

Tuesday, April 1, 2010

The Board of County Commissioners met in regular session on **Tuesday, April 1, 2010 at 9:20 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

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Absent: Commissioner Smeiles on vacation

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It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the March 30, 2010 meeting. Commissioner Smeiles absent, motion carries

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

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BUILDING CBO

Present: Bob Wrentmore

The CBO is attending to update the Board of Commissioners on the Insurance Services Office (ISO) notice that, since the state of Ohio has not yet adopted the 2009 Building Codes, the “grade” assigned to all of Ohio will be reflected in the insurance rates charged to all customers. The CBO noted that the ISO comes to Portage County every five years to grade the department. He added that there is nothing Portage County can do to improve our Classification until the state adopts the newer code. The CBO explained that the ISO will postpone the implementation of the new Classification if Portage County submits a plan of improvement by July 9, 2010 and completes the program by March 9, 2011. The CBO added that the state does plan to adopt the 2009 code by July 9, 2010 and Portage County will follow suit immediately. The CBO thanked the Board of Commissioners for their support and interest in this matter.

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INTERNAL SERVICES

Present: JoAnn Townend

Discussion

The Director presented the proposed change to the current business associate agreement for approval of the removal of standard clause for WageWorks. The Prosecutor has suggested that the Board of Commissioners authorize the removal of this clause. The Board of Commissioners agreed to change the verbiage but not remove it and check with WageWorks to see if the new verbiage is acceptable.

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The Director asked the Board of Commissioners if they have heard from the Judges regarding the draft MOU for the Kent Courthouse Project. The Board of Commissioners has not heard from the Judges and asked the Director to contact Judge Poland for an update.

Commissioner Keiper advised that he was contacted by a Kent City Council member who asked if the Board of Commissioners would consider participating in the Kent Safety Building Project. Commissioner Keiper added that he remains open to the location of the county courthouse but believes the time has passed for a joint building. Commissioner Frederick stated that she might consider a joint venture if Kent provides the location and takes the current courthouse.

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The Board of Commissioners discussed the Motor Pool process for repair if damages to county vehicle. Commissioner Keiper stated that the issue is a liability on in that the Sheriff recently had two vehicles damaged and it took 10 days to get the cars involved in an accident to get to the motor pool.

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Resolutions

1. Enter into an agreement with Bong S. Kauh MD, CMD to provide medical director services for the Woodlands./10-0313
2. Enter into an agreement with ChoiceCare Network for healthcare plan provider services for the Woodlands./10-0314
3. Enter into a continuation agreement with Allscripts to provide referral processing for admissions at the Woodlands./10-0315
4. Establishment of a petty cash fund at the Woodlands./10-0316
5. Declare obsolete and set date for the sale of one (1) mechanical sludge press for the Water Resources Department./10-0317
6. Enter into a real estate lease agreement with JFS for suite 205 at the Riddle Block./10-0318
7. Enter into a real estate lease agreement with JFS for offices on floors 2 & 4 at the Riddle Block./10-0319

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10:35 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:00 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

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

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SHERIFF’S REPRESENTATIVES/CITY OF RAVENNA

Present: Ravenna Mayor Bica, Ravenna Police Lt. Mullen; JoAnn Townend; Jim Manion; Major Missimi; Solid Waste Management District Director Bill Steiner; Tom Zawistowski and Beth Poland, TEA Party

The group is meeting today to discuss the details of the planned April 15th TEA Party Birthday Celebration on the Portage County Courthouse Lawn. The Board of Commissioners had approved this request for the use of this space on March 30th, contingent upon the confirming of the details necessary to accommodate an anticipated 800 attendees.

Director Townend noted that, should the Board of Commissioners agree to move forward, parking issues will be addressed in required agreement. The Mayor agreed that his representatives would discuss the logistics with the Sheriff’s Office to make certain that the TEA Party event is safe and secure and that parking and pedestrian issues are resolved. Jim Manion noted that he can provide maps of available county parking for adequate parking. Mr. Zawistowski replied that he could put those maps on the TEA Party website. Ms. Poland stated that the last TEA Party meeting, also on the Courthouse lawn, had 500 attendees and no attendees stood on the brick area at the Veterans Memorial. She believes that 800 attendees should all fit on the lawn. She noted that attendees parked at Paul’s Do-It Center and/or walked from wherever the parking is; many will car pool. Lt. Mullen noted that the city is not concerned about parking at that hour in the evening.

