

**Tuesday, January 19, 2010**

The Board of County Commissioners met in regular session on **Tuesday, January 19, 2010 at 9:25 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

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It was moved by Maureen T. Frederick, seconded by Christopher Smeiles to approve the meeting minutes of the January 14, 2010 meeting. All in favor, motion carries

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

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The Board of Commissioners discussed the possible removal of Airport Board Member Tim Hartong. Commissioner Smeiles met with Mr. Hartong to discuss this issue and notes that Mr. Hartong is not interested in stepping down. The Board of Commissioners agreed to schedule the required removal hearing with Mr. Hartong during a regular Board of Commissioners' meeting.

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#### **THE WOODLANDS AT ROBINSON**

Present: Gary Mitrisin, Karen U'Halie

Mr. Mitrisin advised the Board of Commissioners that the census is at 71.

9:30 AM In accordance with the Ohio Rev. Code Ann. (121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to discuss The Woodlands at Robinson labor negotiations and a discipline issue. **Also present: Nursing Home Administrator Gary Mitrisin and Human Resources Department Director Karen U'Halie.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

9:42 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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#### **KENT REGIONAL BUSINESS ALLIANCE**

Present: Jack Crews, Department of Budget & Finance Director Audrey Tillis

Mr. Crews is attending today to discuss the KRBA Microenterprise RLF. Mr. Crews noted that the center is trying to create a jobs program in the current economy getting people in a business, growing that business

to create more jobs. This is not a loan program for those who cannot get loans. He added that about 75% of the businesses who receive loans are successful; the current economy somewhat lessened that percentage.

The request today is for an increase of the approved loan amount ceiling from \$6,000 to \$10,000 and an increase in administration from 10% to 20%. The Board of Commissioners agreed that they are not certain that they want to double the admin fees. Mr. Crews added that the KRBA is carrying other programs and cannot do that anymore with this program.

Mr. Crews has mailed a report of the loans outstanding to Director Tillis. The report will show the payment history and balances. Once the Director receives the report she will bring it to the Board of Commissioners for discussion. Director Tillis also to follow-up with the Neighborhood Development Services about the funding. Director Tillis also recommended that the Board of Commissioners consider an amendment to the current agreement to deal with program revenue that is coming in. The microenterprise loan is now in-house, with a \$37,000 cash balance and a \$320 balance for administration.

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**PROSECUTOR**

Present: Denise Smith

**Review of Prosecutor's Pending List**

1. Attorney Denise Smith advised that the Solid Waste Management District public utility question has been completed and will be sent to the Board of Commissioners after her final review.
2. The unfinished subdivisions issue has been reassigned to Attorney Chris Meduri until Leigh Prugh returns in April.

Commissioner Smeiles noted that he spoke with Developer Ken Coffman regarding the Whispering Meadows subdivision. Attorney Leigh Prugh sent a letter notifying Mr. Coffman of a January 8, 2010 deadline to submit an executed mortgage and cognovit note to the Board of Commissioners or legal action will ensue. He noted that Mr. Coffman's attorney has advised him not to sign without his partners. Commissioner Smeiles advised that he advised Mr. Coffman to execute the document presented by the Prosecutor's Office and then have his partners execute documents with him. The Clerk advised the Board that Jim Albertoni had called last week for an update.

The Board of Commissioners asked Attorney Smith to check on the status of the Mantua Subdivision.

3. The Board of Commissioners received faxed notice of the Official Grievance Forms files with Sheriff Doak by the union for the Road Patrol deputies and Corrections Officers. Attorney Smith advised that this is information only for the Board of Commissioners at this time.

4. The Board of Commissioners advised Attorney Smith that they are considering the removal of Airport Board Member Tim Hartong for a conflict of interest. The Board of Commissioners will hold the required hearing ASAP to hear Mr. Hartong's explanation/Clerk to schedule the hearing and invite Attorneys Smith and Meduri.
  
5. Attorney Smith advised the Board of Commissioners that the county is not responsible for the fall of a bank employee at the Home Savings Bank site in Ravenna. She agreed with the Human Resources Department recommendation that the employee file a BWC claim with her employer since the Board of Commissioners is not the responsible party.

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**WATER RESOURCES - Cancelled**

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**RFQ for Business Development Services through the GAPP**

Commissioner Frederick advised the Board that she met with JFS Director Anita Herington and PCDED Director Bill Ulik to discuss a possible Portage County proposal for this RFQ. There was discussion of submitting a proposal through the Port Authority, noting that the proposal is due by 3:00 PM on January 26, 2010. Commissioner Frederick added that there is \$62,000 available for Portage County although Ashtabula County wants to take all of the funding and provide services to Portage County.

