

**Thursday, April 15, 2010**

The Board of County Commissioners met in regular session on **Thursday, April 15, 2010 at 10:35 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

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It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II to approve the meeting minutes of the April 13, 2010 meeting. Commissioner Smeiles absent, motion carries

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

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**HUMAN RESOURCES**

Present: Karen U’Halie, Michelle Ripley, Anita Herington, Ben Sutton Sr. and Ben Sutton Jr., Sutton Insurance

Commissioner Smeiles attending 10:37 AM.

Karen U’Halie indicated that this meeting was called today in order to update the Board on the CORSA program.

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Anita Herington of Job & Family Services attending to discuss the quote for costs on Foster Parent coverage. Because of the rules from Ohio Department of Job & Family Services, Anita asked how does the County procure the insurance so that Job & Family Services is allowed to pay for this expense? Normally, anything over \$100.00, three quotes are required. Mr. Sutton indicated that no other company out there offers that coverage. It’s an extra benefit CORSA will offer to any County that is interested in.

This coverage is for \$11 million and it is bid and that should cover any questions about the over \$100.00 must be bid question by the State Auditor’s office.

The Board agreed to add Foster Parent Coverage through the County Risk Sharing Authority (CORSA) from May 1, 2010 through April 30, 2011 for \$8,684.00 provided by The Edward H. Sutton Insurance Agency, Inc. and presented by Director Anita Herington, Job & Family Services./Journal Entry

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Jim Manion, General Services came to see the Board regarding the fire door at the Child Support Enforcement Agency at Riddle Block. This issue has been taken care of.

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**INTERNAL SERVICES**

Present: JoAnn Townend

DISCUSSION:

1. Copier service proposals:
  - a. Ace Business \$3,745.00
  - b. Com Doc \$4,360.00
  - c. Copeco \$4,633.00
  - d. Advanced Copier \$6,094.98
2. Updates
  1. Fire Extinguisher:
  2. Kent Court MOU:
  3. Land Use Agreement

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**RESOLUTION No. 10-0351 - 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 April 15, 2010 in the total payment amount of **\$175,387.08 for Funds 0001-8106** 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. 10-0352 - 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 April 15, 2010 in the total payment amount as follows:

1. \$151,302.57 for Medical Mutual Claims-Fund 7101; and
2. \$6,027.78 to WageWorks, Inc. for processing claims for Medical Mutual; and
3. \$740.00 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 16, 2010	\$ 151,302.57
Wire Transfer on Friday, April 16, 2010	\$ 6,027.78
Wire Transfer on Friday, April 16, 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 formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Charles W. Keiper II, Yea;	Maureen T. Frederick, Yea;	Christopher Smeiles, Yea;
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**RESOLUTION No. 10-0353 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick 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:

04/14/10	456	\$ 24,865.47
Total		\$ 24,865.47

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. 10-0354**

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

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

**WHEREAS,**

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

**WHEREAS,**

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

**WHEREAS,**

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

**RESOLVED,**

that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$7,876.96** as set forth in Exhibit “A” dated **April 15, 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. 10-0355 - RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE THE LOCAL PUBLIC AGENCY (LPA) AGREEMENT No. 23547 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE 2010 CRASH DATA/HIGH-HAZARD LOCATION ANALYSIS STUDY UPDATE ON ALL COUNTY HIGHWAYS IN PORTAGE COUNTY

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

**WHEREAS,** the Portage County Engineer has secured 90% federal funding from the County Engineer’s Association of Ohio HSIP Program to perform the 2010 Crash Data/High-Hazard Location Analysis Study Update on all County Highways in Portage County, and

**WHEREAS,** the Portage County Engineer has received the LPA Agreement No. 23547 from the Director of the Ohio Department of Transportation for said crash data study, and

**WHEREAS,** the LPA Agreement provides for the reimbursement to the Portage County Engineer of the federal funds for the said intersection safety studies to a maximum of \$8,492.00, now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to enter into the LPA Agreement No. 23547 with the Director of the Ohio Department of Transportation to access federal funds to reimburse the Portage County Engineer for the 2010 Crash Data/High-Hazard Location Analysis Study Update on all County Highways in Portage County.

