



4. Enter into an agreement for Title XX Senior emergency Utility Assistance Services with Community Action Council and JFS 12/1/09 to 11/30/10./09-1130
5. Enter into an agreement for Title XX Home Based Services with QualCare LLC dba Home Instead Senior Care and JFS 12/1/09 to 11/30/10./09-1131
6. Enter into an agreement for Title XX Adult Day Services with Coleman Professional Services dba Coleman Adult Day Services and JFS 12/1/09 to 11/30/10./09-1132
7. Enter into an agreement for Title XX Home based services with Anna Maria At Home LLC and JFS 12/1/09 to 11/30/10./09-1133
8. Enter into an agreement for Title XX Best Choice Senior Meals with Family & Community Services and JFS 12/1/09 to 11/30/10./09-1134
9. Enter into an agreement for Title XX Senior Track Case Management Services with Family & Community Services and JFS 12/1/09 to 11/30/10./09-1135
10. Enter into an agreement for Title XX Transportation Services with POM dba Emerald Transportation and JFS 12/1/09 to 11/30/10./09-1136
11. Designation of financial institutions as a depository of public moneys of the County of Portage./09-1137

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**INFORMATION TECHNOLOGY**

Present: IT CIO Brian Kelley

The Board of Commissioners invited CIO Kelley to meet with them to discuss incoming emails that end up in their Junk Files. Mr. Kelley noted that 80% of emails received are SPAM, which are filtered by the Portage County server and routed to individual Junk folders. Commissioner Frederick noted that that she is concerned about the valid emails that are not junk that end up in the Junk folder. Mr. Kelley responded that there is a way to add an individual emailer to allow it to be accepted.

Commissioner Frederick suggested that the Board of Commissioners add some verbiage on the Commissioners' website page that if a person emails the Board of Commissioners or staff and does not hear back in a certain number of days to call the Commissioners' Office.

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**JOB & FAMILY SERVICES**

Present: Anita Herington, Terri Burns, Marlene Morgan

The Director presented the CSEA Performance for November 2009.

The Director presented the December 2, 2009 correspondence from Judge Carnes noting that the Portage County Juvenile Court will not have funds in 2010 to share in the cost of treatment programs for juveniles due to budget cuts.

11:10 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to discuss the investigation of charges or complaints against a public employee, official, licensee, or regulated individual,

unless the public employee, official, licensee, or regulated individual requests a public hearing. **Also present:**  
Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:35 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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**RESOLUTION No. 09-1121 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

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

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on December 10, 2009 in the total payment amount of **\$1,282,913.75 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;

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**RESOLUTION No. 09-1122 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

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

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on December 10, 2009 in the total payment amount as follows:

1. \$87,280.87 for Medical Mutual Claims-Fund 7101; and
2. \$5,047.48 MHM Resources, Inc (WageWorks, Inc.) for processing claims for Medical Mutual; and



12/09/09	804	14,769.00
12/09/09	797	3,361.98
12/07/09	537	10,080.39
12/07/09	535	2,331.10
12/07/09	534	16,589.49
12/07/09	533	3,384.64
12/07/09	530	100.00
12/07/09	529	3,171.90
12/07/09	528	3,208.96
Total		\$ 124,015.34

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. 09-1124**

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**RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

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

**WHEREAS,**

Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (Then and Now Certification), and

**WHEREAS,**

the Then and Now Certification is recommended by the State Auditor’s Office, the Portage County Auditor’s Office, and the Portage County Prosecutor’s Office, and

**WHEREAS,**

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

**RESOLVED,**

that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$179,751.39** as set forth in Exhibit “A” dated **December 10, 2009** shall be paid; and be it further



Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-1126**

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**RE:**

**AMEND RESOLUTION 03-0340, ADOPTED APRIL 17, 2003 - TO ADD THE COMMISSIONERS' PUBLIC RECORDS POLICY TO THE COMMISSIONERS' PERSONNEL POLICY MANUAL.**

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

- WHEREAS,** the Portage County Board of Commissioners adopted Resolution 03-0340 on April 17, 2003, substantially revising and updating the Commissioners' Personnel Policy Manual; and
- WHEREAS,** the Board of Commissioners adopted Resolution 08-0146 on February 12, 2008 adopting a Public Records Policy for use by the Commissioners' Department and authorizing the addition of that Policy to their Personnel Policy Manual, as required by Ohio Revised Code Section 149.43 (E)(2); and
- WHEREAS,** the Board of Commissioners adopted Resolution 09-0012 on January 8, 2009 amending Resolution 03-0340 to add the Commissioners' Public Records Policy to the Commissioners' Personnel Policy Manual; and
- WHEREAS,** the Board of Commissioners adopted Resolution 09-0861 on September 17, 2009 to add the Board of Commissioners' *revised* Records Retention Schedule (RC-2) General Records to include the retention schedule of communications made utilizing emerging technologies including e-mail, voice mail, text messaging, instant messaging, and similar systems and records for the Board of County Commissioners and its departments; and
- WHEREAS,** the Board of Commissioners received subsequent approval from the Ohio Records Commission and the Ohio Historical Society; now therefore be it
- RESOLVED,** that this resolution will amend Resolution 03-0340 by adding the attached, *revised* Commissioners' Public Records Policy, effective November 6, 2009, to the Board of Commissioners' Personnel Policy Manual; 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. 09-1127**

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**RE: ENTER INTO AN AGREEMENT FOR TITLE XX SENIOR RECREATION SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND PORTAGE COUNTY SENIOR SERVICES CENTER.**

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

**WHEREAS,** the Portage County Department of Job & Family Services is in need of Senior Recreation Services for Portage County senior citizens; and

