General Policy Board Meeting.
3. The Board of Commissioners received the Portage County Regional Airport Board minutes of the October 14, 2009 meeting.

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Journal Entry

November 24, 2009

Motion by Maureen T. Frederick, seconded by Christopher Smeiles to approve the following actions:

1. The Board of Commissioners acknowledged the receipt of the Portage County Sheriff's Transporting Report for October 2009 in accordance with Ohio Revised Code Section 325.07. Forwarded to the Department of Budget & Financial Management for review and comment.
2. The Board of Commissioners authorized payment of the November 9, 2009 **Revised** Invoice #30692 for \$1,874.00 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of October 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 \$1,874.00.
3. The Board of Commissioners authorized payment to P & K Enterprises of Ravenna, Ohio in the amount of \$7,875.00 for the 2008 Portage County CHIP Private Rahab for services provided for Walter Collins at 6537 Terrill Street in Ravenna, as presented by the Neighborhood Development Services. No review required.
4. The Board of Commissioners authorized payment to James Construction of Girard, Ohio in the amount of \$26,145.00 for the 2008 Portage County CHIP Private Rahab for services provided for Alma Coney at 6628 Cleveland Road in Ravenna, as presented by the Neighborhood Development Services. No review required.
5. The Board of Commissioners acknowledged the receipt of the Inventory of Road Machinery, Tools and Equipment as of November 15, 2009, as presented by the Portage County Engineer in accordance with the Ohio Revised Code Section 5549.01. The Board of Commissioners noted that the Engineer is recommending the purchase of two Tandem Axle Dump Trucks in 2010.
6. The Board of Commissioners signed the Application and Certificate for Payment for the Brimfield/Shalersville Water Interconnection, Brimfield Booster Pump Station, Project No. SH-W (00-075) in Brimfield Township, authorizing payment of \$8,458.02 to Contractor Northeast Ohio Trenching Service of Warrensville Heights, Ohio, as presented by Water Resources Department Director Harold Huff.

7. The Board of Commissioners agreed that their Clerk Deborah Mazanec may continue to serve as the Portage County Port Authority Secretary-Treasurer for 2010 and the Office of Economic Development Executive Assistant Diana Fierle may continue to serve as the Assistant Secretary for 2010.
8. The Board of Commissioners received the September 1, 2009 Report of Dog Warden's Investigation of animal(s), fowl or poultry killed or injured by dogs for owner of livestock, Terry Krauss, 613 Mishler, Suffield, for the loss of six (6) rabbits with a fair market value of \$ 20.00 each from a dog attack, as presented by Dave McIntyre, Portage County Dog Warden. Dog Warden McIntyre is disallowing the claim for the following reasons: (1) At time of loss, Claimant had unlicensed dogs; (2) Claimant is claiming three rabbits that were killed in 2008 but never reported; (3) Value of the 3 rabbits is \$60.00 per Farm Service Agency of Portage County, not the request \$220.00.

The Board of Commissioners noted that, on November 19, 2009, Portage County Assistant Prosecuting Attorney David Brode advised in an email that the Dog Warden "properly denied the claim for payment of the value of the rabbits killed because the claim is not timely filed and the claimant had unregistered dogs on the date the loss or injury occurred". The Board of Commissioners acknowledged that the Dog Warden has correctly denied this claim.

9. On June 9, 2009, the Board of Commissioners signed the Personnel Action Form authorizing a six month leave of absence for educational purposes for Kristin Fields, Social Services Worker 3, and effective June 15, 2009 through an expected date of return on December 14, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.

Today, the Board of Commissioners signed the Personnel Action Form authorizing the reinstatement of Kristin Fields as a Social Services Worker 3 effective December 14, 2009, as presented by Human Resources Department Director Karen U'Halie and approved by Department of Job & Family Services Director Anita Herington.