**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. 10-0356

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**RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE THE LOCAL PUBLIC AGENCY (LPA) AGREEMENT No. 23524 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FRACTURE CRITICAL BRIDGE LOAD RATING PROJECT TO LOAD RATE 9 BRIDGES IN PORTAGE COUNTY**

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

**WHEREAS,** the Portage County Engineer has secured 80% federal funding from the County Engineer’s Association of Ohio LBR Program to perform the Fracture Critical Bridge Load Rating Project to Load Rate 9 Bridges in Portage County, and

**WHEREAS,** the Portage County Engineer has received the LPA Agreement No. 23524 from the Director of the Ohio Department of Transportation for said load rating project, and

**WHEREAS,** the LPA Agreement provides for the reimbursement to the Portage County Engineer of the federal funds for the said load rating project to a maximum of \$51,469.60, now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to enter into the LPA Agreement No. 23524 with the Director of the Ohio Department of Transportation to access federal funds to reimburse the Portage County Engineer for the Fracture Critical Bridge Load Rating on 9 Bridges in Portage County.

**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. 10-0357 - RE: REMOVE RESTRICTIONS REDUCING LOAD LIMITS ON ALL COUNTY AND TOWNSHIP ROADS IN PORTAGE COUNTY**

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

**WHEREAS,** per Resolution No. 10-0085, adopted January 28, 2010, due to the unusual weather causing the break-up of roads, the maximum weight of vehicles and axle loads for motor vehicles permitted by law was reduced 35% on all County and Township roads in Portage County, effective January 28, 2010, and

**WHEREAS,** as the period of excessive moisture and freezing and thawing has passed at this time of year, Mr. Michael A. Marozzi, Portage County Engineer, has requested the restrictions be removed reducing the weight limit 35% on all County and Township roads in Portage County; now therefore be it

**RESOLVED,** that effective immediately, the restrictions reducing the load limits 35% on all County and Township roads be removed until further action by this Board of Portage County Commissioners; and be it further

**RESOLVED,** that the Clerk of this Board be and is hereby directed to file certified copies of the above Resolution with the County Engineer and the Chairmen of all Boards of Township Trustees in Portage County, 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. 10-0358 - RE: ACCEPT TECHNICAL AND FEE PROPOSAL OF PROFESSIONAL SERVICES INDUSTRIES, INC. AND ENTER INTO AGREEMENT FOR PROVIDING GEOTECHNICAL SERVICES FOR THE MARTIN ROAD CULVERT REPLACEMENT PROJECT, LOCATED IN SUFFIELD TOWNSHIP, PORTAGE COUNTY, OHIO.**

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

- WHEREAS,** Suffield Township received notice of financial assistance from Ohio Public Works Commission for the **Martin Road Culvert Replacement** Project, and
- WHEREAS,** the Portage County Engineer, for Suffield Township, requested a technical and fee proposal from ***Professional Services Industries, Inc.*** to provide Engineering Services on the **Martin Road Culvert Replacement** Project, and
- WHEREAS,** the Portage County Engineer, upon review of the proposal from ***Professional Services Industries, Inc.*** recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it
- RESOLVED,** that the Portage County Board of Commissioners does hereby accept the technical and fee proposal of ***Professional Services Industries, Inc.*** and authorizes the Portage County Engineer to enter into an engineering agreement for providing professional services for the **Martin Road Culvert Replacement** Project; and be it further
- RESOLVED,** that said professional services will be performed by ***Professional Services Industries, Inc.*** 4579 Navarre Road, S.W., Canton, OH 44706 for a Not to Exceed Fee of \$3,000.00; and be it further
- RESOLVED,** that the Portage County Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in 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. 10-0359 - RE: ACCEPT TECHNICAL AND FEE PROPOSAL OF CTI ENGINEERS, INC. AND ENTER INTO AGREEMENT FOR PROVIDING PROFESSIONAL SERVICES FOR THE MARTIN ROAD CULVERT REPLACEMENT PROJECT, LOCATED IN SUFFIELD TOWNSHIP, PORTAGE COUNTY, OHIO.**

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

**WHEREAS,** Suffield Township received notice of financial assistance from Ohio Public Works Commission for the **Martin Road Culvert Replacement** Project, and

**WHEREAS,** the Portage County Engineer for Suffield Township, requested a technical and fee proposal from **CTI Engineers, Inc.** to provide Engineering Services on the **Martin Road Culvert Replacement** Project, and

**WHEREAS,** the Portage County Engineer, upon review of the proposal from **CTI Engineers, Inc.** recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does hereby accept the technical and fee proposal of **CTI Engineers, Inc.** and authorizes the Portage County Engineer to enter into an engineering agreement for providing professional services for the **Martin Road Culvert Replacement** Project; and be it further

