

**Thursday, March 11, 2010**

The Board of County Commissioners met in regular session on **Thursday, March 11, 2010 at 9:10 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the March 9, 2010 meeting. All in favor, motion carries

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#### **GRANTS ADMINISTRATOR**

Present: Dan Banks

#### **Rootstown Villas**

The Board of Commissioners signed the documents associated with the Neighborhood Development Services intent to purchase the Villas and rehab them for low income senior housing/Journal Entries.

#### **Federal Funding**

The Director advised the Board of Commissioners that he received notification that a non-profit agency should be lead on the Vadxx Grant. The Board of Commissioners asked that he contact Bill Ulik to discuss if the PCDED can take the lead on this application. The grant should be re-submitted by Tuesday, March 16<sup>th</sup>.

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#### **INTERNAL SERVICES**

Present: JoAnn Townend, Audrey Tillis

#### **Kent Court Project JoAnn Townend REVIEWING**

The Board of Commissioners will meet on March 12, 2010 with Bowen & Associates and the Muni Court Judges at the Kent Courthouse to discuss the project.

Audrey Tillis and JoAnn Townend met with the County Auditor to discuss the creation of a Commissioners' construction fund for this project, which is possible. JoAnn Townend presented the draft MOU between the Board of Commissioners and the Muni Court Judges for the Kent Court Project. The MOU addresses the debt service, which fund will pay what invoice, the purchase of land, etc. Commissioner Keiper stated that he would like to discuss who signs off on change orders with the Judges. JoAnn Townend responded that change orders are usually based on owner requests and not architect requests. Commissioner Frederick added that Judge Oswick mentioned overspending and how the Judges wanted to avoid that problem. JoAnn Townend offered to give the Judges a monthly update on project expenses. Commissioner Smeiles reviewed the draft noting that the draft states that the Board of Commissioners intends to include the Judges in the site selection. He would like to have the Judges' input but the site selection is a Board of Commissioners' decision. Commissioner Smeiles asked where the architect's fee is paid from? JoAnn Townend responded that it might be paid from the construction fund but can be paid

upfront by the court's fund. Audrey Tillis added that the funds cannot be transferred from that fund but the Judges can court order a payment from that fund.

The cash needed is for architect's fees for first phase of site selection and pre-programming with schematic drawings as the next step at a cost over \$200,000.

Bowen architect Allan Renzi is attending the meeting on Friday, March 12<sup>th</sup> to provide the Judges with a comfort level with the architects. JoAnn Townend will also be attending.

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**RESOLUTIONS**

1. Enter into amendment no. 3 with Family & Community Services to provide PRC domestic violence shelter services through 6/30/10./10-0246
2. Enter into amendment no. 3 with Family & Community Services to provide PRC homeless shelter services thru 6/30/10./10-0247
3. Enter into amendment no. 3 with Community Legal Aid Services to provide PRC legal services through 6/30/10./10-0248
4. Enter into a Business Associate Agreement with Robinson Health Affiliates dba Working Partners for the HR department./10-0249
5. Enter into an agreement with David L. Sommers, AIA for the renovation of the swimming pool at Happy Day School./10-0250
6. Enter into an assignment agreement with Range Resources – Appalachia LLC for assignment of oil and gas lease number 34151408./10-0251
7. Amend resolution 09-0244 to change the funding source in the MOU between the Board, Habitat for Humanity of Portage County and NDS./Adopted March 9, 2010

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**PORTAGE COUNTY BOARD OF DEVELOPMENT DISABILITIES – to be rescheduled**

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**GENERAL SERVICES**

Present: Jim Manion

1. The Director advised the Board of Commissioners that the Housekeeping changes are going well. He continues to get compliments on services provided. He added that the Prosecutor also seems to be pleased with the cleaning of his offices.

Safety/Loss Control Coordinator Michelle Ripley has completed staff training of Personal Protective Equipment (PPE)

2. The Riddle Block basement work detail will begin this Friday. Simon & Sicuro has advised that their files in the basement can be shredded by the Solid Waste Management District at no charge. The Director will obtain authorization from Simon & Sicuro for that shredding.