Mr. Zawistowski stated that there were no problems at last event, also held on the Courthouse lawn, except that they did not provide toilets; this time they will rent toilets. He also stated that he is not concerned with keeping people on the lawn. The group plans to rent a PA system using the electricity at the site. He has been in contact with the Ravenna Fire Department and they will coordinate with staff. Lt Mullen advised that the port-a-potties can be located in the three or four parking spaces near the PARTA stop. Delivery can be arranged between 5:30 PM and 6:00 PM on April 15th with pick up immediately after the event. JoAnn Townend agreed to send information on the Cleveland Avenue Company that she knows of.

Mr. Zawistowski believes that the event will end around 8:15 PM at sunset. He added that, should it rain, the event may move to a Ravenna School building or some other site. Mr. Zawistowski agreed to provide Mike Sever with a press release. He added that the Party will clean up the area when they leave; committees are in place to direct the crowd and make certain that sidewalks are not blocked. The Police Department and the Sheriff will have cell numbers for those in authority. They will also bring in their own garbage cans and haul trash away.

The Mayor stated that he will give Mr. Zawistowski the city contact numbers. Major Missimi noted that he plans to meet with the city officials to discuss any other issues.

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11:30 AM Recessed to Solid Waste Management District Meeting

11:35 AM Reconvened

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HUMAN RESOURCES - CANCELLED

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RESOLUTION No. 10-0307 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II 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 April 1, 2010 in the total payment amount of **\$191,480.05 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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0308 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II 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 April 1, 2010 in the total payment amount as follows:

1. \$119,797.38 for Medical Mutual Claims-Fund 7101; and
2. \$6,219.78 to WageWorks, Inc. for processing claims 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, April 2, 2010	\$ 119,797.38
Wire Transfer on Friday, April 2, 2010	\$ 6,219.78

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RESOLUTION No. 10-0310 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II 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 **\$26,591.93** as set forth in Exhibit “A” dated **April 1, 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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0311 - RE: ACCEPT THE BID OF THE SHERWIN-WILLIAMS COMPANY FOR FURNISHING ACRYLIC WATER BASE TRAFFIC SAFETY PAINT FOR USE BY THE PORTAGE COUNTY ENGINEER.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following Resolution be adopted:

WHEREAS, notice of receiving bids for furnishing **Acrylic Water Base Traffic Safety Paint** for use by the Portage County Engineer was published in the Record Courier on **March 8, 2010** and **March 15, 2010**, and

WHEREAS, two (2) sealed bids for furnishing **Acrylic Water Base Traffic Safety Paint** for use by the Portage County Engineer were received, tabulated and recorded on March 24, 2010, and

WHEREAS, after reviewing said bids, the Portage County Engineer recommended the bid of **The Sherwin-Williams Company** be accepted as the lowest and best bid received in accordance with the following:

1. All materials to be ordered as needed and in amounts needed at that time.
2. Payment is to be made upon receipt of the invoice for the delivered materials;

now therefore be it

RESOLVED, that the bid of **The Sherwin-Williams Company**, 1001 Nebula Road, Manchester, Georgia 31816, be and hereby is accepted, as follows, per bid specifications:

3,630 Gallons - Yellow Paint @ \$6.50/Gallon
2,750 Gallons - White Paint @ \$6.50/Gallon

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, Absent;

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RESOLUTION No. 10-0312

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RE:

ACCEPT CONTRACT CHANGE ORDER NO. 2 AND FINAL FOR TRISPAN CORPORATION COVERING THE MIDDLEBURY ROAD BRIDGE REPLACEMENT PROJECT OVER THE CUYAHOGA RIVER IN THE CITY OF KENT, PORTAGE COUNTY.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

WHEREAS, Resolution 08-0380 accepted and awarded the bid of Trispan Corporation for furnishing all labor, materials and equipment necessary to complete the project known as the **Middlebury Road (KEN 193) Bridge Replacement Project**; and

- WHEREAS,** the Woodlands at Robinson desires to retain the services of Bong S. Kauh MD, CMD as the Medical Director of the Woodlands at Robinson Rehabilitation unit; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and Bong S. Kauh MD, CMD for a period of one (1) year beginning on May 1, 2010 and ending December 31, 2010 for the monthly sum of One thousand, three hundred and 00/100 dollars (\$1,300.00); and be it further
- RESOLVED,** that the Agreement shall automatically renew for one (1) addition year unless either party terminates the agreement; 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, Absent;

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RESOLUTION No. 10-0314 - RE: ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS AND CHOICECARE NETWORK FOR HEALTHCARE PLAN PROVIDER SERVICES.