Anita Herington attending to discuss using the Port Authority to submit a proposal for these funds. The Board of Commissioners will direct PCDED Director Bill Ulik to move this forward with the Port Authority or via a contract with the PCDED Office. Commissioner Keiper noted that he would consider leaving the GAPP if Ashtabula County does get all of these funds.

**2010 CENSUS**

The JFS Director noted that she is hearing from the ODJFS about how important the census replies are this year. There is no 2010 Portage County CENSUS Committee in place, as confirmed by the Executive Assistant. The Regional Planning Commission has advised that they are only working with the Census Bureau.

The Board of Commissioners agreed to convene a committee before the April 1, 2010 deadline to make an organized effort county-wide. The Board of Commissioners also agreed that the Executive Assistant should make a recommendation ASAP about the creation of this committee noting that there must be representatives from Kent State, NEOUCOM and Hiram College, as well as a representative from county entities that have contact with many residents.

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**DEPARTMENT OF BUDGET AND FINANCIAL MANAGEMENT**

Present: Audrey Tillis

**Resolutions**

1. Create Fund 1493, Collaboration Advocates Grant/10-0053



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:

01/19/10	241	\$ 22.00
01/19/10	244	87,496.84
01/19/10	245	14,293.48
01/19/10	246	106.71
01/19/10	247	231.88
Total		\$ 102,150.91

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;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0052**

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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 **\$271,337.14** as set forth in Exhibit “A” dated **January 19, 2010** 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; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0053 - RE: CREATE FUND 1493, COLLABORATION ADVOCATES GRANT**

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

**WHEREAS,** it has become necessary to create a new fund in order to properly control the processing of financial related transactions related to the Portage County Collaboration of Advocates Grant, and

**WHEREAS,** the County Auditor has assigned fund number 1493 to the Portage County Collaboration of Advocates Grant; now therefore be it

**RESOLVED,** that Fund 1493, Collaboration Advocates Grant be created, and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, the Portage County Prosecutor, and the Department of Budget and Financial Management, 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; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0054** - **RE: A RESOLUTION AUTHORIZING THE PURCHASE, THROUGH STATE OF OHIO CONTRACT #RS901310, BID ITEM #14B, OF TWO (2) 2010 GMC SIERRA 1500 REGULAR CAB TRUCKS - 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 through State of Ohio Contract #RS901310, Bid Item #14B, two (2) **2010 GMC Sierra 1500 Regular Cab Trucks**, and

**WHEREAS,** Bob Ross Buick-GMC Truck, Inc. is the contractor authorized by the State of Ohio to offer said **2010 GMC Sierra 1500 Regular Cab Trucks** at the State Contract price of \$15,570.00 each, and

**WHEREAS,** delivery fee for said trucks will be \$202.05 each for a total cost per truck of \$15,772.05, now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize Michael A. Marozzi, Portage County Engineer, to purchase two (2) **2010 GMC Sierra 1500 Regular Cab Trucks** from Bob Ross Buick-GMC Truck, Inc., 85 Loop Road, Centerville, Ohio 45459, for the total amount of \$31,544.10 ( $\$15,772.05 \times 2 = \$31,544.10$ ), 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; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0055** - **RE: AUTHORIZING THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR PROJECT NO. FR-2 (10-020), TWIN LAKES BLOWER BUILDING ROOF REPLACEMENT, IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, FRANKLIN TOWNSHIP.**

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

**WHEREAS,** this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District, hereinafter called the “SEWER DISTRICT”; and

**WHEREAS,** it has become necessary for the Portage County Water Resources Department to request authorization to prepare plans, specifications and estimate of cost for the Project No. FR (10-020), Twin Lakes Blower Building Roof Replacement, hereinafter referred to as the “PROJECT”; and

**WHEREAS,** the PROJECT is necessary to replace the existing flat roof prone to water leakage issues and reconstruct the roof to prevent standing water; now therefore be it

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

**Section 1. That said authorization to prepare plans, specifications and estimate of cost for said PROJECT is hereby given.**

Section 2. That it is hereby found and determined that all formal actions of this Board concerning and relation to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees 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 as follows:

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

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**RESOLUTIONS**

January 19, 2010

1. Approval of Meeting Minutes from the January 14, 2010 regular Board Meeting as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management./10-0050

3. Approve the Journal Vouchers as presented by the County Auditor./10-0051

4. Approve Then & Now as presented by the County Auditor./10-0052

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**INVITATIONS/MEETING NOTICES**