**WHEREAS,** Requests for Proposals were sent to twenty-one (21) potential service providers; and

**WHEREAS,** Seventeen (17) proposals were received, opened and tabulated on October 26, 2009; and

**WHEREAS,** Portage County Senior Services Center is willing and able to provide these services; and

**WHEREAS,** The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Portage County Senior Services Center; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Portage County Senior Services Center with its principal place of business located at 705 Oakwood Street, Ravenna, OH 44266, for the period December 1, 2009 through November 30, 2010, with a one (1) year extension option; and be it further

**RESOLVED,** that the total amount of this Agreement is not to exceed Six thousand and 00/100 dollars (\$6,000.00); and be it further

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

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-1128 - RE: ENTER INTO AN AGREEMENT FOR TITLE XX  
SUBSTANCE ABUSE COUNSELING SERVICES BETWEEN  
THE BOARD OF COMMISSIONERS ON BEHALF OF THE  
PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY  
SERVICES AND TOWNHALL II.**

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

**WHEREAS,** the Portage County Department of Job & Family Services is in need of Substance Abuse Counseling Services for eligible Portage County adults without children; and

**WHEREAS,** Requests for Proposals were sent to twenty-one (21) potential service providers; and

**WHEREAS,** Seventeen (17) proposals were received, opened and tabulated on October 26, 2009; and

**WHEREAS,** Townhall II is willing and able to provide these services; and

**WHEREAS,** The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Townhall II; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Townhall II with its principal place of business located at 155 North Water Street, Kent, Ohio 44240, for the period December 1, 2009 through November 30, 2010, with a one (1) year extension option; and be it further

**RESOLVED,** that the total amount of this Agreement is not to exceed Three thousand nine hundred ninety-six and 60/100 dollars (\$3,996.60); and be it further

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

Voice vote as follows:

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

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**RESOLUTION No. 09-1129 - RE: ENTER INTO AN AGREEMENT FOR TITLE XX HOME  
REPAIRS AND ENERGY EFFICIENCY SERVICES  
BETWEEN THE BOARD OF COMMISSIONERS ON  
BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF**

**JOB & FAMILY SERVICES AND COMMUNITY ACTION  
COUNCIL OF PORTAGE COUNTY, INC.**

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

- WHEREAS,** the Portage County Department of Job & Family Services is in need of Home Repairs and Energy Efficiency Services for eligible Portage County senior citizens under Adult Protective Services; and
- WHEREAS,** Requests for Proposals were sent to twenty-one (21) potential service providers; and
- WHEREAS,** Seventeen (17) proposals were received, opened and tabulated on October 26, 2009; and
- WHEREAS,** Community Action Council of Portage County, Inc. is willing and able to provide these services; and
- WHEREAS,** The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Community Action Council of Portage County, Inc.; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Community Action Council of Portage County, Inc. with its principal place of business located at 1036 West Main Street, Ravenna, Ohio 44266, for the period December 1, 2009 through November 30, 2010, with a one (1) year extension option; and be it further
- RESOLVED,** that the total amount of this Agreement is not to exceed Forty-six thousand and 00/100 dollars (\$46,000.00); and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-1130**

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**RE:**

**ENTER INTO AN AGREEMENT FOR TITLE XX SENIOR  
EMERGENCY UTILITY ASSISTANCE SERVICES  
BETWEEN THE BOARD OF COMMISSIONERS ON  
BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF**

**JOB & FAMILY SERVICES AND COMMUNITY ACTION  
COUNCIL OF PORTAGE COUNTY, INC.**

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

**WHEREAS,** the Portage County Department of Job & Family Services is in need of Senior Emergency Utility Assistance Services for eligible Portage County senior citizens under Adult Protective Services; and

**WHEREAS,** Requests for Proposals were sent to twenty-one (21) potential service providers; and

**WHEREAS,** Seventeen (17) proposals were received, opened and tabulated on October 26, 2009; and

**WHEREAS,** Community Action Council of Portage County, Inc. is willing and able to provide these services; and

**WHEREAS,** The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Community Action Council of Portage County, Inc.; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Community Action Council of Portage County, Inc. with its principal place of business located at 1036 West Main Street, Ravenna, Ohio 44266, for the period December 1, 2009 through November 30, 2010, with a one (1) year extension option; and be it further

**RESOLVED,** that the total amount of this Agreement is not to exceed Nineteen thousand three hundred twenty and 00/100 dollars (\$19,320.00); and be it further

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

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-1131**

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**RE:**

**ENTER INTO AN AGREEMENT FOR TITLE XX HOME  
BASED SERVICES BETWEEN THE BOARD OF  
COMMISSIONERS ON BEHALF OF THE PORTAGE  
COUNTY DEPARTMENT OF JOB & FAMILY SERVICES**



**AND COLEMAN PROFESSIONAL SERVICES DBA  
COLEMAN ADULT DAY SERVICES.**

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

**WHEREAS,** the Portage County Department of Job & Family Services is in need of Adult Day Services for supervised daytime care to prevent and/or reduce neglect, abuse or exploitation to eligible Portage County disabled adults or senior citizens under Adult Protective Services; and

**WHEREAS,** Requests for Proposals were sent to twenty-one (21) potential service providers; and

**WHEREAS,** Seventeen (17) proposals were received, opened and tabulated on October 26, 2009; and

**WHEREAS,** Coleman Professional Services d.b.a. Coleman Adult Day Services is willing and able to provide these services; and

**WHEREAS,** The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and Coleman Professional Services d.b.a. Coleman Adult Day Services; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Coleman Professional Services d.b.a. Coleman Adult Day Services with its principal place of business located at 6695 North Chestnut Street, Ravenna, Ohio 44266, for the period December 1, 2009 through November 30, 2010, with a one (1) year extension option; and be it further

**RESOLVED,** that the total amount of this Agreement is not to exceed Fifteen thousand and 00/100 dollars (\$15,000.00); and be it further