The major issues are emergency lighting, exit signs and shelter signs as required by the Fire inspector.

3. The former Building Department area on the first floor of the Administration Building is now vacant, the carpet has been cleaned and the area is available for large meetings. The Board would have to obtain tables and chairs to furnish the area in the future.

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## **HUMAN RESOURCES**

Present: Karen U’Halie

1. Approval of updated and revised Position Description for the position of Superintendent – Wastewater Treatment Plants in the Water Resources division/Journal Entry.
2. The Director will send an email to those who have not yet selected their first half furlough dates with an assigned date that can be changed by the employee.
3. Commissioner Keiper has completed a list of wellness questions to be included in the upcoming RFQ. The Director will contact Willis of Ohio to schedule time for them to meet with the Board of Commissioners.

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## **DEPARTMENT OF JOB & FAMILY SERVICES**

Present: Anita Herington

- I. The Director advised the Board of Commissioners that there will be a \$162,000 cut to the PRC Plan in accordance with the state’s Biennial Budget. The Director discussed the changes to the Plan/Resolution/10-0252
- II. \$90,516 in refunds has been received by those participating in the Tax Clinics. There are two more clinics planned; one on March 13, 2010 and the second on March 27, 2010
- III. The Job Fair has been scheduled at Reed Memorial Library on Wednesday, May 19, 2010.
- IV. The Director presented the CSEA Performance numbers for February 2010.

- V. The Director presented the Food Assistance, OWF & Medicaid Statistics for Portage County for February 2010.
- VI. The Director presented the OWF & Food Assistance Timeliness for Portage County for February 2010, noting that the timeliness numbers for OWF are amazing, increasing in eight months from 40% to 81% with the Food Assistance numbers going from 59% to 92%.
- VII. Other
  - A. The Director noted that she learned that \$463 Billion will be distributed based on new Census Data. She recommended that the Board of Commissioners send a letter to the Editor stressing the importance of all residents in completing the Census questionnaire once received.
  - B. The Director presented the Ohio Department of Job & Family Services ARRA Stimulus Profile for Portage County.

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11:25 AM Lunch recess

The Board of Commissioners met with the Health Commissioner and JFS Director Anita Herington in Room 359 to discuss its future use/Journal Entry

1:25 PM Board of Commissioners reconvened

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**AIRPORT BOARD OF TRUSTEES CANDIDATES**

The Board of Commissioners met with Paul Moore and Russell Gill to discuss their interest in serving on the Airport Board of Trustees.

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**WATER RESOURCES**

Present: Harold Huff, Jeff Lonzrick, Terry Gillner and Rich lafelice with C.T. Consultants and Dan Johnson with Burgess & Niple.

The Board of Commissioners is meeting to hear the final reports from Burgess & Niple ( water ) and CT Consultants (sewer ) for analyzing the present condition of the Windham sewer and water systems so the Board of Commissioners can make a determination someday soon whether to pursue acquiring such systems from the Village.

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**RESOLUTION No. 10-0241 - 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 March 11, 2010 in the total payment amount of **\$488,348.04 for Funds 0001-7218** 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; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0242 - 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 March 11, 2010 in the total payment amount as follows:

1. \$219,307.84 for Medical Mutual Claims-Fund 7101; and
2. \$740.00 to WageWorks, Inc. for processing Admin Fees for Medical Mutual; and

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 authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor's Office:

Wire Transfer on Friday, March 12, 2010	\$ 219,307.84
Wire Transfer on Friday, March 12, 2010	\$ 740.00

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



**RESOLUTION No. 10-0244**

**- 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 **\$72,301.63** as set forth in Exhibit “A” dated **March 11, 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. 10-0245**

**- RE: ACCEPT AND AWARD THE BID OF WOLF CREEK ENGINEERING & CONTRACTING, INC. FOR THE PROJECT KNOWN AS THE LAKEWOOD ROAD BRIDGE REPLACEMENT (RAV 111 CH151D) OVER BREAKNECK CREEK IN RAVENNA TOWNSHIP, PORTAGE COUNTY.**