It was moved by Maureen T. Frederick, seconded Charles W. Keiper II by that the following resolution be adopted:

- WHEREAS,** the Woodlands at Robinson has an need for certain professional healthcare plan provider services; and
- WHEREAS,** ChoiceCare has agreed to administer the plan for Humana covered Woodlands residents and provide the services necessary to reimburse the Woodlands for services under the plan; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and ChoiceCare for the period of year with the agreement automatically renewing for subsequent one (1) year terms until terminated; 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

WHEREAS, the Woodlands at Robinson Activity Director has the need to purchase occasional party goods and refreshments for residents and activity supplies for new and ongoing resident programs from local stores; and

WHEREAS, the Woodlands has a need for a petty cash fund to purchase said items; and

WHEREAS, it is required that the petty cash fund be established by resolution of the Portage County Board of Commissioners; and

WHEREAS, the policies and procedures governing the petty cash fund are as follows:

- a. The petty cash fund shall not have a balance over \$100.00 and shall be kept securely by the activity director;
- b. Purchases shall be made by the activity director of the Woodlands;
- c. The use of the petty cash fund shall be limited to:
 1. Party goods for residents
 2. Refreshments for residents
 3. Activity supplies for resident programs
- d. A petty cash journal shall be kept by the activity director and reconciled by the Woodlands Director or his/her designee;
- e. The original receipts from purchases shall be submitted to the County Auditor's office with a copy of the petty cash journal for replenishment of the petty cash fund;
- f. Any theft from the petty cash fund shall be immediately reported to the Woodlands Director and Board of Commissioners.

now therefore be it;

RESOLVED, that the Board of Commissioners agrees to establish a petty cash fund of One hundred dollars (\$100.00) for use by the activity director at the Woodlands; and be it further

RESOLVED, the Woodlands will submit a letter of request to the Auditor's office of \$100.00 for the start up cash for the fund; and be it further

RESOLVED, that a copy of this resolution be forwarded to 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 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, Absent;

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RESOLUTION No. 10-0317 - RE: DECLARE OBSOLETE AND SET DATE FOR THE SALE OF ONE (1) MECHANICAL SLUDGE PRESS FOR THE PORTAGE COUNTY WATER RESOURCES DEPARTMENT.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

- RESOLVED,** that the 1999 Roediger 2.2 meter tower belt filter press located in the Portage County Water Resources Department, be declared obsolete and for sale to the highest bidder; and be it further
- RESOLVED,** that sealed bids, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 3:00 p.m. on May 12, 2010; and be it further
- RESOLVED,** that the notice of receiving bids shall be published in the Record Courier on April 9 and 16, 2010, and a copy thereof be posted on the bulletin board of the Board forthwith; 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, Absent;

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RESOLUTION No. 10-0318 - RE: ENTER INTO REAL ESTATE LEASE AGREEMENT AMENDMENT NO. 4 WITH THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES FOR THE PROPERTY LOCATED AT 209 SOUTH CHESTNUT STREET – SUITE 205, RAVENNA, OHIO.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

- WHEREAS,** a lease agreement between the parties was entered into on February 6, 2007 through Resolution No. 07-0188 for real estate property situated in the County of Portage, known for street numbering purposes as 209 South Chestnut Street – Suite 205, Ravenna, Ohio (730 sq. ft.); and

WHEREAS, Amendment No. 1 was entered into on February 22, 2007 through Resolution No. 07-0189 which bans smoking in all public buildings and places of employment (issue 5); and

WHEREAS, the parties desire to amend the original Lease Agreement to continue such services; now therefore be it

WHEREAS, Amendment No. 2 was entered into on February 26, 2008 through Resolution No. 08-0156 for real estate property known as 209 S. Chestnut St. Suite 205, Ravenna, OH, term of agreement January 1, 2008 until December 31, 2008; and

WHEREAS, Amendment No. 3 was entered into on February 5, 2009 through Resolution No. 09-039 for real estate property known as 209 S. Chestnut St. Suite 205, Ravenna, OH, term of agreement January 1, 2009 until December 31, 2009; and

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into said Lease Agreement Amendment No. 4 for the property listed above with Job and Family Services for a term of one (1) year, beginning January 1, 2010 and ending on December 31, 2010; and be it further

RESOLVED, Lessee shall pay rent in the amount of \$14.23 per sq. foot in equal monthly installments of eight hundred, sixty five dollars and twenty-three cents (\$865.66) each payable on the 1st day of each month beginning January 1, 2010, and continuing until the expiration of this lease; 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, Absent;

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RESOLUTION No. 10-0319

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RE:

ENTER INTO REAL ESTATE LEASE AGREEMENT AMENDMENT NO. 6 WITH THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES FOR THE PROPERTY LOCATED AT 209 SOUTH CHESTNUT STREET, RAVENNA, OHIO (1,092 SQ. FT. ON FLOOR TWO AND 4,156 SQ. FT. ON FLOOR FOUR FOR A TOTAL OF 5,248 SQ. FT.).