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

Voice vote as follows:

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 09-1133**

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**RE:**

**ENTER INTO AN AGREEMENT FOR TITLE XX HOME  
BASED SERVICES BETWEEN THE BOARD OF  
COMMISSIONERS ON BEHALF OF THE PORTAGE**







- WHEREAS,** Seventeen (17) proposals were received, opened and tabulated on October 26, 2009; and
- WHEREAS,** POM d.b.a. Emerald Transportation is willing and able to provide these services; and
- WHEREAS,** The Agreement form attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Department of Job & Family Services and POM d.b.a. Emerald Transportation; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby enter into an Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and POM d.b.a. Emerald Transportation with its principal place of business located at 705 Oakwood Street, Suite 215, Ravenna, Ohio 44266, for the period December 1, 2009 through November 30, 2010, with a one (1) year extension option; and be it further
- RESOLVED,** that the total amount of this Agreement is not to exceed Five thousand one and 50/100 dollars (\$5,001.50); and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

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

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**RESOLUTION No. 09-1137                      -                      RE:                      DESIGNATION OF FINANCIAL INSTITUTIONS AS A DEPOSITORY OF PUBLIC MONEYS OF THE COUNTY OF PORTAGE.**

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

- WHEREAS,** the following financial institutions have filed an application and have been found to be eligible to be designated as a public depository, and, upon the recommendation of the Portage County Treasurer it is now therefore
- RESOLVED,** that the following financial institutions be designated as a public depository for active and/or inactive moneys of the County of Portage and/or all moneys coming lawfully into the possession and/or custody of the Portage County Treasurer:

National City (PNC)  
Portage Community Bank

;and be it further



**“EXHIBIT A”**

**PORTAGE COUNTY BOARD OF COMMISSIONERS  
MANDATORY COST SAVINGS DAYS (“CSD”) PROGRAM**

1. Purpose

This policy is issued pursuant to O.R.C. §124.393 which authorizes a county appointing authority to establish a mandatory cost savings program not to exceed eighty (80) hours of unpaid furlough between July 1, 2009 and June 30, 2010 and an additional eighty (80) hours between July 1, 2010 and June 30, 2011. This mandatory cost savings program is being implemented to reduce personnel costs due to a lack of funds and for reasons of economy in accordance with O.R.C. §124.321.

2. Scope

The full-time employees, listed below, under the Portage County Board of Commissioners shall serve an unpaid furlough of eighty (80) hours between December 21, 2009 and June 27, 2010 and another eighty (80) hours between July 1, 2010 and December 12, 2010, for a total of one-hundred and sixty (160) hours. Part-time employees shall serve an unpaid furlough according to departmental staffing requirements, but not to exceed eighty (80) hours between December 21, 2009 and June 27, 2010 and up to another eighty (80) hours between July 1, 2010 and December 12, 2010 according to departmental staffing needs. These days shall be designated as cost savings days (“CSDs”). The Portage County Board of Commissioners reserve the right to modify or eliminate this program at any time. The following employees in these positions will serve out their unpaid furloughs as above-referenced:

Commissioners’ Clerk	Grant Administrator
Executive Assistant to the Board	General Services Director
Director – Budget/ Fiscal Management	Budget/Financial Analyst
Grant & Debt Service Mgt. Specialist	Building Maintenance Director
Office Manager – Maintenance	Maintenance Staff (5)
Maintenance Housekeepers (7)	Microfilm/Records Director
Camera Operator	Director – Human Resources
Security Officers (6)	Senior Center Director
Senior Center Clerks (2)	Director – Building Regulations
Residential Plan Reviewer	Building Regulations Clerks (3)
Office Manager - Building Regulations	

3. Guidelines

The mandatory CSDs shall be implemented, effective December 21, 2009 (Pay Period No. 1 with check date of January 8, 2010). In an effort to ease the burden on employees, the following options may be available:

A. **Non-Exempt Employees** / Reduction of Hours - Full-time employees listed above, who are non-exempt under the Fair Labor Standards Act shall reduce their work schedule. Leave shall be considered as leave without pay and as inactive pay status. The employee has the option to: 1) select ten (10) out of the fourteen (14) bi-weekly pay periods between December 21, 2009 and June 14, 2010

and work nine out of the ten days in each pay period; and select ten (10) out of the twelve bi-weekly pay periods between July 1, 2010 and December 12, 2010 and work nine out of the ten days in each pay period; or 2) select ten (10) out of the fourteen (14) bi-weekly pay periods between December 21, 2009 and June 14, 2010 and work five days each week, with one day in each week reduced by four hours; and select ten (10) out of the twelve bi-weekly pay periods between July 1, 2010 and December 12, 2010 and work five days each week, with one day in each week reduced by four hours; or 3) choose two full weeks (five days/week) between December 21, 2009 and June 14, 2010 and another two full weeks (five days/week) between July 1, 2010 and December 12, 2010 as unpaid leave.

**B. Exempt Employees / Unpaid Leave of Absence** - Full-time employees listed above, who are exempt under the Fair Labor Standards Act [refer to the Department of Labor, Wage and Hour Division's Fact Sheet No. 17A] have the option to: 1) select two (2) full weeks between December 21, 2009 and June 14, 2010, and select two (2) full weeks between July 1, 2010 and December 12, 2010 to take an unpaid leave of absence of no less than one (1) full week in 5 consecutive days (Monday through Friday) within a bi-weekly pay period, for a total of four weeks (160 hours); or 2) reduce employee's gross bi-weekly wages for each pay period beginning with pay period starting December 21, 2009 through the pay period beginning November 29, 2010 by 7.69% (requires Payroll Change Authorization form) and employee would reduce hours worked by 6.15 hours per each pay period. Leave shall be considered as leave without pay and as inactive pay status.