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

**WHEREAS,** eleven (11) sealed bids were received, tabulated and recorded on March 3, 2010 for furnishing all labor, materials and equipment necessary to complete the project known as the **Lakewood Road Bridge Replacement (RAV 111 CH151D)** over Breakneck Creek in Ravenna Township, Portage County; and

**WHEREAS,** based upon the tabulation of said bids, the lowest bid received was submitted by **Wolf Creek Engineering & Contracting, Inc.**, 1288 Starlight Drive, Akron, Ohio 44306, for \$687,646.93; and

**WHEREAS,** after reviewing said bids, it was the recommendation of the Portage County Engineer that the bid of **Wolf Creek Engineering & Contracting, Inc.** be accepted as the lowest and best bid received; now therefore be it

**RESOLVED,** that the bid of **Wolf Creek Engineering & Contracting, Inc.** be accepted and awarded as the lowest and best bid received in accordance with specifications and plans prepared for the **Lakewood Road Bridge Replacement (RAV 111 CH151D) Project** over Breakneck Creek in Ravenna Township, Portage County, and be it further

**RESOLVED,** that a contract be entered into with **Wolf Creek Engineering & Contracting, Inc.**, 1288 Starlight Drive, Akron, Ohio 44306, in the total amount of **\$687,646.93**; 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. 10-0246**

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**RE: ENTER INTO AMENDMENT NO. 3 FOR PREVENTION, RETENTION AND CONTINGENCY (PRC) DOMESTIC VIOLENCE SHELTER SERVICES ENTITLED "SAFER FUTURES" BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND FAMILY & COMMUNITY SERVICES, INC.**

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

**WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20080329 (the “Original Contract”) on July 3, 2008 by Resolution No. 08-0594 to provide Prevention, Retention & Contingency (“PRC”) Domestic Violence Shelter Services entitled “Safer Futures” for eligible Portage County residents; and

**WHEREAS,** an Amendment No. 1 was entered into on August 4, 2009 through Resolution No. 09-0659; and

**WHEREAS,** an Amendment No. 2 was entered into on October 20, 2009 through Resolution No. 09-0936; and

**WHEREAS,** the parties desire to amend the Original Contract; now therefore be it; and

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

**RESOLVED,** that the parties mutually agree to increase PRC Domestic Violence Shelter Services by five hundred eighty-three (583) units for a maximum of one thousand three hundred sixty (1,360) units rendered at a unit rate of One hundred two and 94/100 dollars (\$102.94) per unit for a total Sixty thousand and fourteen dollars and 02/100 (\$60,014.02); and be it further

**RESOLVED,** that the annual service under this agreement shall not exceed One hundred thirty-nine thousand nine hundred ninety-eight and 40/100 dollars (\$139,998.40); 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. 10-0247**

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**RE: ENTER INTO AMENDMENT NO. 3 FOR PREVENTION, RETENTION AND CONTINGENCY (PRC) HOMELESS SHELTER SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE**

**COUNTY DEPARTMENT OF JOB & FAMILY SERVICES  
AND FAMILY & COMMUNITY SERVICES, INC.**

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

- WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20080327 (the “Original Contract”) on July 3, 2008 by Resolution No. 08-0596 to provide Prevention, Retention & Contingency (“PRC”) Homeless Shelter Services for eligible Portage County residents; and
- WHEREAS,** an Amendment No. 1 was entered into on July 30, 2009 through Resolution No. 09-0657; and
- WHEREAS,** an Amendment No. 2 was entered into on October 20, 2009 through Resolution No. 09-0935; and
- WHEREAS,** the parties desire to amend the Original Contract; now therefore be it; and
- RESOLVED,** that the Board of Portage County Commissioners does hereby enter into Amendment No. 3 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Family & Community Services, Inc. for the period July 1, 2009 to June 30, 2010; and be it further
- RESOLVED,** that the parties mutually agree to increase PRC Homeless Shelter Services by four hundred seven (407) units for a maximum of two thousand thirty-four (2,034) units rendered at a unit rate of Sixty-one and 46/100 dollars (\$61.46) per unit for a total of Twenty-five thousand fourteen dollars and 22/100 (\$25,014.22); and be it further
- RESOLVED,** that the annual service under this agreement shall not exceed One hundred twenty-five thousand nine and 64/100 dollars (\$125,009.64); 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. 10-0248**