10. The Board of Commissioners signed the Ohio Department of Transportation Annual County Highway 2009 County Highway System Mileage Certification, as presented by Portage County Engineer Mickey Marozzi, certifying that the total certified mileage at the end of Calendar Year 2009 in Portage County was 369.38 miles. After consideration of all mileage adjustments during Calendar Year 2009, the County Engineer certifies a total of 368.144 County miles as of December 31, 2009.
11. The Board of Commissioners authorized payment of the 2010 Annual Dues to the Western Reserve Resource Conservation & Development (RC&D) Council in the amount of \$250.00.
12. The Board of Commissioners acknowledged the receipt of the Animal Claim for a November 3, 2009 livestock kill by a dog(s) at 10663 Yale Road in Deerfield Township, as claimed by Chris Campbell and presented by the Portage County Dog Warden. The Board of Commissioners noted that the Dog Warden will reimburse the livestock owner \$100.00 for five (5) rabbits.
13. The Board of Commissioners signed the -payment authorization form for SA Comunale Company of Barberton, Ohio for the installation of a point module for the Senior Center Hood Suppression System in the amount of \$2,242, as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #06 Senior Center is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.

PAYINS FOR THE MONTH OF NOVEMBER 2009

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| 10/30/09 | 10600 | Maureen T. Frederick – Cell phone: \$3.52 Total: \$3.52 |
| 11/04/09 | 10689 | Range Resources – Oil Lease: \$348.51 Total: \$348.51 |
| 11/06/09 | 10704 | Charles W. Keiper II – Cell Phone: \$15.00 Total: \$15.00 |
| 11/09/09 | 10750 | Resource Energy – Oil Lease: \$76.71 Total: \$76.71 |
| 11/10/09 | 10765 | Ohio Public Defender – Public Defender: \$23,575.69 Total: \$23,575.69 |
| 11/20/09 | 10938 | Columbia Gas – Oil Lease: \$1.94 Total: \$1.94 |
| 11/20/09 | 10930 | Dept. of Justice – 2007-WE-AX-0048: \$31,873.85 Total: \$31,873.85 |

AUTHORIZATION OF EXPENSES FOR THE MONTH OF NOVEMBER 2009

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| 10/09/09 | Bill Trivelli/Vet Appt./Cuyahoga Falls, OH/October 8, 2009/\$0.00 |
| 10/14/09 | Sue Brannon, Sue Miller/PET User Group 2009/Columbus, OH/11/10/09/\$200.00 |
| 10/14/09 | John Clark, Tris Crisp/Pump Maintenance Schultz Fluid Handling/Solon, OH/11/02/09/\$27.00 |
| 10/16/09 | Dave Kline, Dave Prater, Paul Brannon/Temporary Traffic Mgt./Youngstown, OH/10/27/09/\$29.25 |
| 10/16/09 | Don West, Don VanMetre, Zach Martin/Temporary Traffic Mgt./10/27/09/Youngstown, OH/\$29.25 |
| 10/20/09 | Lynne Porter, Nick Anderson/Education & Community Resources Expo/Twinsburg, OH/10/21/09/\$60.47 |
| 10/21/09 | Bill Steiner/NEFCO, Green, OH/11/18/09/\$25.00 |
| 10/21/09 | Bill Steiner, Chuck Keiper/SWAC Meeting/Columbus, OH/11/19/09/\$175.00 |
| 10/21/09 | Bill Steiner, ERTAC/Cuyahoga Falls, OH/11/04/09/\$25.00 |
| 10/21/09 | Bill Steiner/EPA Meeting/Columbus, OH/11/05/09/\$135.00 |
| 10/21/09 | Judge Barbara Watson/Traffic Laws for Judges & Magistrates/Beachwood, OH/11/06/09/\$50.00 |
| 10/21/09 | Lisa Fay/OCDA Spring Conference Planning Meeting/Columbus, OH/10/28/09/\$64.00 |
| 10/22/09 | Brian Kelley/Information Security Summit Executive Dinner Event/Warrensville Hts., OH/\$0.00 |
| 10/22/09 | Chuck Keiper/NOPEC New Energy Conference/Solon, OH/November 20, 2009/\$0.00 |
| 10/22/09 | Kim Codner/Inservice Software Demo/Berea, OH/06/29/09/\$44.18 |
| 10/22/09 | Brian Kelley/NEO IT Think Tank Meeting/Cleveland, OH/11/15/09/\$10.00 |
| 10/23/09 | Brian Kelley/Tyler Technologist Odyssey Open House/Akron, OH/10/29/09/\$0.00 |
| 10/23/09 | Bill Steiner/Countywide Landfill/East Sparta, OH/10/26/09/\$50.00 |
| 10/26/09 | Brian Kelley, Janet Esposito, Joe Reichlin, Brenda Cumpston/NEOSA CIO Symposium/Independence, OH/11/10/09/\$0.00 |
| 10/26/09 | Brian Kelley/Ohio Digital Government Summit/Columbus, OH/11/02/09/\$10.00 |
| 10/26/09 | Richard Spinelli/Quarterly Meeting OWMA/Pataskala, OH/10/29/09/\$10.25 |
| 10/27/09 | Rebecca Ritterbeck/Summit On Local Government Sustainability/Columbus, |