Note: If an exempt employee opts to take a block of time, they will be required to sign a "No Work" agreement, agreeing not to conduct any kind of work during that week (i.e., sending and receiving work-related e-mails or phone calls, etc.).

**C. New Hires and Terminations/Resignations** - Employees who are hired after December 21, 2009, or who separate prior to taking all CSDs, shall have their final pay pro-rated to reflect the actual amount of time off on CSDs.

#### 4. Miscellaneous

Employees so designated must have completed taking their one-hundred and sixty (160) hours of Cost Savings Days no later than December 12, 2010.

Pursuant to Journal Entry dated October 27, 2009, full-time employees who are furloughed shall maintain their full-time status for the purpose for Portage County Health Benefits. Further, under same Journal Entry, the Board of Commissioners agreed that during a furlough period, vacation and sick leave would continue to accrue at the employee's current rate prior to the furlough.

CSDs shall not be considered a break in service or effect retention points.

CSDs will run concurrent with Family Medical Leave.

Employees on paid injury leave, wage continuation or other extended leave are subject to the CSDs on the same basis as other employees.

Employees who separate from service will be paid out vacation leave at the employee's current rate of pay upon separation. At retirement, an employee is entitled to pay for a portion of earned but unused sick leave at the rate of pay in effect at the time of retirement.

As is the case with other unpaid leaves of absences, if the CSD leave occurs during the employee's "high 3," the employee's earnings are reduced, thereby resulting in a reduction in the employee's annuity. So long as an employee continues to possess an earnable salary of \$250/month, the employee meets the eligibility requirements to continue to receive PERS service credit.

5. Prohibitions

The days and hours of leave should be for a consistent period of time each week and mutually agreed upon by the employee, his/her supervisor and approved by the appropriate Department Director. Each department has the right to determine dates when CSDs will not be allowed due to operational considerations.

Employees must be in an active pay status (regular hours or some form of paid leave) both the day before a holiday and the day after the holiday in order to be eligible to receive holiday pay.

Employees are not eligible to earn overtime or compensatory time while on any type of CSD leave or change in workweek schedule.

Caseloads and/or work assignments will not be adjusted to accommodate a CSD leave or change in workweek schedule.

**Portage County Board of Commissioners  
Mandatory Cost Savings Days ("CSD") Program Agreement**

<b>Employee's Name:</b> _____	<b>Department:</b> _____
<b>Employee Status:</b> <input type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt	
<b>Estimated Cost Savings:</b> \$ _____ (hourly rate including fringe costs, multiplied by the number of hours in CSD Plan)	

By signing this document I indicate my agreement to participate in the following CSD Plan:

**Reduction of Hours**

I agree to a reduced work schedule beginning \_\_\_\_\_ (date) and ending \_\_\_\_\_ (date). I agree to reduce my hours of work from \_\_\_\_ hours per week/per pay period (circle one) to \_\_\_\_ hours per week/per pay period (circle one) during the following weeks/pay periods (circle one):

I understand that this will result in a proportional reduction in pay.

I agree that my hours may be increased as needed. I further understand that I am not entitled to overtime compensation until I work more than forty (40) hours in a workweek in accordance with Portage County's current policy for overtime compensation.

**Unpaid Leave of Absence (a full week Monday through Friday)**

I agree to take a total of four (4) weeks of unpaid leaves of absence, subject to operational needs, beginning the weeks of:

\_\_\_\_\_ (date) and ending on \_\_\_\_\_ (date),  
\_\_\_\_\_ (date) and ending on \_\_\_\_\_ (date),  
\_\_\_\_\_ (date) and ending on \_\_\_\_\_ (date),  
\_\_\_\_\_ (date) and ending on \_\_\_\_\_ (date),

I agree not to conduct work of any kind (i.e., sending and receiving work related e-mails or phone calls, etc.) on the days that I am scheduled to be on unpaid leave under this plan.

**Reduction of Wages**

I agree to a reduction of my gross wages by 7.69% for each pay period beginning with the pay period on December 14, 200 through the pay period beginning November 29, 2010. Subsequently, I will reduce the hours I work by 6.15 hours per each pay period, subject to operational needs.

I agree that my hours may be increased as needed.

**Cancellation Policy:** An agreement under this program can be terminated by the Portage County Board of Commissioners upon ten (10) working days' notice in writing to the employee. Such termination shall not be subject to appeal or grievance.

I hereby acknowledge that I have been given a copy of the Portage County Board of Commissioners' Mandatory Cost Savings Program.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Date Received: \_\_\_\_\_

HR Representative: \_\_\_\_\_

Comments:

Approved

Denied

Appointing Authority Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Copy: Employee  
Benefits Specialist

Employee's Personnel File  
Payroll Department

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## RESOLUTIONS

December 10, 2009

1. Approval of Meeting Minutes from the December 3, 2009 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Internal Auditor./09-1121
3. Approve the wire transfer as presented by the County Auditor./09-1122
4. Approve the Journal Vouchers as presented by the County Auditor./09-1123
5. Approve Then & Now as presented by the County Auditor./09-1124
6. Accept Blue Stone Lake Drive and Morningside Drive in the Blue Stone Lake Subdivision, Mantua Township, Portage County (County Engineer)./09-1125
7. Amend Resolution No. 03-0340 adopted April 17, 2003 to add the Commissioners' Public Records Policy to the Commissioners' Personnel Policy Manual (Human Resources Department)./09-1126

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**INVITATIONS/MEETING NOTICES**