**RESOLVED,** that said professional services will be performed by **CTI Engineers, Inc.** One Cascade Plaza, Suite 710, Akron, OH 44308 for a Not to Exceed Fee of \$13,500.00; and be it further

**RESOLVED,** that the Portage County Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in 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. 10-0360** - **RE: ACCEPT TECHNICAL AND FEE PROPOSAL OF ME COMPANIES AND ENTER INTO AGREEMENT FOR PROVIDING PROFESSIONAL SERVICES FOR THE PROJECT KNOWN AS THE BRADY LAKE ROAD BRIDGE REPLACEMENT (FRA 115 CH162A) OVER CSXT AND BREAKNECK CREEK IN FRANKLIN TOWNSHIP, PORTAGE COUNTY, OHIO.**

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

**WHEREAS,** the Ruhlin Company was awarded the bid to construct the **Brady Lake Road Bridge Replacement (FRA 115 CH152A) Project** over the CSXT and Breakneck Creek in Franklin Township, Portage County, Ohio, and

**WHEREAS,** during the construction of the “Forward Abutment,” the 16” diameter cast in place reinforced concrete piles interfered with the existing foundation preventing the piles from being installed as shown in the plans, and

**WHEREAS,** the Portage County Engineer requested a technical and fee proposal from **ME Companies** to provide Engineering Services to redesign the Forward Abutment on the **Brady Lake Road Bridge Replacement (FRA 115 CH152A) Project**, and

**WHEREAS,** the Portage County Engineer, upon review of the proposal from **ME Companies**, recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does hereby accept the technical and fee proposal of **ME Companies** and authorizes the Portage County Engineer to enter into an engineering agreement for providing professional services for the **Brady Lake Road Bridge Replacement (FRA 115 CH152A) Project** ; and be it further

**RESOLVED,** that said professional services will be performed by **ME Companies**, 4150 Belden Village Street, Suite 104, Canton, Ohio for a Not to Exceed Fee of \$9,130.00; and be it further

**RESOLVED,** that the Portage County Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in 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. 10-0361**

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**RE: ENTER INTO BUSINESS ASSOCIATE AGREEMENT WITH WAGE WORKS, INC. AS REQUIRED BY HIPAA.**

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

**WHEREAS,** **Wage Works, Inc.** has agreed to provide health benefit plan flexible spending plan 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 **Wage Works, Inc.** 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 **Wage Works, Inc., 1100 Park Place 4<sup>th</sup> floor, San Mateo CA 94403,** 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;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0362**

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**RE:**

**ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE WOODLANDS AT ROBINSON AND FORTIS COLLEGE PRACTICAL NURSING PROGRAM.**

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

**WHEREAS,** Fortis College of Practical Nursing provides a State approved practical nurse education program; and

**WHEREAS,** the School desires to provide training for individuals in order to become eligible to take the state required licensure exam; and

**WHEREAS,** as part of that training individuals must have a clinical experience in an accredited health care facility; and

**WHEREAS,** the Woodland of Robinson has appropriate and adequate facilities for such training; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and Fortis College of Practical Nursing to accept

individuals from the School's program to participate in clinical training provided by the School at the Woodlands of Robinson; and be it further

**RESOLVED,** as there is no monetary consideration passing between the parties, consideration shall be the mutual benefit derived by the Parties from the delivery of educational services to future medical professionals within Portage County, Ohio; 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. 10-0363 - RE: ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS AND DAVID L. SOMMERS AIA, FOR PROFESSIONAL DESIGN SERVICES FOR ADDITIONAL SPACE AND ALTERATIONS OF THE BUS GARAGE.**

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

**WHEREAS,** the Portage County Board of Developmental Disabilities has established the need for design for additional space and alterations of the bus garage; and

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

**WHEREAS,** the Portage County Board of 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 Nineteen thousand six hundred dollars and 00/100 dollars (\$19,600.00); and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those

formal actions were in 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. 10-0364 - RE: ENTER INTO AN AGREEMENT WITH WAGE WORKS (FORMERLY MHM RESOURCES, LLC) TO PROVIDE A MINIMUM MAINTENANCE DEPOSIT FOR THE PORTAGE COUNTY EMPLOYEE SECTION 125 FLEXIBLE SPENDING ACCOUNT (FSA) PLAN FOR 2010.**

