

Tuesday, April 20, 2010

The Board of County Commissioners met in regular session on **Tuesday, April 20, 2010 at 8:00 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 April 15, 2010 meeting. Commissioner Smeiles absent, motion carries

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ELECTED OFFICIALS MEETING

Portage County Elected Officials and departments attending to discuss the FY 2011 budget.

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WOODLANDS AT ROBINSON

Present: NHA Barbara Fleischmann, Personnel Coordinator Allison Box, Human Resources Department Director Karen U’Halie

Nursing Home Administrator (NHA) Barb Fleischmann gave the Board of Commissioners an update as to what she has accomplished in the past week since being hired.

The NHA advised that she is having the fire alarms being checked since they are going off at odd times. Commissioner Frederick asked if security is still on site? Ms. Box responded that a receptionist is at the front door until 8:00 PM but visitors can be buzzed in after that.

Staff noted that the Census is 69 today and may be 71 tomorrow. Commissioner Keiper noted that the county facility needs to “get out there”. The NHA responded that she is very much in favor of networking and plans to visit other nursing homes in the county today. She is recommending a progressive luncheon with other nursing home facilities/senior homes in Portage County as was recently held in Geauga County. Commissioner Keiper also suggested that the NHA contact the Area Agency on Aging to determine if they would be willing to participate as a sponsor. The NHA plans to connect with Gerontology, Recreation, and Nursing professors at Kent State and Hiram College. The Nursing Home Admissions Director is planning an event at NEOUCOM in the near future.

The NHA noted that National Nursing Home Week is May 9 – 15, 2010; the Board of Commissioners agreed that the Executive Assistant should create a Proclamation for that event.

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9:55 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 two nursing home disciplinary issues. **Also present:** NHA Barbara Fleischmann, Allison Box,

Human Resources Department Director Karen U’Halie. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:00 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 move 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 approved two disciplinary actions.

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PROSECUTOR

Present: Denise Smith

Review of Prosecutor’s Pending List

1. Attorney Scahill has responded to the Recorder regarding the Recorder’s Office Housing Trust Fund Fee and ORC 319.63/Funds are already in place – no Board of Commissioners’ action required.
2. Attorney Smith has completed the draft of the Kent Courthouse MOU, which the Board of Commissioners will discuss on Thursday with JoAnn Townend. The fund has been set up and the money has been court-ordered.
3. Attorney Scahill is drafting the Po Co Developmental Disabilities Resolution for 1.8 mill levy for the November 2010 ballot.

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

RESOLUTIONS

1. Create Fund 5317, PCS Aurora Meadows Subdivision/10-0376

OTHER

1. Journal entry approval
 - a. Probate Court – Legal Services
2. Discussion
 - a. NDS RLF – Monthly Repayment Review/Director Tillis worked with Justin Meiser and reviewed the documents presented in the reconciliation. She has forwarded a copy to the County Auditor/Journal Entry
 - b. Fiscal Year 2011 Tax Budget Guidelines/the Board of Commissioners agreed to add a 5% increase into the 2011 budget for health benefits

UPDATES

3. BOC Pending Requests
 - a. The Director noted that there is \$1000 that could be billed to the Juvenile Detention Center in the Cost Allocation Plan. The Director is still working on the

final document, although she is not recommending moving forward with this invoicing.

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The Executive Assistant attending for guidance from the Board of Commissioners Fair about participation at the Portage County Fair this year. There is a \$1000 charge for 40 feet of space without including the Dog Warden or the Solid Waste Management District. The Board of Commissioners agreed that the Executive Assistant should contact departments to determine interest and that they will discuss this again on April 22nd.

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Riddle Block Update

General Services Director Jim Manion attending to advise the Board of Commissioners that the Riddle Block fire door has been moved, the lobby area was built and the electrician has been contacted to move the Fire Exit signs. Jim Manion going to the site today to meet with Callahan's Carpeting about 4th floor carpeting at the elevator stairwell, which is a real trip hazard. Jim Manion to bring back various pricing to replace the carpet. He noted that the ground level steps also need structural repairs, which will be looked at as well.

Board of Elections

Jon Barber talked to Linda Marcial, who is apprehensive about using the former Building Department space since the ballot delivery people need access to the area. Jon Barber recommends that the café area be used by those waiting until the Board of Elections is ready to make their announcements. There are no chairs in the former Building department area but there are some tables. Jim Manion to get pricing for wooden chair rentals.