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

WHEREAS, a lease agreement between the parties was entered into on April 22, 2003 through Resolution No. 03-0274 for real estate property situated in the County of Portage, known for street numbering purposes as 209 South Chestnut Street, Ravenna, Ohio (1,092 sq. ft on floor two and 4,156 sq.ft. on floor four for a total of 5,248 sq. ft.); and

WHEREAS, Amendment No. 1 was entered into on April 1, 2004 through Resolution No. 04-0187 for the term of January 1, 2004 until December 31, 2004 and

WHEREAS, Amendment No. 2 was entered into on February 6, 2007 through Resolution No. 07-0077 for the term of January 1, 2005 until December 31, 2007; and

WHEREAS, Amendment No. 3 was entered into on February 22, 2007 by Resolution 7-0189 which bans smoking in all public buildings and places of employment (issue 5); and

WHEREAS, Amendment No. 4 was entered into on February 26, 2008 through Resolution No. 08-0155 for the term of January 1, 2008 until December 31, 2008; and

WHEREAS, Amendment No. 5 was entered into on February 5, 2009 through Resolution No. 09-0041 for the term of January 1, 2009 until December 31, 2009; and

WHEREAS, the parties desire to amend the original Lease Agreement to continue such services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into said Lease Agreement Amendment No. 6 for the property listed above with Job and Family Services for a term of one (1) year, beginning January 1, 2010 and ending on December 31, 2010; and be it further

RESOLVED, Lessee shall pay rent in the amount of \$14.23 per sq. foot in equal monthly installments of six thousand, two hundred twenty-three dollars and twenty-five cents (\$6,223.25) each payable on the 1st day of each month beginning January 1, 2010, and continuing until the expiration of this lease; 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, Absent;

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RESOLUTION No. 10-0320

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RE: ACCEPTANCE OF DONATION TO THE OFFICE OF THE PORTAGE COUNTY DOG WARDEN.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II that the following resolution be adopted:

WHEREAS, The office of the Portage County Dog Warden is receiving a donation from Lowe's Home Improvement Store to help build quarantine kennels in the garage area, including two pallets of block to build the walls, concrete board and miscellaneous materials totaling approximately \$500, now therefore be it

RESOLVED, The Board of Portage County Commissioners does hereby accept the donation on behalf of the Portage County Dog Warden's Office; 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.

Roll call vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Absent;

Maureen T. Frederick, Yea;

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RESOLUTIONS

April 1, 2010

1. Approval of Meeting Minutes from the March 30, 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./10-0307
3. Approve the wire transfer as presented by the County Auditor./10-0308
4. Approve the Journal Vouchers as presented by the County Auditor./10-0309
5. Approve Then & Now as presented by the County Auditor./10-0310
6. Accept the bid of The Sherwin-Williams Company for furnishing acrylic water base traffic safety paint for use by the Portage County Engineer./10-0311

7. Accept contract change order no. 2 and final for Trispan Corporation covering the Middlebury Road Bridge Replacement Project over the Cuyahoga River in the City of Kent, Portage County (County Engineer)./10-0312

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INVITATIONS/MEETING NOTICES

April 1, 2010

1. Invitation for the live and silent auction to benefit the Phyllis Zumkehr County Clothing Center on Friday, April 30, 2010, 6:30 PM-8:00 PM, Dalton Furniture/Northport Flooring, Kent.
2. Invitation from Western Reserve RC&D Council for the next Council Meeting and walking tour on Thursday, April 8, 2010, 9:00 AM-Noon at The Tannery, 138 E. Main St., Kent.

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INCOMING CORRESPONDENCE

DISCUSSION

April 1, 2010

1. March 23, 2010 correspondence from Roger and Susan Monroe, Monroe's Orchard and Farm Market LLC., regarding electrical wire damage by a County snow plow truck/Commissioner Keiper agreed to discuss this request with the County Engineer. Bring back for Board of Commissioners discussion on April 6, 2010.
2. March 29, 2010 e-mail from Cathy Poling, Adult Probation, regarding the Community Based Corrections Board/The Board of Commissioners agreed to hold this request for appointment for a recommendation from the Executive Assistant.