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**RE: ENTER INTO AMENDMENT NO. 3 FOR PREVENTION, RETENTION AND CONTINGENCY (PRC) LEGAL SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND COMMUNITY LEGAL AID SERVICES, INC.**

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

- WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20080335 (the “Original Contract”) on July 10, 2008 by Resolution No. 08-0588 to provide PRC Legal Services for eligible Portage County residents; and
- WHEREAS,** an Amendment No. 1 was entered into on July 16, 2009 through Resolution No. 09-0621; and
- WHEREAS,** an Amendment No. 2 was entered into on October 20, 2009 through Resolution No. 09-0937; and
- WHEREAS,** the parties desire to amend the Original Contract; now therefore be it; and
- RESOLVED,** that the Board of Portage County Commissioners does hereby enter into Amendment No. 3 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Community Legal Aid Services, Inc. for the period July 1, 2009 to June 30, 2010; and be it further
- RESOLVED,** that the parties mutually agree to increase PRC Legal Services by One hundred (100) units to a maximum of seven hundred ninety-eight (798) units rendered at a rate of Eighty-three and 10/100 dollars (\$83.10) per hour, for a total of Eight thousand three hundred ten and 00/100 dollars (\$8,310.00); and be it further
- RESOLVED,** that the parties mutually agree to increase bankruptcy filing fees by 5.6 units to a maximum of twenty-nine (29) units at a rate of Two hundred ninety-nine and 00/100 (\$299.00)per unit for a total of One thousand six hundred seventy-four dollars and 80/100 (\$1,674.80); and be it further
- RESOLVED,** that the combined annual service under this agreement shall not exceed Seventy-four thousand nine hundred eighty-four and 80/100 dollars (\$74,984.80); 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. 10-0249 - RE: ENTER INTO BUSINESS ASSOCIATE AGREEMENT WITH ROBINSON HEALTH AFFILIATES dba WORKING PARTNERS AS REQUIRED BY HIPAA.**

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

**WHEREAS,** Robinson Health Affiliates dba Working Partners has agreed to health services to the Portage County Board of Commissioners; and

**WHEREAS,** as required by Health Insurance Portability and Accountability Act of 1996 (HIPAA), the Portage County Board of Commissioners must enter into a Business Associate agreement with Health Affiliates dba Working Partners to provide compliance with the Privacy Rule of HIPAA; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby enter into a Business Associate agreement with **Robinson Health Affiliates dba Working Partners, 6847 N. Chestnut St., Ravenna OH 44266** to provide compliance with the Privacy Rule of HIPAA; 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 §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. 10-0250 - RE: ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS AND DAVID L. SOMMERS AIA, FOR PROFESSIONAL DESIGN SERVICES FOR THE RENOVATION OF THE SWIMMING POOL AT HAPPY DAY SCHOOL.**

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

**WHEREAS,** the Portage County Board of Mental Retardation & Developmental Disabilities has established the need for design and renovation of the swimming pool at Happy Day School; and

**WHEREAS,** David L. Sommers AIA is experienced and professionally capable to perform these services; and

**WHEREAS,** the Portage County Board of Mental Retardation & Developmental Disabilities recommends to the Portage County Board of Commissioners the acceptance of a contractual agreement for professional design services; it is hereby

**RESOLVED,** that the Board of Portage County Commissioners does hereby approve the Agreement with **David L. Sommers, AIA, 136 North Water St., Kent, OH 44266** to provide services as stipulated in this Agreement at the rate not to exceed Eighteen thousand eighty-one dollars and 25/100 dollars (\$18,081.25); 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. 10-0251**

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**RE: ENTER INTO AN ASSIGNMENT AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND RANGE RESOURCES – APPALACHIA LLC**

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

**WHEREAS,** Range Resources – Appalachia LLC is currently in the process of selling substantially all of its oil and gas properties in the State of Ohio to certain investment funds which are affiliates of EnerVest Operating, L.P.; and