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RESOLUTION No. 10-0368 - 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 20, 2010 in the total payment amount of **\$609,381.07 for Funds 0001-7002** 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. 10-0369 - 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 20, 2010 in the total payment amount as follows:

- 1. \$7,300.00 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 Wednesday, April 21, 2010 \$ 7,300.00

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; Christopher Smeiles, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0370 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

It was moved by Maureen T. Frederick, seconded by Charles W. Keiper II 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:

04/19/10	641	\$ 5,543.81
04/19/10	640	87,496.84
04/19/10	639	14,293.48
04/19/10	638	1,078.55
04/19/10	634	9,306.51
04/19/10	633	17,374.19
04/19/10	632	517.89
04/19/10	631	3,355.00
04/19/10	630	37,546.46
04/19/10	629	1,529.06
04/19/10	628	7,378.58
Total		\$ 185,420.37

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. 10-0371

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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 **\$6,058.37** as set forth in Exhibit “A” dated **April 20, 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. 10-0372 - RE: ACCEPT BIDS FOR FURNISHING VARIOUS SIZES OF SLAG 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 various Aggregate Materials for use by the Portage County Engineer was published in the Record Courier on **March 15, 2010** and **March 22, 2010**, and

WHEREAS, two (2) sealed bids for furnishing **Various Sizes of Slag** for use by the Portage County Engineer were received, tabulated and recorded on March 31, 2010; and

WHEREAS, after reviewing said bids, the Portage County Engineer recommended the following bids be accepted as the lowest and best bids received in accordance with the following stipulations:

1. All slag is to be ordered as needed and in quantities needed at that time.
2. Payment of the order is to be made upon receipt of the invoice of the delivered material; now therefore be it
3. Bid of alternate suppliers be accepted to ensure continuity of the Engineer's work program;

RESOLVED, that bids be accepted as follows:

2,000 Tons, More or Less, #6M, FOB Plant

LaFarge North America (LOW BID) \$15.60 Per Ton
10325 State Route 43
Streetsboro, Ohio 44241

2,000 Tons, More or Less, #6M, Delivered to Newton Falls Road/Various Sites

LaFarge North America (LOW BID) \$20.10 Per Ton
10325 State Route 43
Streetsboro, Ohio 44241

6,000 Tons, More or Less, #8, FOB Plant

LaFarge North America (LOW BID) \$18.45 Per Ton
10325 State Route 43
Streetsboro, Ohio 44241

6,000 Tons, More or Less, #8, Delivered to Newton Falls Road/Various Sites

LaFarge North America (LOW BID) \$23.35 Per Ton
10325 State Route 43
Streetsboro, Ohio 44241

Arms Trucking Company (ALTERNATE) \$24.30 Per Ton
14818 Mayfield Road, P.O. Box 369
East Claridon, OH 44033

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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0373

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RE: ACCEPT BIDS FOR FURNISHING VARIOUS SIZES OF LIMESTONE 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 various Aggregate Materials for use by the Portage County Engineer was published in the Record Courier on **March 15, 2010** and **March 22, 2010**, and

WHEREAS, **five (5)** sealed bids for furnishing **Various Sizes of Limestone** for use by the Portage County Engineer were received, tabulated and recorded on March 31, 2010; and

WHEREAS, after reviewing said bids, the Portage County Engineer recommended the following bids be accepted as the lowest and best bids received in accordance with the following stipulations:

1. All limestone is to be ordered as needed and in quantities needed at that time.
2. Payment of the order is to be made upon receipt of the invoice of the delivered material.
3. Bids of alternate suppliers be accepted to ensure continuity of the Engineer's work program;

now therefore be it

RESOLVED, that bids be awarded as follows to the listed vendors:

LaFARGE NORTH AMERICA
10325 State Route 43
Streetsboro, OH 44241

ARMS TRUCKING
14818 Mayfield Road
P.O. Box 369
East Claridon, OH 44033

SHELLY MATERIALS, INC.
1181 Cherry Street
Kent, OH 44240

	<u>FOB Plant</u>	<u>Del. To Newton Falls Road</u>	<u>Del. To Various Sites</u>
<u>2,000 TONS, MORE OR LESS, #6</u>			
LaFarge North America	\$15.85/Ton (LOW BID)	\$19.85/Ton (LOW BID)	\$19.85/Ton (LOW BID)
	<u>FOB Plant</u>	<u>Del. To Newton Falls Road</u>	<u>Del. To Various Sites</u>
<u>6,000 TONS, MORE OR LESS, #8</u>			
LaFarge North America	\$15.75/Ton (LOW BID)	*****	*****
Arms Trucking	*****	\$17.60/Ton (LOW BID)	\$17.60/Ton (LOW BID)
<u>2,000 TONS, MORE OR LESS, #67</u>			
LaFarge North America	\$15.85/Ton	*****	*****

	(LOW BID)		
Arms Trucking	*****	\$17.60/Ton (LOW BID)	\$17.60/Ton (LOW BID)
Shelly Materials, Inc.	\$16.25/Ton (ALTERNATE)	*****	*****
<u>4,000 TONS, MORE OR LESS, #304</u> LaFarge North America	\$11.80/Ton (LOW BID)	*****	*****
Arms Trucking	*****	\$15.30/Ton (LOW BID)	\$15.30/Ton (LOW BID)
<u>2,000 TONS, MORE OR LESS, #617</u> Shelly Materials, Inc.	\$15.00/Ton (LOWEST/BEST BID -- #411 INSTEAD OF #617)	*****	*****
Arms Trucking	*****	\$16.15/Ton (LOW BID)	\$16.15/Ton (LOW BID)

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, Absent; Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0374 - RE: ACCEPT BIDS FOR FURNISHING VARIOUS SIZES OF GRAVEL 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 various Aggregate Materials for use by the Portage County Engineer was published in the Record Courier on **March 15, 2010** and **March 22, 2010**, and

WHEREAS, four (4) sealed bids for furnishing **Various Sizes of Gravel** for use by the Portage County Engineer were received, tabulated and recorded on March 31, 2010; and

WHEREAS,

after reviewing said bids, the Portage County Engineer recommended the following bids be accepted as the lowest and best bids received in accordance with the following stipulations:

1. All gravel is to be ordered as needed and in quantities needed at that time. F.O.B. Plant.
2. Payment of the order is to be made upon receipt of the invoice.
3. Bids of alternate suppliers be accepted to ensure continuity of the Engineer's work program;

now therefore be it

RESOLVED,

that bids be accepted as follows:

4,000 Tons, More or Less, #304 Gravel, FOB Plant
LaFarge North America (LOW BID) **\$7.65Per Ton**
 10325 State Route 43
 Streetsboro, Ohio 44241

Oscar Brugmann Sand & Gravel, Inc. (**ALTERNATE**) **\$8.75 Per Ton**
 3828 Dudley Road
 Mantua, OH 44255

2,000 Tons, More or Less, #4 Gravel, FOB Plant
Oscar Brugmann Sand & Gravel, Inc. (LOW BID) **\$9.50 Per Ton**
 3828 Dudley Road
 Mantua, OH 44255

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, Absent;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0375

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RE:

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS BY THE BOARD OF PORTAGE COUNTY COMMISSIONERS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING,

**ENLARGING, IMPROVING, AND/OR EXTENDING ITS
AURORA MEADOWS SANITARY IMPROVEMENTS
FACILITY, PROJECT NO. M-1 (06-190), TO SERVE AN AREA
LAWFULLY WITHIN ITS JURISDICTION.**

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

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921(et seq.)) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

RESOLVED, in consideration of the premises the Association hereby resolves:

Section 1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.

Section 2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).

Section 3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.

Section 4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledge to pay the bonds or any other legally permissible source.

Section 5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance and operation of the facility and such other reasonable expenses as may be necessary to

cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.

Section 6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.

Section 7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.

Section 8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.

Section 9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.

Section 10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenues cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

Section 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.

Section 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time to require.

Section 13. To provide the Government of all reasonable times access to all books and records relating to the facility and access to the property of the system so that

the Government may ascertain that the Association is complying with the provisions hereof and the instruments incident to the making or insuring of the loan.

Section 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities, and replacement of short-lived assets.

Section 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.

Section 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.