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| | OH/11/19/09/\$25.00 |
| 10/27/09 | Chuck Keiper/NEOTEC Meeting/Cleveland, OH/ 11/09/09/\$50.00 |
| 10/27/09 | Harold Huff/Ohio NESOWEA Meeting/Solon, OH/11/12/09/\$20.00 |
| 10/28/09 | Sean Scahill, Roy Richards, Dave Morris, Andy Englehart, Lou Dearnbarger, Bob Park/OSAVSC Fall Conference/Columbus, OH/11/20-22/09/\$410.00 |
| 10/29/09 | Chuck Keiper/NEOTEC Intro to FTZ's & ITAC/Youngstown, OH/10/29/09/\$40.00 |
| 11/03/09 | Commissioners and Commissioners' Clerk/Portage Geauga Joint Board Meeting/Chardon, Ohio/December 3/\$0.00 |
| 11/03/09 | Charles W. Keiper II/Solid Waste Advisory Council 2010 Meetings/Columbus, Ohio/February 18, May 20, August 19, November 18, 2010/\$0.00 |
| 10/28/09 | William Ulik/Summit County Port Authority Meeting/Akron, Ohio/October 30/\$20.00 |
| 10/26/09 | Judge Plough/2009 Ohio Judicial Conference Annual Meeting/Dublin, Ohio/September 17-18/\$270.00 |
| 10/29/09 | Steve Shanafelt and Charles Wetmore/County Treasurer Association Fall Conference/Columbus, Ohio/November 17-19/\$1,200.00 |
| 11/04/09 | Dennis Lager and Leonard Hazelett/2009 Death Penalty Seminar/Columbus, Ohio/November 18-20/\$716.00 |
| 11/04/09 | Bill Steiner/ODNR - Glass Recycling in Ohio/Columbus, Ohio/December 8/\$150.00 |
| 11/04/09 | Michelle Ripley/Portage County Safety Council/Ravenna, Ohio/November 12/\$15.00 |
| 11/02/09 | Claudia Kotich/NESOWEA Meeting with Tour and Technical Sessions/Solon, Ohio/November 12/\$20.00 |
| 11/04/09 | Lori Evans, Kathy Corcey, and Mike Wright/OCCA Winter Conference/Columbus, Ohio/December 1-3/\$1,650.40 |
| 11/05/09 | Dale Novak/Brown County Road Department/Nashville, Indiana/November 9/\$200.00 |
| 11/10/09 | Charles W. Keiper II and Christopher Smeiles/Greater Akron Chamber 6 th Annual Local Elected Officials Luncheon/Akron, Ohio/December 11/\$140.00 |
| 10/22/09 | Charlene Badger/CCAO Winter Conference/Columbus, Ohio/December 7-8/\$431.00 |
| 11/13/09 | Karen U'Halie/2009 SERB Developing Labor Law Seminar/Columbus, Ohio/December 10/\$352.19 |
| 11/13/09 | Michelle Ripley/CCAO Winter Conference/Columbus, Ohio/December 7/\$45.00 |
| 11/17/09 | Becky Slepoy/Public Records and Meetings/Mantua, Ohio/November 18/\$8.98 |

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