December 10, 2009

1. Meeting notice for the AMATS Policy Committee Meeting Wednesday, December 16, 2009, 1:30 PM, Martin University Center, Akron.
2. Notice of Public Hearing for the Suffield Township Board of Zoning Appeals on Thursday, December 17, 2009, 8:00 PM at the Suffield Town Hall.
3. Invitation from Mantua Township for the Mayor's Annual Christmas Party on Friday, December 18, 2009, 6:30 PM, Mantua Township Civic Center.
4. Invitation for the 50<sup>th</sup> Anniversary of The Kent Presbyterian Church on Saturday, December 12, 2009, 6:00 PM, 1456 East Summit St., Kent.
5. Invitation to the 2010 NACo Legislative Conference, Saturday-Wednesday, March 6-10, 2009, Washington.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

December 10, 2009

1. Discussion: Portage Development Board/Each Commissioner is contacting potential Board members with goo results.
2. December 1, 2009 correspondence from Magistrate Richard Badger, Common Pleas Court, Domestic Relations Division, regarding the heating/cooling system/Executive Assistant to follow-up with Mr. Badger.
3. Discussion: Telephone call from Deborah Austin, regarding the Martin Luther King Breakfast for the Kids/Each Commissioner to respond
4. Discussion: to adopt and implement a mandatory cost savings days program for the Board of Commissioners in accordance with State Budget Bill (HB 1). Human Resources Director Karen U'Halie available if needed/09-1138. The Board of Commissioners noted that they approve this action with heavy hearts and agree that their employees do remarkable work.
5. December 7, 2009 e-mail from Anita Herington, Job and Family Services, regarding the door/stairway in the fiscal office/The Board of Commissioners agreed that the Maintenance Department should weatherize/winterize the street door to determine if that will help the situation.
6. December 3, 2009 correspondence from Hiram Township Trustees, regarding 9-1-1/The Board of Commissioners forwarded the correspondence to Homeland Security and Emergency Management Office Director Jon Barber for investigation.
7. December 4, 2009 correspondence from Earl Wright, regarding the Robinson Memorial Hospital, the new facility in Streetsboro and recycling of plastic/Executive Assistant to prepare a response

8. December 8, 2009 memo from Karen U’Halie, Human Resources Department, regarding the 2010 IRS Standard Mileage Rates – Travel & Expense Reimbursement/Journal Entry.
9. December 8, 2009 e-mail from Janet Esposito, County Auditor, to Mike Coury and Gary Mitrisin, The Woodlands At Robinson, regarding revenues and outstanding liabilities/The Department of Budget & Financial Management Director will meet with the nursing home staff today.
10. Discussion: Brimfield Plaza photo.

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**JOURNAL ENTRIES**

December 10, 2009

1. Board of Commissioners’ authorization requested to reimburse expenses incurred August 1, 2009 to October 31, 2009 while administering the Portage County Revolving Loan Fund 1285 for \$7,691.24 as requested by the Kent Regional Business Alliance. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
2. The Board of Commissioners received the December 1, 2009 Civil Division Yearly Report which include monies paid in and monies still owed for the year 2009 as presented by the Portage County Sheriff’s Department. (Referred to Department of Budget and Financial Management).
3. Board of Commissioners’ authorization requested to pay Invoice No. 1409, dated December 2, 2009 from Norlson Inc. for the guaranteed maintenance agreement for one year effective January 12, 2010 through January 12, 2011 on the Commissioners’ Sony BM-246 4 track recorder #611637 for \$180.00.
4. Board of Commissioners’ signature requested on the Ohio Department of Agriculture Present Condition Report for the Andrew Luckay Farm in Hiram Township, as presented by the Portage Soil & Water Conservation District.
5. The Board of Commissioners received the November 24, 2009 correspondence indicating Community Membership dues for 2010 are \$140,757.21 as presented by the Regional Planning Commission. (Payment is not required at this time).
6. The Board of Commissioners received the December 1, 2009 correspondence from Jennifer White, Portage Soil & Water Conservation District, to Cindy Shy, Ohio Department of Agriculture, including the 2009 Annual Monitoring Reports for the following Portage County farms: Groselle (2002) Groselle (2007), Knippenberg, Moore, Rodenbucher, and Wise.
7. The Board of Commissioners received the Portfolio Report for November 2009 as presented by the Portage County Treasurer.
8. The Board of Commissioners received the December 3, 2009 correspondence from The Woodlands at Robinson Director Gary Mitrisin to County Auditor Janet Esposito, requesting that staff debit Fund 5100 for the cost allocation of \$14,769.00 and credit the General Fund as follows:

<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
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<b>Debit</b>	51000544	481000	\$ 14,769.00	FY 09 Cost Allocation
<b>Credit</b>	00100001	152000	\$ 14,769.00	FY 09 Cost Allocation

9. Board of Commissioners' authorization requested to pay Neighborhood Development Services, Inc. \$ 3,172.00 for Section 17 RLF Administration payment as requested by Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
10. Board of Commissioners' signature requested on the December 3, 2009 correspondence to Michael Hiler, Ohio Department of Development, requesting a six month extension for Grant No. B-F-08-062-1.
11. Board of Commissioners' signature requested on the payment authorization form for GB Hawk Construction to install central air for homeowner Theodore Watters located at 759 Diane Ave., Streetsboro for \$495.00 as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
12. Board of Commissioners' signature requested on the payment authorization form for GB Hawk Construction to install central air for homeowner Theodore Watters located at 759 Diane Ave., Streetsboro for \$4,455.00 as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
13. Board of Commissioners' signature requested on the payment authorization form for Pioneer Builders Inc. to correct drainage problems for homeowner Robert Russo located at 1377 Cecil Drive, Streetsboro for \$ 405.50 as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
14. Board of Commissioners' signature requested on the payment authorization form for Pioneer Builders Inc. to correct drainage problems for homeowner Robert Russo located at 1377 Cecil Drive, Streetsboro for \$ 3,649.50 as requested by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
15. Board of Commissioners' authorization requested to have Commissioner Keiper sign the 2008 CDBG Formula Grant Status Report for \$381,000.00 as requested by the Regional Planning Commission.