Section 17. To accept a grant in an amount not to exceed \$1,505,000.00 under the terms offered by the Government; that President and President of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of section 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

That it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and any of its committees, that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Absent;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0376

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RE: CREATE FUND 5317, PCS AURORA MEADOWS SUBDIVISION

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

WHEREAS, it has become necessary to create a new fund in order to properly control the processing of financial related transactions related to the Aurora Meadows Subdivision Sanitary Improvements Construction Project, and

WHEREAS, the County Auditor has assigned Fund number 5317 to the Aurora Meadows Subdivision Sanitary Improvements Construction Project; now therefore be it

RESOLVED, that Fund 5317, PCS Aurora Meadows Subdivision be created, and be it further

RESOLVED, that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Water Resources Department, 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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RESOLUTIONS

April 20, 2010

1. Approval of Meeting Minutes from the April 15, 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./10-0368
3. Approve the wire transfer as presented by the County Auditor./10-0369

4. Approve the Journal Vouchers as presented by the County Auditor./10-0370
5. Approve Then & Now as presented by the County Auditor./10-0371
6. Accept bids for furnishing various sizes of slag for use by the Portage County Engineer./10-0372
7. Accept bids for furnishing various sizes of limestone for use by the Portage County Engineer./10-0373
8. Accept bids for furnishing various sizes of gravel for use by the Portage County Engineer./10-0374
9. Authorize and provide for the incurrence of indebtedness by the Board of Commissioners for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving and/or extending its Aurora Meadows Sanitary Improvements Facility, Project No. M-1 (06-190), to serve an area lawfully within its jurisdiction. (Water Resources)./10-0375/Executive Assistant to prepare a letter of thanks to Congressman Ryan and Congressman LaTourette.

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INVITATIONS/MEETING NOTICES

April 20, 2010

1. Invitation from ITAC and NEOTEC for NAFTA Compliance Workshop on Wednesday, May 26, 2010, 8:30 AM-4:30 PM, Embassy Suites Cleveland.
2. Meeting notice from County Commissioners Association of Ohio for the “Second Wednesday’s” free educational sessions throughout 2010.
3. Invitation from the Ohio Governor’s Office for discussion about the State Budget on Friday, April 30, 2010, 11:00 AM-12:00 PM at Stark State College.
4. Invitation from the Ohio Economic Development Association for the 2010 Candidates Forum on Wednesday, August 4, 2010, Hilton Columbus.
5. Invitation from Summa Foundation for the 10th Annual Sapphire Ball on Saturday, September 11, 2010.
6. Invitation for the International Economic Development Council Annual Conference Sunday-Wednesday, September 26-29, 2010, Hyatt Regency, Columbus.
7. Invitation for the Court of Honor for Alex Miller on Saturday, May 15, 2010, Faith United Methodist Church, Brimfield. (Message left for time of event).

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INCOMING CORRESPONDENCE

DISCUSSION

April 20, 2010

1. April 14, 2010 memo from Franklin Township residents, regarding Hugo Sand/Forward to Denise Smith and Health Commissioner Porter for review and comment. Clerk to draft a letter to the residents.
2. April 15, 2010 e-mail from Office of Homeland Security and Emergency Management, including a second draft of the Portage County Interoperability and Communications Committee Charter/Information only.
3. April 8, 2010 e-mail from Jim Manion, General Services, regarding the public on election night/Director Manion to work with the Board of Elections on a resolution.
4. The Board of Commissioners received the April 14, 2010 Journal Entry regarding indigent guardianship fund surplus as presented by the Common Pleas Court, Probate Division/Journal Entry.
5. April 20, 2010 memo from Director Harold Huff, Water Resources, regarding Tinkers Creek Trading Program/Schedule Director Huff to discuss with the Board of Commissioners.
6. April 20, 2010 email from PCDED Director Bill Ulik including a request from TCP in Aurora for a letter of support for funding/Director Ulik to draft a letter for Board of Commissioners consideration.

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JOURNAL ENTRY

April 20, 2010

1. The Board of Commissioners received the Portfolio Report for March 2010 as presented by the Portage County Treasurer’s Office.
2. April 14, 2010 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2010 as presented by the Portage County Auditor’s Office.
3. Board of Commissioners’ authorization requested to allow the electronic submission of the quarterly financial status reports for the Disparate Grants awarded through the JAG/Byrne grant program for 1st Quarter FY2010 as requested by Department of Budget & Financial Management:

Grant	Period	Program
2009-DJ-BX-1192	January 1, 2010-March 31, 2010	Local Solicitation
2007-DJ-BX-1414	January 1, 2010-March 31, 2010	Neighborhood Patrol

Documents reviewed by the Department of Budget & Finance with no exceptions noted.