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

**WHEREAS,** the original agreement between the parties was entered into by Resolution No. 07-0010 on January 4, 2007, and known as Portage County Contract No. 20070184 to provide third party administrative services in the processing of Section 125 Flexible Spending Account (FSA) Plan claims; and

**WHEREAS,** the parties mutually agreed to continue the services; and

**WHEREAS,** the minimum maintenance deposit fee for 2010 has been determined to be \$20,000.00; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to allow the agreement between the Board of Commissioners and Wage Works (formerly MHM Resources, LLC) for the provision of a minimum maintenance deposit fee of \$20,000.00 for 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 §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. 10-0365**

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**RE: AMEND RESOLUTION 10-0251 TO CHANGE THE OIL AND GAS LEASE NUMBERS IN THE 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,** the Portage County Board of Commissioners adopted Resolution No. 10-0251 to enter into an Assignment Agreement between the Board and Range Resources – Appalachia LLC; and

**WHEREAS,** Range Resources – Appalachia LLC submitted the wrong lease ID numbers and exhibit A; now therefore be it

**RESOLVED,** that the Board of Commissioners agrees to amend Resolution 10-0251 and will read in its entirety as follows:

\* \* \* \*

**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 numbers 341331150 and 341330338 as detailed on exhibit A (attached), and

**WHEREAS,** the leases contain provisions requiring consent of the assignment of the leases 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 numbers 341331150 and 341330338 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. 10-0366 - RE: APPROVE SPECIFICATIONS AND SET THE PROPOSAL DATE FOR MULTISYSTEMIC THERAPY FOR THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES**

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

**RESOLVED,** that the specifications for receiving proposals for multisystemic therapy the Portage County Department of Job & Family Services be and hereby are approved; and be it further

**RESOLVED,** that sealed proposals, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor - room 701, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 3:00 p.m. on May 26, 2010; and be it further

**RESOLVED,** that the notice of receiving bids shall be published in the Record Courier on April 26, 2010 and a copy thereof be posted on the County's website and 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; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0367 - RE: CREATE FUND 4017, KENT MUNICIPAL COURT**

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick 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 involving the construction of a new Municipal Court Building, and

**WHEREAS,** the County Auditor as assigned Fund number 4017 to the Kent Municipal Court Construction Project; now therefore be it

**RESOLVED,** that Fund 4017, Kent Municipal Court be created, and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, the Portage County Municipal Court, the Department of Internal Services 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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**RESOLUTIONS**  
April 15, 2010

1. Approval of Meeting Minutes from the April 13, 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./10-0351
3. Approve the wire transfer as presented by the County Auditor./10-0352
4. Approve the Journal Vouchers as presented by the County Auditor./10-0353
5. Approve Then & Now as presented by the County Auditor./10-0354
6. Authorize the Portage County Engineer to execute the Local Public Agency (LPA) Agreement No. 23547 with the Director of the Ohio Department of Transportation for the 2010 Crash Data/High Hazard location analysis study update on all County Highways in Portage County (County Engineer)./10-0355
7. Authorize the Portage County Engineer to execute the Local Public Agency (LPA) Agreement No. 23524 with the Director of the Ohio Department of Transportation for the fracture critical bridge load rating project to load rate 9 bridges in Portage County (County Engineer)./10-0356
8. Remove restrictions reducing load limits on all county and township roads in Portage County (County Engineer)./10-0357
9. Accept technical and fee proposal of Professional Services Industries Inc. and enter into an agreement for providing geotechnical services for the Martin Road Culvert Replacement project located in Suffield Township, Portage County, Ohio (County Engineer)./10-0358

10. Accept technical and fee proposal of CTI Engineers, Inc. and enter into an agreement for providing professional services for the Martin Road Culvert Replacement project located in Suffield Township, Portage County, Ohio (County Engineer)./10-0359
11. Accept Technical and Fee Proposal of ME Companies and enter into an agreement for providing professional services for the project known as the Brady Lake Road Bridge Replacement (FRA 115 CH162A) over CSXT and Breakneck Creek in Franklin Township, Portage County, Ohio (County Engineer)./10-0360

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**INVITATIONS/MEETING NOTICES**

April 15, 2010

1. Invitation from Kent State University for the SPRING dialogue with President Lefton on Thursday, May 13, 2010, 7:45 AM in the new Tannery office area (2<sup>nd</sup> Floor) of the Phoenix project in Downtown Kent.
2. Invitation from Goodwill Industries for the Celebration of Champions on Friday, May 7, 2010, 12:30-1:30 PJM, Goodwill Service Center, Akron.