**WHEREAS,** the Portage County Board of Commissioners owns the wells associated with oil and gas lease number 341510408 as detailed on exhibit A (attached), and

**WHEREAS,** the lease contains provisions requiring consent of the assignment of the lease to EnerVest Operating, L.L.C.; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to assign oil and gas lease number 34151408 and the associated wells to EnerVest Operating, L.L.C.; 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. 10-0252** - **RE: APPROVE THE REVISED PREVENTION, RETENTION AND CONTINGENCY PLAN, EFFECTIVE JULY 1, 2010 FOR THE PORTAGE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES.**

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick 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,** Revision No. 7 of the Prevention-Retention-Contingency Plan was entered into on November 24, 2009 through Resolution No. 09-1091 and became effective December 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 July 1, 2010; 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. 10-0253 - RE: CASH ADVANCE - FROM FUND 0001, GENERAL FUND TO FUND 1493, COLLABORATION ADVOCATES GRANT**

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

**WHEREAS,** Fund 1493, Collaboration Advocates Grant is in need of interim cash until grant revenues are received; now therefore be it

**RESOLVED,** that the following cash advance be made in the amount of \$ 7,000.00:

**FROM:**

FUND 0001, GENERAL FUND

ORGCODE- 00100009

Debit Expense Account

Object 920000 - Advances-Out \$ 7,000.00

**TO:**

FUND 1493, COLLABORATION ADVOCATES GRANT

ORGCODE - 14930012

Credit Revenue Account

Revenue Source 290000 - Advances-In \$ 7,000.00

and be it further

**RESOLVED,** the advance will be repaid to the General Fund when grant revenues are received; and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor and the Department of Budget & 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.

Roll call vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTIONS**

March 11, 2010

1. Approval of Meeting Minutes from the March 9, 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./10-0241
3. Approve the wire transfer as presented by the County Auditor./10-0242
4. Approve the Journal Vouchers as presented by the County Auditor./10-0243
5. Approve Then & Now as presented by the County Auditor./10-0244
6. Accept and award the bid of Wolf Creek Engineering & Contracting, Inc. for the project known as the Lakewood Road Bridge Replacement (RAV 111 CH151 D) over Breakneck Creek in Ravenna Township, Portage County. (County Engineer)./10-0245

\* \* \* \* \*

**INVITATIONS/MEETING NOTICES**

March 11, 2010

1. Invitation from the County Farm Bureau to participate in the Animal Agriculture 101 Course on Thursday, Mary 25, 2010 at the Ohio Agricultural Research & Development Center, Wooster, 9:30 AM.
2. Invitation from the League of Woman Voters of Northern Portage County and the Aurora Historical Society for the Ohio Census and Redistricting Information Sharing meeting on Wednesday, March 10, 2010, 7:00 PM at Harmon Middle School Cafeteria.

\* \* \* \* \*

**INCOMING CORRESPONDENCE**

**DISCUSSION**

March 11, 2010

1. March 8, 2010 e-mail from Jon Barber, Office of Homeland Security and Emergency Management Agency, regarding the Courthouse metal detector/Department of Budget and Financial Management to bring back
2. March 8, 2010 correspondence from Mickey Marozzi, County Engineer, regarding Rootstown No. 7 Assessed Ditch, Coleman’s – 4087 Sabin Drive/Information only.
3. March 8, 2010 e-mail from Tim Miller, Maintenance, regarding Portage County Administration Building’s fire alarm system repair quote/Information only.

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**JOURNAL ENTRY**

March 11, 2010

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending March 7, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$636.00 in License Sales and \$807 for Impound fees.