4. The Board of Commissioners received the Portage County Investment Reconciliation for the month of March 2010 as presented by the County Auditor and County Treasurer.

5. Board of Commissioners' authorization requested to pay the April 9, 2010 Invoice #30975 for \$222.00 from Johnson, Miller & Schmitz LLP for professional services rendered during the month of March 2010 for General Labor matters. Documents reviewed by Human Resources Department Director Karen U'Halie with no exceptions noted.
6. The Board of Commissioners received the monthly report of departmental activity for the Veterans Service Office for the 1st Quarter 2010 as presented by Director/Service Officer Robert Park.
7. Board of Commissioners' authorization requested to pay the Portage County Regional Airport Authority for \$24,305.00 which is half the costs of Invoice No. 0120039 dated March 23, 2010 from C&S Companies for professional services rendered from September 19, 2009 through March 12, 2010 as presented by the Portage County Regional Airport Authority.

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REFERRED

April 20, 2010

1. The Board of Commissioners received the April 13, 2010 Mediation Notice for Case No. 2010 CV 0454 (Huntington National Bank vs. Kent-Ravenna Realty Company). Referred Original document to Prosecutor's Office for completion of the Mediation Case Summary.
2. April 13, 2010 correspondence from Jeffrey Duber, Ohio Attorney General Richard Cordray's office, regarding Case No. 2010 CV 00448 (Timothy Hudock vs. Administrator et al). Referred to the Human Resources Department and Prosecutor's Office.
3. March 4, 2010 correspondence from Mark Bergman, Troop 259 (Kent), regarding the Court of Honor for Alex Miller on Saturday, May 15, 2010, Faith United Methodist Church, Brimfield. Referred to Executive Assistant.

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INFORMATION ONLY

April 20, 2010

1. April 16, 2010 e-mail from Anita Herington, Job & Family Services, regarding Riddle Block Building Repairs.
2. The Board of Commissioners received the April 16, 2010 Weekly Traffic Advisory as presented by Ohio Department of Transportation.
3. The Board of Commissioners received the meeting minutes from the March 10, 2010 meeting as presented by the Portage County Regional Airport Authority.
4. The Board of Commissioners received the General Fund Report for March 2010 as presented by the Portage County Regional Airport Authority.

5. April 13, 2010 memo from Michael Marozzi, County Engineer, regarding Round 24 (PY-11) Grant Pre-Applications that were sent to Political Subdivisions of Portage County.
6. The Board of Commissioners received a notice from Streetsboro City Schools After-Prom Committee 2010, requesting donations for door prizes. Prom is Saturday, May 15, 2010.

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Journal Entry

April 20, 2010

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

1. The Board of Commissioners acknowledged the receipt of the Portfolio Report for March 2010, as presented by the Portage County Treasurer.
2. The Board of Commissioners acknowledged the receipt of the April 14, 2010 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2010, as presented by the Portage County Auditor.
3. The Board of Commissioners authorized the electronic submission of the quarterly financial status reports for the Disparate Grants awarded through the JAG/Byrne grant program for 1st Quarter FY2010, as presented by the Department of Budget & Financial Management as follows:

Grant	Period	Program
2009-DJ-BX-1192	January 1, 2010-March 31, 2010	Local Solicitation
2007-DJ-BX-1414	January 1, 2010-March 31, 2010	Neighborhood Patrol

Documents reviewed by the Department of Budget & Finance with no exceptions noted.

4. The Board of Commissioners acknowledged the receipt of the Portage County Investment Reconciliation for the month of March 2010, as presented by the County Auditor and County Treasurer.
5. The Board of Commissioners authorized payment by staff of the April 9, 2010 Invoice #30975 for \$222.00 from Johnson, Miller & Schmitz LLP of Cleveland for professional services rendered during the month of March 2010 for General Labor matters. The Board of Commissioners noted the Human Resources Department Director's review that all charges appear to be in order. The Department of Budget & Financial Management to make to expenditure corrections for The Woodlands at Robinson for \$111.00 for these services.
6. The Board of Commissioners acknowledged the receipt of the monthly report of departmental activity for the Portage County Veterans Service Office for the 1st Quarter 2010, as presented by Director/Service Officer Robert Park.