Additionally, the Board is also invited to a public open house on Thursday, May 6, 2010, 3:00-6:00 PM; Friday, May 7, 2010, 1:30-3:30 PM; Saturday, May 8, 2010, 11:00 AM-2:00 PM, Goodwill Service Center, Akron.

3. Invitation from the Aurora Chamber of Commerce for the Business and Community Golf Outing on Monday, June 14, 2010, 10:30 AM-11:45 AM Registration, 12:00 Noon Shotgun start, Aurora Golf Club.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

April 15, 2010

1. April 12, 2010 e-mail from Robert Wrentmore, Building Department, regarding the Insurance Services Office, Inc. (ISO) Residential Sprinkler requirements./Information Only.
2. April 9, 2010 e-mail from Michelle Ripley, Safety/Loss Control, regarding the expansion of the PetFix program. Does the Board wish to waive the requirement to be listed as additional insured and accept a Certificate of Liability insurance? Referred to Internal Services.
3. April 8, 2010 e-mail from Jim Manion, General Services, regarding the public on election night./Discussion Tuesday.
4. April 8, 2010 e-mail from Jon Barber, Office of Homeland Security and Emergency Management, regarding the public on election night./Discussion Tuesday.

5. Does the Board wish to proclaim May 11, 2010 as Senior Citizens Day in Portage County? (cc: Executive Assistant for proclamation)./Referred to Executive Assistant.
6. April 13, 2010 correspondence from Todd Peetz, Regional Planning Commission, regarding the 2009 Portage Audit Potential Violation "15 Day Rule"./Director Peetz to draft a letter to Ohio Housing and Community Partnership.
7. April 9, 2010 e-mail from Mickey Marozzi, County Engineer, regarding Monroe's Orchard & Farm Market electrical wire damage./No action for Board of Commissioners.
8. April 12, 2010 memo from Anita Herington, Job & Family Services, regarding the following: (1) listing of required improvements needed to the Child Support Enforcement Agency space in the Riddle Block Building (2) North Chestnut Street property./Forward to Maintenance, General Services, Internal Services for review and comment. (cc: Security).

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**JOURNAL ENTRY**

April 15, 2010

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending April 11, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$50 in Court Donations, \$1,249.25 in License Sales and \$564.00 for Impound fees.
2. Board of Commissioners' authorization requested to pay the April 7, 2010 Invoice for Professional Services rendered during April 2010 for \$175.00, as requested by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.
3. Board of Commissioners' authorization requested to pay the Treasurer State of Ohio for the 2008 Portage County CHIP Habitat A/R/R for \$40,000.00 as requested by Neighborhood Development Services.
4. Board of Commissioners' authorization requested for payment of expenditures incurred January 1, 2010 through March 31, 2010 in administering the Portage County Revolving Loan Fund 1285 for \$2,790.05, as presented by the Kent Regional Business Alliance. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
5. Board of Commissioners' signature requested on the payment authorization form for the City of Ravenna for Housing Development for 347 N. Chestnut St., Ravenna for \$50,976.05; 427 S. Scranton St., Ravenna for \$19,316.79; 536 E. Highland St., Ravenna for \$24,175.70; and 608 S. Walnut St., Ravenna for \$25,090.03 as requested by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Program Housing Development Activity is funding this expense.

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**REFERRED**

April 15, 2010

1. April 7, 2010 correspondence from Michael Hiler, Ohio Department of Development, regarding notice of FY2010 Ohio Small Cities Community Development Block Grant (CDBG) Formula Allocation Grant Amount for Grant No. B-F-10-062-1. Referred to Grants Administrator and Department of Budget & Financial Management.
2. April 9, 2010 e-mail from William Ulik, Economic Development, regarding EDA proposal and MAGNET meeting. Referred to Grants Administrator.
3. March 31, 2010 correspondence (received April 13, 2010) from David Douglas, USDA Rural Development, regarding Aurora Meadows Sanitary Improvements. Referred to Department of Budget & Financial Management.