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JOURNAL ENTRY

April 1, 2010

1. Board of Commissioners' signature requested on the payment authorization form for required advertising for release of funds (B-F-09) and General CDBG for \$198.00 as requested by the Regional Planning Commission. The B-F-09-062-1 Formula Grant Activity #08 Administration is funding this expense.
2. The Board of Commissioners received the Sheriff's Transportation of Prisoner Report for February 2010 as presented by the Portage County Sheriff's Department.
3. The Board of Commissioners received the March 30, 2010 Amended Certificate of Estimated Resources for the year beginning January 1, 2010 as submitted by the Portage County Budget Commission (cc: Department of Budget & Financial Management).

4. The Board of Commissioners received the March 29, 2010 correspondence from the Portage County Board of Elections noting that the galley proofs of all ballots for the Primary Election to be held on May 4, 2010 are now on display and may be viewed between 8:00 AM-4:30 PM Monday through Friday.
5. The Board of Commissioners received the Weekly Report of Kennel population for the week ending March 28, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$612.00 in License Sales and \$475.00 for Impound fees.

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REFERRED
April 1, 2010

1. March 25, 2010 correspondence from Michael Hiler, Ohio Department of Development, including a Notice of Project Specific Release of Funds Respecting Environmental Grant Conditions for Grant No. B-F-09-062-1. Referred to Department of Budget and Financial Management and Grants Administrator.
2. ON March 29, 2010, the Board of Commissioners received the November 25, 2009 correspondence from Attorney William D. Lentz, including an Answer of Defendant Portage Community Bank as presented by the Portage County Common Pleas Court. Referred to Prosecutor’s Office.

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PLEASE ADD TO THE AGENDA
April 1, 2010

1. Board of Commissioners’ authorization requested for the following as presented by Director Harold Huff, Water Resources Department/Journal Entry
 - (A) Remove John Clark from the take home vehicle list effective immediately due to his resignation effective March 25, 2010.
 - (B) Authorize James Akerely, the new Wastewater Supervisor, to drive a departmental vehicle to and from the Streetsboro wastewater plant, effective April 19, 2010.
 - (C) Authorize Managers Lee Benson and Wayne Carkido to become part of the call rotation and drive home equipped department vehicles for call outs at night, weekends, and holidays in case of sewer stoppages or water line breaks effective April 19, 2010.
2. March 31, 2010 e-mail from Michelle Ripley, Safety Loss Control, regarding the County vehicle damage estimate/Journal Entry.
3. March 30, 2010 e-mail from Heather Neikirk, Ohio State University, regarding the Stronger Economies Together Program (multi-jurisdictional opportunities for collaboration, building support for multi-regional collaboration and cooperative planning for regional development). Ms. Neikirk requests the Board share this information with other appropriate entities. Original e-mail was sent by Ms. Neikirk to the Grants Administrator and the Economic Development Director.

4. Draft Resolution: Accept donation to the Office of the Portage County Dog Warden from Lowe's Home Improvement Store/10-0320.
5. The Grants Administrator presents a draft resolution of support for the ED Application as requested by the City of Kent/HOLD. The Board of Commissioners discussed the supporting of both the MAGNET application and the City of Kent application. Commissioner Keiper advised that he spoke with George Rogers of the Chicago Office, who advised him that it is acceptable to support more than one application for this funding.
6. March 31, 2010 e-mail from Harold Huff requesting authorization to ask the Prosecutor's Office for a legal opinion/the Board of Commissioners agreed that the Director should send the draft request to the Board of Commissioners for review.
7. Invitation from ODOT District 4's Construction Kick-Off 2010 on Friday, April 9, 2010, 9:00 AM-10:30AM at the District 4 Headquarters 2088 S. Arlington Road, Akron/Information only.

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INFORMATION ONLY

April 1, 2010

1. The Board of Commissioners received the Certificate of Estimated Property Tax Revenues for the renewal levy for the Portage County Developmental Disabilities, as presented by the Portage County Auditor.