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**REFERRED**

December 10, 2009

1. The Board of Commissioners received the Owner/Tenant Statement of balance due for water usage at County owned properties for November 2009 as presented by the City of Ravenna. Referred to Internal Services.

2. December 2, 2009 e-mail from Commissioner Keiper to Anita Herington, Job and Family Services, regarding Workforce Investment Act Pell Grant usage.
3. December 2, 2009 correspondence from Michael Hiler, Ohio Department of Development, regarding the status for Grant No. B-F-08-062-1. Referred to Regional Planning Commission and Grants Administrator.
4. December 2, 2009 correspondence from Michael Hiler, Ohio Department of Development, regarding the status for Grant No. B-Z-08-062-1. Referred to Regional Planning Commission and Grants Administrator.
5. December 3, 2009 memo from Nancy Dailey, WIC, including a resignation letter from Ora Spicer as of January 31, 2010. Referred to Human Resources Department to bring back to the Board/Journal Entry
6. December 4, 2009 correspondence from Jim Dudley, Insurance Services Office, Inc., regarding a field visit appointment with Robert Wrentmore, Portage County Building Department for Wednesday, December 9, 2009 at 10:00 AM.

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**PLEASE ADD TO THE AGENDA**

December 10, 2009

1. December 1, 2009 correspondence from the Ravenna Township Trustees, to Brady Lake Village, Deerfield, Edinburg, Palmyra and Paris Townships and Local Emergency Planning Committee, indicating the Ravenna Township Dispatch office will officially close on April 30, 2010/Schedule meeting with Department of Homeland Security & Emergency Management Director Jon Barber ASAP.
2. December 9, 2009 memo from Judge Enlow, Common Pleas Court, regarding the 2010 budget and the idea of not paying jurors for service due to budget constraints/Information only
3. December 9, 2009 e-mail from William Ulik, Economic Development, including draft correspondence regarding the Portage Development Board/Commissioner Keiper to redraft the letter.
4. Board of Commissioners' signature on the purchase requisition for Neighborhood Development Services for purchase of real estate located at 3279 State Route 59, Ravenna, for Acquisition/Land Banking in the amount of \$46,817.16 as requested by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Grant land Banking/Demolition Activity is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted./Journal Entry
5. Board of Commissioners' signature requested on the payment authorization form for advertising Request for Qualifications for \$168.00 as requested by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Grant Activity #03 General Administration is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted./Journal Entry.
6. Discussion: Ohio EPA Annual Discharge Fee Invoice – to be paid from Stormwater Funds per the County Engineer – Original invoice sent to Mickey Marozzi.
7. The Board of Commissioners acknowledged receipt of the Certificate of Participation presented to Commissioner Christopher Smeiles for participation in the December 9, 2009 Auditor of State's Certified Public Records Training/Journal Entry

8. Board of Commissioners' authorization requested to pay Invoice No. 17811 dated December 7, 2009 for 2010 Membership Dues to the County Commissioners Association of Ohio \$8,859.00/Journal Entry.
9. November 24, 2009 Notice from Ohio Division of Liquor Control of a request for a new liquor license for D&L Wiley Properties LLC, 1212 SR 183, Atwater Township, Atwater, OH. Does Board of Commissioners wish to request a hearing? The Atwater Township Trustees have no objections and are not requesting a hearing. Board authorization requested to have the Clerk to sign and return the notice/Journal Entry

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**INFORMATION ONLY**

December 10, 2009

1. December 2, 2009 e-mail from Anita Herington, Job and Family Services to David Brode and Denise Smith, Prosecutor's Office, regarding the Subsidized Employment Plan (SEP) Contract.
2. December 2, 2009 e-mail from JoAnn Townend, Internal Services, regarding Job and Family Services Title XX Senior Recreation Services Memorandum of Understanding.
3. December 2, 2009 correspondence from Jason Segedy, AMATS, including the *Transportation Outlook* plan.
4. December 3, 2009 correspondence from Barb Deakins, Townhall II, including a copy of the Independent Audit Report for the year ending June 30, 2009.
5. December 4, 2009 correspondence from Anita Herington, Job and Family Services to Jean Lombardi, in response to a public records request.
6. November 18, 2009 correspondence (received December 8, 2009) from D. Nicholas Rees, regarding The Buckeye Ranch.

\* \* \* \* \*

**Journal Entry**

December 10, 2009

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

1. The Board of Commissioners authorized reimbursement of expenses incurred between August 1, 2009 to October 31, 2009 while administering the Portage County Revolving Loan Fund 1285 for \$7,691.24, as presented by the Kent Regional Business Alliance. Documents reviewed by Department of Budget and Financial Management with no exceptions noted.
2. The Board of Commissioners acknowledged the receipt of the December 1, 2009 Civil Division Yearly Report which include monies paid in and monies still owed for the year 2009 as presented by the Portage County Sheriff. (Referred to Department of Budget and Financial Management).
3. The Board of Commissioners authorized payment of Invoice No. 1409, dated December 2, 2009 from Norlson Inc. for the guaranteed maintenance agreement for one year effective January 12, 2010 through

January 12, 2011 on the Commissioners' Sony BM-246 4 track recorder #611637 for \$180.00. The Board further authorized Commissioner Keiper to sign the agreement.