2. Board of Commissioners' authorization requested to allow use of the Annex Building basement conference room on the following dates/times for foster parent training as requested by Sharon Spence, Job and Family Services:

Foster Parent Training Schedule:

Saturday, March 13, 2010	9:00 am - 4:00 pm
Tuesday, March 23, 2010	6:00 pm - 9:00 pm
Tuesday, March 30, 2010	6:00 pm - 9:00 pm
Saturday, April 3, 2010	9:00 am-12:00 pm
Monday, April 5, 2010	6:00 pm - 9:00 pm
Wednesday, April 7, 2010	6:00 pm - 9:00 pm
Saturday, April 10, 2010	9:00 am-12:00 pm
Monday, April 12, 2010	6:00 pm - 9:00 pm
Wednesday, April 14, 2010	6:00 pm - 9:00 pm
Saturday, April 17, 2010	9:00 a m - 4 : 0 0 pm
Monday, April 19, 2010	6:00 pm - 9:00 pm
Wednesday, April 21, 2010	6:00 pm - 9:00 pm
Thursday, April 22, 2010	6:00 pm - 9:00 pm
Saturday, April 24, 2010	9:00 am-12:00 pm
Monday, April 26, 2010	6:00 pm - 9:00 pm
Tuesday, April 27, 2010	6:00 pm - 9:00 pm
Wednesday, April 28, 2010	6:00 pm - 9:00 pm
Saturday, May 1, 2010	9:00 am - 4:00 pm
Monday, May 3, 2010	6:00 pm - 9:00 pm
Wednesday May 5, 2010	6:00 pm - 9:00 pm
Saturday, May 8, 2010	9:00 am-12:00 pm
Monday, May 10, 2010	6:00 pm - 9:00 pm
Wednesday May 12, 2010	6:00 pm - 9:00 pm
Saturday, May 15, 2010	9:00 am-12:00 pm
Wednesday, May 26, 2010	6:00 pm - 9:00 pm
Saturday, June 5, 2010	9:00 am - 4:00 pm
Saturday, June 19, 2010	9:00 am - 4:00 pm

3. Board of Commissioners' signature requested on the payment authorization form for the Winter Quarterly Meeting for \$195.00 as requested by the Regional Planning Commission. The B-F-09-062-1 Formula Grant Activity #08 General Administration is funding this expense.
4. Board of Commissioners' authorization requested to pay the March 4, 2010 Invoice for Professional Services rendered on March 4, 2010 for \$175.00, as requested by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.

\* \* \* \* \*

**REFERRED**

March 11, 2010

1. The Board of Commissioners received a Public Hearing notice from the Franklin Township Zoning Commission for address 2144 SR 59, Kent, owned by Sorbo Holidng LLC, for its current designation of I-2 (Industrial District) to C-2/I-2 (Service/Commercial District and Industrial District). Referred to Water Resources Department.
2. March 5, 2010 correspondence from Mark McIntyre, Russ Reid, regarding federal funding for Economic Development Projects. Referred to Department of Budget and Financial Management and Grants Administrator.
3. March 4, 2010 memo from Dave Brooks, County Commissioners Association of Ohio and John Brownlee, CORSA, regarding CORSA loss control incentive program. Referred to Human Resources Department.
4. The Board of Commissioners received an order (I) approving bid procedures in connection with sale of substantially all of debtors' assets; (II) Scheduling hearing to consider sale of assets; (III) Approving form and manner of notice thereof; (IV) Approving break-up fee and expense reimbursement; and (V) Granting Related Relief for case No. 10-10352 (KG) as presented by the US Bankruptcy Court for the District of Delaware. Referred to the Prosecutor's Office and Treasurer's Office.
5. The Board of Commissioners received a Civil Summons for Case No. 2010CV 00398 as presented by the Portage County Common Pleas Court (Seni). Referred to Prosecutor's Office.

\* \* \* \* \*

**PLEASE ADD TO THE AGENDA**

March 11, 2010

1. March 9, 2010 e-mail from Dan Banks, Grants Administrator, requesting Board review and signature on the two (2) draft letters regarding Rootstown Villas Apartment Housing Credit Project.
2. March 10, 2010 memo from Audrey Tillis, Department of Budget and Financial Management, regarding The Portage County Collaboration of Advocacy grants:
  - A. Draft Resolution to cash advance from Fund 0001, General Fund to Fund 1493, Collaboration Advocates Grant for \$7,000.00/10-0253
  - B. Board authorization requested to pay the March 10, 2010 Invoice for \$10,628.74 for Grant No. 2009-RA-D01-2184 for funding period September 15, 2009 through March 15, 2010 as requested by Lucy Wagener, The Children's Advocacy Center/ Department of Budget & Financial Management Director Audrey Tillis reviewed the documents noting that the

amount invoiced is within the program allowed amount. (Resolutions 09-1155 and 10-0232 accept the Office of Criminal Justice Services Subgrant 2009-RA-D01-2184 award)/Journal Entry