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Journal Entry

April 1, 2010

Motion by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners signed the payment authorization form for the Record Publishing Company of Ravenna for the required advertising for the release of funds (B-F-09) and the General CDBG Public Hearing notice for \$198.00, as presented by the Regional Planning Commission. The B-F-09-062-1 Formula Grant Activity #08 Administration is funding this expense.
2. The Board of Commissioners acknowledged the receipt of the Sheriff's Transportation of Prisoner Report for February 2010, as presented by the Portage County Sheriff in accordance with ORC Section 325.07.
3. The Board of Commissioners acknowledged the receipt of the March 30, 2010 Amended Certificate of Estimated Resources for the year beginning January 1, 2010, as submitted by the Portage County Budget Commission. Forwarded to the Department of Budget & Financial Management.

4. The Board of Commissioners acknowledged the receipt of the March 29, 2010 correspondence from the Portage County Board of Elections noting that the galley proofs of all ballots for the Primary Election to be held on May 4, 2010 are now on display and may be viewed between 8:00 AM-4:30 PM Monday through Friday.
5. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending March 28, 2010, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners also acknowledged the receipt of \$612.00 in License Sales and \$475.00 for Impound fees.
6. The Board of Commissioners accepted the recommendation of Portage County Water Resources Department Director Harold Huff and approved the following actions:
 - a. The Board of Commissioners agreed to remove John Clark from the take home vehicle list effective immediately due to his resignation on March 26, 2010.
 - b. The Board of Commissioners authorized the new Wastewater Supervisor James Akerely to drive a departmental vehicle to and from the Streetsboro wastewater plant, effective April 19, 2010.
 - c. The Board of Commissioners authorized Managers Lee Benson and Wayne Carkido to become part of the call rotation and drive home equipped department vehicles for call outs at night, weekends, and holidays in case of sewer stoppages or water line breaks, effective April 19, 2010.
7. The Board of Commissioners authorized the repair of the 2009 Ford Fusion assigned to the Board of Commissioners at a cost of \$905.78, as presented by Motor Pool Director Joe Dillon and detailed in an estimate provided by Penney's Auto Body, Inc. of Ravenna.
8. The Board of Commissioners authorized Commissioner Keiper to sign the Ohio EPA's Water Pollution Control Loan Fund (WPCLF) Project ARRA Quarterly Report for the Portage County Garage, O&M Center [Loan Number CS390067-0018 and Portage County Project Number PC (07-143)], as presented by the Grants Administrator and prepared by the Portage County Water Resources Department.
9. The Board of Commissioners authorized Commissioner Keiper to sign the Ohio EPA's Water Pollution Control Loan Fund (WPCLF) Project ARRA Quarterly Report for the West Branch MHP WWTP Improvement [Loan Number CS390067-0013 and Portage County Project Number CH-1 (08-090)], as presented by the Grants Administrator and prepared by the Portage County Water Resources Department.
10. On January 14, 2010, the Board of Commissioners approved the following Journal Entry:

Habitat for Humanity received \$40,000 in 2008 CHIP funding for the acquisition of two lots for two new homes. Neighborhood Development Services, Inc. staff has advised the Board of Commissioners that these units will not be completed before the grant period expires.

After meeting today [January 21, 2010] with Neighborhood Development Services, Inc. staff, the Board of Commissioners accepted the Neighborhood Development Services, Inc. recommendation and authorized the return of 2008 CHIP funds to the State in the amount of \$40,000, awarded to Habitat for Humanity of Portage County, so that the next round of funding is not impacted.

The Board of Commissioners authorized the use of the balance of the Section 17 RLF to replace the CHIP funds for this repayment, noting that the remaining \$3,000 will have to be paid by Habitat for Humanity. The Board of Commissioners agreed to send a letter to the Habitat for Humanity Board of Directors cautioning them that the 2008 CHIP funds must be returned to the state to avoid jeopardizing future Portage County funding.

On January 21, 2010, the Board of Commissioners agreed by Journal Entry that the Section 17 RLF will fully fund this repayment with Habitat for Humanity of Portage County signing a new mortgage and promissory note.

Today, the Board of Commissioners signed the March 3, 2010 correspondence to Portage County Auditor Esposito, requesting that staff debit the Fund 1272 by \$40,000 and credit Fund 1263 with \$40,000 as follows:

	<u>Object</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
<u>Debit:</u>	911000		\$40,000.00	Prior Year Correction – Expense
<u>Credit:</u>	281000	8E239	\$40,000.00	Prior Year Correction - Revenue

Christopher Smeiles, absent, 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 **April 1, 2010**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to adjourn the official meeting at **11:36 AM**. Commissioner Smeiles absent, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

ABSENT

Christopher Smeiles, Vice President

Deborah Mazanec, Clerk

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