4. The Board of Commissioners signed the Ohio Department of Agriculture Present Condition Report for the Andrew Luckay Farm in Hiram Township, which has been accepted into the Clean Ohio Agricultural Easement Purchase Program, as presented by the Portage Soil & Water Conservation District.
5. The Board of Commissioners acknowledged the receipt of the November 24, 2009 correspondence indicating Community Membership dues for 2010 are \$140,757.21, as presented by the Regional Planning Commission. (Payment is not required at this time).
6. The Board of Commissioners acknowledged the receipt of the December 1, 2009 correspondence from Jennifer White, Portage Soil & Water Conservation District, to Cindy Shy, Ohio Department of Agriculture, including the 2009 Annual Monitoring Reports for the following Portage County farms: Groselle (2002) Groselle (2007), Knippenberg, Moore, Rodenbucher, and Wise.
7. The Board of Commissioners acknowledged the receipt of the Portfolio Report for November 2009, as presented by the Portage County Treasurer.
8. The Board of Commissioners acknowledged the receipt of the December 3, 2009 correspondence from The Woodlands at Robinson Director Gary Mitrisin to County Auditor Janet Esposito, requesting that staff debit Fund 5100 for the cost allocation plan in the amount of \$14,769.00 and credit the General Fund as follows:

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<u>Debit</u>	51000544	481000	\$ 14,769.00	FY 09 Cost Allocation
<u>Credit</u>	00100001	152000	\$ 14,769.00	FY 09 Cost Allocation

9. The Board of Commissioners authorized payment of Neighborhood Development Services, Inc. for \$ 3,172.00 for Section 17 RLF Administration payment as requested by Neighborhood Development Services. Documents reviewed by Department of Budget and Financial Management who recommended payment of the fees.
10. The Board of Commissioners signed the December 3, 2009 correspondence to Michael Hiler, Ohio Department of Development, requesting a six month extension for Grant No. B-F-08-062-1 to allow time for the Habitat for Humanity to find two low-moderate income purchases for the homes in Atwater Township. Grants Administrator.
11. The Board of Commissioners signed the payment authorization form for GB Hawk Construction of Tallmadge to install central air for homeowner Theodore Watters at 759 Diane Avenue, Streetsboro for \$495.00 (retainage), as presented by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
12. The Board of Commissioners signed the payment authorization form for GB Hawk Construction of Tallmadge to install central air conditioning and vinyl windows for homeowner Theodore Watters at 759 Diane Avenue, Streetsboro for \$4,455.00, as presented by the Regional Planning Commission. The B-F-08-

062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.

13. The Board of Commissioners signed the payment authorization form for Pioneer Builders Inc. of Wadsworth to correct drainage problems for homeowner Robert Russo, 1377 Cecil Drive, Streetsboro for \$405.50 (retainage), as presented by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
14. The Board of Commissioners signed the payment authorization form for Pioneer Builders Inc. of Wadsworth to correct drainage problems for homeowner Robert Russo, 1377 Cecil Drive, Streetsboro for \$ 3,649.50, as presented by the Regional Planning Commission. The B-F-08-062-1 Formula Grant Activity #02 Home/Building Repair is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
15. The Board of Commissioners authorized Commissioner Keiper to sign the 2008 CDBG Formula Grant Status Report for \$381,000.00, as presented by the Regional Planning Commission. Documents reviewed by the Grants Administrator with no exceptions noted.
16. The Board of Commissioners, upon review by the Human Resources Department Director Karen U'Halie, accepted the recommendation of Nursing Home Administrator Gary Mitrisin and agreed to deny the request of The Woodlands at Robinson employee Jan Dremann for the extension of medical leave.
17. The Board of Commissioners acknowledged the receipt of the December 3, 2009 memo from WIC Program Manager advising of the retirement of Office/Medical Assistant Ora Spicer effective January 31, 2010. The Board of Commissioners authorized the posting of this position internally in Portage County prior to advertisement in local newspapers.
18. The Board of Commissioners acknowledged the receipt of the Certificate of Participation presented to Commissioner Christopher Smeiles for participation in the December 9, 2009 Auditor of State's Certified Public Records Training.
19. The Board of Commissioners authorized payment in 2010 of Invoice No. 17811 dated December 7, 2009 for 2010 Membership Dues to the County Commissioners Association of Ohio in the amount of \$8,859.00.
20. In response to the November 24, 2009 Notice from Ohio Division of Liquor Control of a request for a new liquor license for D&L Wiley Properties LLC, 1212 SR 183, Atwater Township, Atwater, Ohio, the Board of Commissioners agreed not to request a hearing noting that the Atwater Township Trustees have no objections and are also not requesting a hearing. The Board of Commissioners authorized the Clerk to sign and return the notice.
21. The Board of Commissioners signed the purchase requisition for Neighborhood Development Services for the purchase of real estate located at 3279 State Route 59, Ravenna, for Acquisition/Land Banking in the amount of \$46,817.16 as requested by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Grant land Banking/Demolition Activity is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.

- 22. The Board of Commissioners signed the payment authorization form for advertising Request for Qualifications for \$168.00, as presented by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Grant Activity #03 General Administration is funding this expense. Documents reviewed by the Grants Administrator with no exceptions noted.
- 23. The Board of Commissioners signed the December 8, 2009 memo to Human Resources Department Director Karen U’Halie agreeing to use the 2010 IRS Standard Mileage Rates – Travel & Expense Reimbursement beginning January 1, 2010.