- C. Board of Commissioners authorization requested to accept the first and second quarter Subgrant Report for the Office of Criminal Justice Services Subgrant 2009-RA-D01-2184 for The Children’s Advocacy Center of Portage County, Inc. for the grant periods September 15, 2009 through December 15, 2009 and December 16, 2009 through March 15, 2010 as requested by Lucy Wagener, The Children’s Advocacy Center/ Department of Budget & Financial Management Director Audrey Tillis reviewed the documents noting that the amount invoiced is within the program allowed amount. (Resolutions 09-1155 and 10-0232 accept the Office of Criminal Justice Services Subgrant 2009-RA-D01-2184 award)/Journal Entry
  
- D. Board of Commissioners authorization requested to pay the March 10, 2010 Invoice for \$12,723.96 for Grant No. 2009-RA-D01-2184 for the funding period October 15, 2009 through February 28, 2010, as presented by Family & Community Services, Inc. Department of Budget & Financial Management Director Audrey Tillis reviewed the documents noting that the amount invoiced is within the program allowed amount. (Resolutions 09-1155 and 10-0232 accept the Office of Criminal Justice Services Subgrant 2009-RA-D01-2184 award)/Journal Entry

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**INFORMATION ONLY**

March 11, 2010

- 1. The Board of Commissioners received the Reminger Report dated March 3, 2010.
- 2. The Board of Commissioners received Bulletin 2010-001 as presented by Auditor of State Mary Taylor.
- 3. The Board of Commissioners received the March 9, 2010 correspondence to Rootstown Township Trustees, regarding curbside service as presented by William Steiner, Portage County Solid Waste Management District.

\* \* \* \* \*

**PROSECUTOR’S CORRESPONDENCE**

March 11, 2010

- 1. March 5, 2010 correspondence from Denise Smith to Ben Sutton, Edward H. Sutton Insurance Agency, Inc., regarding Case No. 5:09-CV-02938/Information only
- 2. March 8, 2010 correspondence from Denise Smith to Ben Sutton, Edward H. Sutton Insurance Agency, regarding a pre-litigation letter/Information only

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**JOURNAL ENTRY**

March 11, 2010

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

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending March 7, 2010, as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$636.00 in License Sales and \$807 for Impound fees.
2. The Board of Commissioners authorized use of the Annex Building (466 South Chestnut Street, Ravenna) basement conference room on the following dates/times for foster parent training, as requested by Sharon Spence, Portage County Department of Job & Family Services:

**Foster Parent Training Schedule**

Saturday, March 13, 2010	9:00 am - 4:00 pm
Tuesday, March 23, 2010	6:00 pm - 9:00 pm
Tuesday, March 30, 2010	6:00 pm - 9:00 pm
Saturday, April 3, 2010	9:00 am-12:00 pm
Monday, April 5, 2010	6:00 pm - 9:00 pm
Wednesday, April 7, 2010	6:00 pm - 9:00 pm
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Monday, May 10, 2010	6:00 pm - 9:00 pm
Wednesday May 12, 2010	6:00 pm - 9:00 pm
Saturday, May 15, 2010	9:00 am-12:00 pm
Wednesday, May 26, 2010	6:00 pm - 9:00 pm
Saturday, June 5, 2010	9:00 am - 4:00 pm
Saturday, June 19, 2010	9:00 am - 4:00 pm