January 19, 2010

1. Invitation for the 38<sup>th</sup> Annual Distinguished Sales and Marketing Award (DSMA) honoring 2010 Executive of the Year Daniel Colantone, President & CEO, Greater Akron Chamber on Tuesday, February 16, 2010, 5:30 PM, Tangier, Akron.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

January 19, 2010

1. January 12, 2010 correspondence from Judge John Enlow, Common Pleas, regarding felony murder case schedule and potential impact to Portage County/Forwarded to the Department of Budget & Finance/Information only

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**JOURNAL ENTRIES**

January 19, 2010

1. The Board of Commissioners received the monthly operating expenses and caseload report for County Public Defender's Office for September 2009 as presented by the County Auditor Janet Esposito's office.

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**REFERRED**

January 19, 2010

1. January 12, 2010 correspondence from Steve Colecchi, Robinson Memorial Hospital, regarding the Board of Trustees. Referred to Executive Assistant.

2. The Board of Commissioners received front regarding EfficientGovNow. Referred to Grants Administrator.

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**INFORMATION ONLY**

January 19, 2010

1. January 11, 2010 correspondence from Steve Klieber, United Way, thanking Portage County for the donations to the 2009 campaign.

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**PLEASE ADD TO THE AGENDA**

**January 19, 2010**

1. The Board of Commissioners received notice of the Leadership Portage County Government Day on Thursday, February 4, 2010 from 8:45 AM – 9:20 AM/The Board of Commissioners agreed to change the day's calendar in order to attend.
2. Does the Board of Commissioners want to schedule quarterly meetings with the Airport Board President and/or the Board of Trustees/Clerk to arrange with Board President Trew
3. The Board of Commissioners received faxed notice of the Official Grievance Forms files with Sheriff Doak by the union for the Road Patrol deputies and Corrections Officers. Copy forwarded to Attorney Denise Smith and Human Resources Department Director Karen U'Halie/Information only.
4. Discussion: Purchase of items for a basket for the Western Reserve Conservancy District/The Board of Commissioners can contribute individually only.
5. Resolution presented by the County Engineer authorizing the purchase of two CAB trucks through the State of Ohio Contract. /10-0054
6. Resolution presented by the Prosecutor's Office declaring the necessity of and placing on the May 4, 2010 Primary Election Ballot an additional levy of four-tenths mill for the benefit of the Portage County General Health District. Attorney Scahill notes that the Board of Elections has reviewed and approved the resolution language. /10-Hold
7. Resolution presented by the Water Resources Department to authorize the preparation of plans, specs and estimate of cost for Project No. FR-w (10-020), Twin Lakes Blower Building Roof Replacement in the Portage County Regional Sewer District, Franklin Township./10-0055
8. January 19, 2010 memo from Water Resources Department Director Harold Huff recommending a payment plan be approved for property located at 2311 State Route 44, allowing two years to pay the current past due amount of \$1,107.48 on the sewer bill/Journal Entry.
9. January 19, 2010 email from Safety & Loss Control Coordinator Michelle Ripley regarding the possible CORSA coverage for the Portage County Airport. The Board of Commissioners agreed that the Sutton Agency should provide the Airport with the information regarding the costs.

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**Journal Entry**

January 19, 2010

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

1. The Board of Commissioners acknowledged the receipt of the monthly operating expenses and caseload report for County Public Defender's Office for September 2009, as presented by Portage County Auditor Janet Esposito.

2. The Board of Commissioners accepted the recommendation of Water Resources Department Director Harold Huff and approved a two year payment plan for property located at 2311 State Route 44 for the payment of the current past due sewer bill amount of \$1,107.48, as requested by Andrew Wages. The Board of Commissioners noted that this property is located next to the Spring Lakes Mobile Home Park, which was billed incorrectly for these charges.
  
3. On December 10, 2009, the Board of Commissioners approved Journal Entry #17 acknowledging 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 and authorizing the posting of this position internally in Portage County prior to advertisement in local newspapers.

Today, the Board of Commissioners received notification from Human Resources Department Director Karen U'Halie that the proper title of the position being vacated is Medical Assistant/Intake Clerk and not Office/Medical Assistant. WIC Program Manager Nancy Dailey desires to replace this position with the job of WIC Intake Clerk, as the job duties have been absorbed by other positions over the years.

Today, the Board of Commissioners approved the job description of WIC Intake Clerk, as presented by the Human Resources Department Director and authorized the posting of this position internally in Portage County prior to advertisement in local newspapers.

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 **January 19, 2010**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Christopher Smeiles to adjourn the official meeting at **11:20 AM**. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Deborah Mazanec, Clerk

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