All in favor, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners’ meeting on **December 10, 2009**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Maureen T. Frederick to adjourn the official meeting at **11:35 AM**. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Vice President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

\* \* \* \* \*

**Public Hearing: Petition for Annexation of 22.36 Acres  
Nelson Township to the Garrettsville Village**  
Thursday, December 10, 2009  
Portage County Board of Commissioners’ Board Room  
Convened: 1:00 PM

Present: Portage County Commissioners Charles W. Keiper II, Maureen T. Frederick, Christopher Smeiles, County Auditor Janet Esposito, Attorney Chris Meduri, Attorney James Scher, Attorney Michelle Stuck, Charolette Maggard, Lawrence Maggard, Bob Sommer, Dave Calhoun, William Wilson, Paul Lazonoff, Peggy Lazonoff, Amy Hutchinson, Mike Sever, Clerk Deborah Mazanec

- 1. INTRODUCTION OF THE BOARD OF COMMISSIONERS – Charles W. Keiper II**  
Commissioner Keiper introduced Commissioners Frederick and Smeiles and asked that all attending sign the attendance sheet at the door as this will become part of the permanent record.
- 2. PURPOSE OF THE HEARING – Deborah Mazanec, Commissioners’ Clerk**  
This public hearing is being held in accordance with Section 709.02 of the Ohio Revised Code for the purpose of informing the public of a proposed petition for annexation of 22.36 acres of land from Nelson Township to the Village of Garrettsville. The Board of Commissioners notes the receipt of the November 25, 2009 *Request to Amend Petition for Annexation* to reflect the Village of Garrettsville’s decision to allow Nelson Township to retain the real estate taxes levied in the parcels within this proposed annexation.

The Commissioners' role in the annexation process is to ensure that certain conditions for annexation, as stipulated by Ohio Revised Code Section 709.033(A), have been met.

3. **SWEARING IN OF THOSE WHO ARE SPEAKING** – Commissioner Keiper read the oath and asked all who intend to speak to respond.

Do you solemnly affirm under the penalties of the law of perjury of the State of Ohio that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?

**PLEASE RESPOND:** I do.

4. **PORTAGE COUNTY ENGINEER'S FINDINGS – County Engineer Mickey Marozzi**

County Engineer Marozzi was unavailable to attend the public hearing and sent a December 10, 2009 correspondence noting his completed review of the revised plat and description, which he received on November 30, 2009. This annexation request was filed with the Board as a “regular” annexation petition. The Engineer offered the following technical review comments regarding the above referenced annexation petition.

1. Legal Description: The accuracy of the legal description submitted is acceptable for annexation purposes and agrees with the plat.
2. Plat or Map: The plat submitted is acceptable for annexation purposes and agrees with the description.

Although the legal description and plat appear to be in agreement and are acceptable, there are a few deficiencies that should be addressed or added to the plat before it is filed. The following items should be addressed by the petitioner's surveyor. They may contact our office for verbal clarification, if required.

1. A 60.00 ft. dimension needs to be added to the plat. This relates to course 7 in the legal description.
2. A bearing (N 89° 20' 00" W) needs to be added to the plat. This relates to course 8 in the description.
3. The 3 frontage distances along Brosius Road add up to 842.17 ft. Course 11 in the description has it called out as 842.18 ft. These should agree.

In addition to the above comments, the County Engineer noted that this annexation includes two (2) distinct parcels of land that are not contiguous. This issue should be clarified with legal counsel as being acceptable for a regular annexation. He also noted for the record that the two parcels of land are surrounded by land that already is in the Village's Corporation Limits.

5. **PORTAGE COUNTY PROSECUTOR'S OFFICE**

Portage County Attorney Chris Meduri noted that it is not a problem that the parcels are not contiguous since all parcels are contiguous to the Village. He recommended that the petitioner comply with the suggested changes to the plat, as recommended by the County Engineer.

Attorney for the Petitioner Scher responded that the changes will be made and a final version submitted to the Board of Commissioners.

6. **AGENT FOR THE PETITIONERS**

Attorney James Scher noted that there are three parcels in the proposed area to be annexed that are dissected by Village land. All of the items submitted are in compliance with the Ohio Revised Code. He added that the petitioners want sanitary sewer and other village services.

**7. GARRETTSVILLE VILLAGE**

Attorney Michelle Stuck noted that the Village will accept the annexed parcels if approved by the Board of Commissioners. She added that the Village has adopted a resolution stating that and also a second resolution permitting the Township to retain the real property taxes levied on the properties proposed to be annexed, which Attorney Chris Meduri presented (Village of Garrettsville’s Resolution 2009-57) for the public record.

**8. NELSON TOWNSHIP**

William Wilson stated that the Township has met with Village representatives and they have no issues with this annexation. He did wonder why the petitioner chose to pursue sewer services now when they were refused several years ago when offered.

**9. PUBLIC COMMENT**

- For the Petition – None
- Against the Petition - None

Paul Lazonoff asked if there is any plan to develop this property. Attorney Stuck responded that the only plan if for a cemetery. Commissioner Smeiles asked what the area is zoned. Attorney Stuck responded that she believes it is zoned rural/residential but that it is consistent with the surrounding area. Mr. Lazonoff asked if he could get in writing that there is no plan to develop this area. Attorney Scher responded that his clients do not intend to develop the area. Commissioner Keiper added that the Board of Commissioners cannot make that request.

Dave Calhoun, whose property abuts the area to be annexed, asked if the petitioner wants sewers and the Village forgoes taxes, how will the Village support the services? Attorney Stuck responded that the landowner pays the fees to tap into the sewer system with no additional burden to the Village.

Bob Sommer asked if homes are built in the area to be annexed, what would the lot size be? Commissioner Keiper responded that Village zoning would dictate the lot size. Commissioner Smeiles added that the annexation process does not allow the Board of Commissioners to consider those types of concerns.

**10. CLOSING STATEMENT BY THE ATTORNEY FOR THE AGENTS - None**

**11. CLOSING STATEMENT, NELSON TOWNSHIP TRUSTEES – None**

**12. CLOSING STATEMENT, VILLAGE OF GARRETTSVILLE – None**

**13. CLOSING STATEMENT – BOARD OF COMMISSIONERS**

Commissioner Keiper stated that, within 30 days after the conclusion of this hearing, the Board of Commissioners must adopt a resolution granting or denying the petition for annexation and enter it upon the Board’s journal. He added that the Board of Commissioners will consider this issue after they receive the changes to the plat as recommended by the County Engineer.

Hearing no further comment, the public hearing adjourned at 1:15 PM.

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