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**PLEASE ADD TO YOUR AGENDA**

April 15, 2010

1. Board of Commissioners’ authorization requested to allow the electronic submission of the Office of Justice Program – Recovery Act Performance Reports for the following Grants:/Journal Entry

Grant No.	Period	Amount	Program
2009-RA-D01-2184	January-March 2010	\$59,038.00	Po. Co. Collaboration of Advocates
2009-RA-A02-2286	January-March 2010	\$202,500.00	Vehicles
2009-RA-A02-2323	January-March 2010	\$85,634.00	Courtroom Deputies

2. DRAFT RESOLUTION: Create Fund 4017 Kent Municipal Court (Department of Budget & Financial Management)/10-367

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**INFORMATION ONLY**

April 15, 2010

1. April 12, 2010 e-mail from JoAnn Townend, Internal Services, regarding monitored farms.
2. April 9, 2010 e-mail from Anita Herington, Job & Family Services, congratulating Scott Lazzara who has been selected by Coleman Professional Services to receive a Community Recognition Award at their annual dinner. The award is in honor of his vigilant work and dedication in the community of child caring professionals.
3. April 13, 2010 e-mail from Joe Paulus, Rootstown Area Chamber of Commerce regarding the lack of a quorum at the April 13, 2010 meeting.
4. April 13, 2010 e-mail from Audrey Tillis, Department of Budget & Financial Management to Neighborhood Development Services and Regional Planning Commission, requesting a brief

explanation for the request from the Ohio Department of Development related to the FY2008 Single Audit Report.

5. The Board of Commissioners received the April 13, 2010 Notice regarding upcoming closures over Interstate 76 for bridge reconstruction as presented by Ohio Department of Transportation.

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**PROSECUTOR'S CORRESPONDENCE**

April 15, 2010

1. April 12, 2010 e-mail from Denise Smith, regarding Water Resources Department employee fringe benefits (Tax consequences if taken home). Discussed with Prosecutor Smith on April 13, 2010./No action.

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**Journal Entry**

April 15, 2010

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

1. The Board of Commissioners acknowledged receipt of the Weekly Report of Kennel population for the week ending April 11, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$50 in Court Donations, \$1,249.25 in License Sales and \$564.00 for Impound fees.
2. The Board of Commissioners authorized payment of the April 7, 2010 Invoice for Professional Services rendered during April 2010 for \$175.00, as requested by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.
3. The Board of Commissioners authorized payment of the Treasurer State of Ohio for the 2008 Portage County CHIP Habitat A/R/R for \$40,000.00 as requested by Neighborhood Development Services.
4. The Board of Commissioners authorized payment of expenditures incurred January 1, 2010 through March 31, 2010 in administering the Portage County Revolving Loan Fund 1285 for \$2,790.05, as presented by the Kent Regional Business Alliance. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
5. The Board of Commissioners signed the payment authorization form for the City of Ravenna for Housing Development for 347 N. Chestnut St., Ravenna for \$50,976.05; 427 S. Scranton St., Ravenna for \$19,316.79; 536 E. Highland St., Ravenna for \$24,175.70; and 608 S. Walnut St., Ravenna for \$25,090.03 as requested by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Program Housing Development Activity is funding this expense.

6. The Board of Commissioners signed the Personnel Action form acknowledging the retirement of Linda Seeman from Public Assistance Direct Services Manager for the Portage County Department of Job and Family Services effective June 30, 2010 as presented by the Human Resources Department Director Karen U’Halie and approved by the Department of Job and Family Services Director Anita Herington.
7. The Board of Commissioners signed the Personnel Action Form authorizing a six month leave of absence for educational purposes for Kerri Daly, Social Services Worker 3 effective June 14, 2010 through an expected date of return on December 13, 2010 as presented by Human Resources Department Director Karen U’Halie and approved by Department of Job & Family Services Director Anita Herington.
8. The Board of Commissioners authorized the electronic submission of the Office of Justice Program Recovery Act Performance Reports for the following Grants as presented by the Grants Administrator:

Grant No.	Period	Amount	Program
2009-RA-D01-2184	January-March 2010	\$59,038.00	Po. Co. Collaboration of Advocates
2009-RA-A02-2286	January-March 2010	\$202,500.00	Vehicles
2009-RA-A02-2323	January-March 2010	\$85,634.00	Courtroom Deputies

9. The Board agreed to add Foster Parent Coverage provided by the County Risk Sharing Authority (CORSA) from May 1, 2010 through April 30, 2011 for \$8,684.00 as presented by The Edward H. Sutton Insurance Agency, Inc. This expense will be reimbursed to the General Fund through Job & Family Services.

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 **April 15, 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 **12:17 PM**.

All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Amy Hutchinson, Acting Clerk

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