3. The Board of Commissioners signed the payment authorization form for the Ohio Conference of Community Development Inc. Winter Quarterly Meeting for \$195.00, as presented by the Regional Planning Commission. The B-F-09-062-1 Formula Grant Activity #08 General Administration is funding this expense.
4. The Board of Commissioners authorized payment of the March 4, 2010 Invoice for \$175 for the retainer for professional services, as presented by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.
5. The Board of Commissioners accepted the recommendation of Grants Administrator Dan Banks and signed the March 11, 2010 correspondence to David Vaughan, Neighborhood Development Services, Inc., advising that, although Portage County supports the Rootstown Villas Apartment Project to rehabilitate 36 apartment units located at 4263 Sabin Drive in Rootstown, no funds are available for this project.
6. The Board of Commissioners accepted the recommendation of Grants Administrator Dan Banks and signed the March 11, 2010 letter of support to David Vaughan, Neighborhood Development Services, Inc., for the Rootstown Villas Apartment Housing Credit Project being submitted to the Ohio Housing Finance Agency, to acquire and rehabilitate 36 apartment units located at 4263 Sabin Drive in Rootstown with 100% of the units set aside for the elderly and 100% affordable.
7. The Board of Commissioners accepted the recommendation of Grants Administrator Dan Banks and authorized Commissioner Keiper to sign the Ohio Housing Finance Agency Certification of Consistency with Local Consolidated Plan or Comprehensive Housing Improvement Strategy (CHIS) for the Rootstown Villas Apartment Project, 4263 Sabin Drive in Rootstown, confirming that this project meets community housing needs through the CHIS, as presented by the Neighborhood Development Services, Inc.
8. The Board of Commissioners accepted the recommendation of Human Resources Department Director Karen U'Halie and approved the updated and revised Position Description for the position of Superintendent – Wastewater Treatment Plants in the Portage County Water Resources Department.
9. On October 1, 2009, the Board of Commissioners authorized the exclusive use of the Department of Job & Family Services Conference Room (Room #359) for six months as the Departmental Operations Center for the anticipated H1N1 event. The Board of Commissioners agreed that the Department of Job & Family Services would continue to pay rent for that space (\$14.08/square foot) in accordance with the Cost Allocation Report Plan and that the Health Department would fully reimburse the Department of Job & Family Services using grant dollars, once they vacate the area. The JFS Director was instructed to send an invoice to Health Commissioner Porter.

Today, after meeting with Health Commissioner Porter and JFS Director Anita Herington, the Board of Commissioners agreed that Room 359 will become an area of exclusive use by the Portage County Health Department at no charge to the department, effective April 1, 2010. The Health

Department has agreed to make the room, with enhancements, available to County Departments by scheduling through their office. The Health Department will pay the Department of Job & Family Services in full for their use of the room from October 1, 2009 through March 31, 2010.

10. The Board of Commissioners authorized payment of the March 10, 2010 Invoice for \$10,628.74 for Grant No. 2009-RA-D01-2184 for the funding period September 15, 2009 through March 15, 2010, as presented by Lucy Wagener, The Children’s Advocacy Center. Department of Budget & Financial Management Director Audrey Tillis reviewed the documents noting that the amount invoiced is within the program allowed amount. (Resolutions 09-1155 and 10-0232 accept the Office of Criminal Justice Services Subgrant 2009-RA-D01-2184 award)

The Board of Commissioners also acknowledged the receipt of the first and second quarter Subgrant Report for the Office of Criminal Justice Services Subgrant 2009-RA-D01-2184 for The Children’s Advocacy Center of Portage County, Inc. for the grant periods September 15, 2009 through December 15, 2009 and December 16, 2009 through March 15, 2010, as presented by Lucy Wagener.

11. The Board of Commissioners authorized payment of the March 10, 2010 Invoice for \$12,723.96 for Grant No. 2009-RA-D01-2184 for the funding period October 15, 2009 through February 28, 2010, as presented by Family & Community Services, Inc. Department of Budget & Financial Management Director Audrey Tillis reviewed the documents noting that the amount invoiced is within the program allowed amount. (Resolutions 09-1155 and 10-0232 accept the Office of Criminal Justice Services Subgrant 2009-RA-D01-2184 award)

12. The Board of Commissioners signed the Personnel Action Form authorizing the hire of Leslie M. Wilson as a JFS Fiscal Eligibility Specialist, as presented by Human Resources Department Director Karen U’Halie and approved by JFS Director Anita Herington. The Board of Commissioners notes that this hire is contingent upon a pre-employment physical and drug and alcohol testing.

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 **March 11, 2010**. 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 1:40 PM. 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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