

**Thursday, April 22, 2010**

The Board of County Commissioners met in regular session on **Thursday, April 22, 2010 at 10:05 AM** with the following members present:

Charles W. Keiper II

Christopher Smeiles

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Absent: Commissioner Frederick attending the CCAO Solid Waste Training Course in Wooster

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It was moved by Christopher Smeiles, seconded by Charles W. Keiper II to approve the meeting minutes of the April 20, 2010 meeting. Commissioner Frederick absent, motion carries.

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Recessed to Solid Waste 10:05 AM

Reconvened at 10:15 AM

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**INTERNAL SERVICES**

Present: JoAnn Townend

**Discussion**

1. The Director presented the software agreements for the Water Resources Department. The Director noted that the issue is that these systems have been in place for some time, signed originally by Water Resources Department staff and not the Board of Commissioners. Now, the Prosecutor has reviewed the renewal and cannot sign as to form. Does the Board of Commissioners want to sign with the indemnification clause still in, or does the Board of Commissioners want a new agreement in the Board of Commissioners name on behalf of the Water Resources Department, or should the Water Resources Department simply pay by purchase order? Commissioner Smeiles responded that the Board wants to make certain that they comply with all regulations, although this purchase is under the bid limit. JoAnn Townend to bring back the necessary resolutions to enter into agreements with Bentley Systems, Inc. (Watercad & Sewercad) for \$4,800.00 and DLT Solutions (AutoCad reter design and AutoCad Civil 3D) for \$2,384.60.

**Updates**

1. The Director has an insurance certificate on file with PetFix.
2. The Director has investigated the snowplowing and landscaping issue at The Woodlands. The Veterans' facility is totally stand alone and they contract for their own snowplowing and landscaping. Coleman's PASS hires a snow plower and a landscaper. The Woodlands pays for snow plowing from Chestnut Street to the facility but only pays for landscaping at the facility. The Director asked if there should be a sharing of the cost of the snow plowing between the three entities? The Board of Commissioners agreed that Director Townend should contact RMH as the sublesor to determine a solution with a formula for payment. Commissioner Keiper suggested that the county recoup payment for past years service.

3. JoAnn Townend contacted the Auditor of State regarding their April 13, 2010 letter requesting payment of \$38,893.99 for the overage for the 2008 audit that were not billed to the county. The Board of Commissioners agreed to send a correspondence to the State Auditor noting that the County Auditor has advised that this invoice is not to be paid.
4. JoAnn Townend made changes to the Kent Muni Court MOU as recommended by Commissioner Smeiles. The Board of Commissioners will review the changes.
5. On January 19, 2010, the Board of Commissioners met with Jack Crews to discuss the Kent Regional Business Alliance (KRBA) Microenterprise RLF. Mr. Crews recommended an increase of the approved loan amount ceiling from \$6,000 to \$10,000 and an increase in administration from 10% to 20%.

JoAnn Townend has been working with Department of Budget & Financial Management Director Audrey Tillis on the Administration Agreement for the RLF. The Board of Commissioners agreed to move the agreement forward including the increases as recommended. Director Tillis has confirmation from the state that the increases are acceptable.

6. The Director advised that the Prosecutor has several issues with the new CORSA agreement. The Board of Commissioners agreed to create an addendum to the agreement including the changes.
7. The Board of Commissioners agreed that JoAnn Townend should work with Brian Kelley to create a calendar to schedule Rooms 134-136 as well as the former Building Department space for public meetings.

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**Resolutions**

1. Enter into a license agreement with Happy Trails Animal Farm for use of the PCAB parking lot on June 27<sup>th</sup> and August 28<sup>th</sup>/10-0388

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**HUMAN RESOURCES**

Present: Karen U’Halie

Proposal for Employee American Red Cross Blood Drive/Journal Entry

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10:48 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider the investigation of charges or complaints against a public employee. **Also present:** Karen U’Halie. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

11:10 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Charles W. Keiper II** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Absent.

After exiting executive session, the Board took no action.

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**JOB & FAMILY SERVICES**

Present: Anita Herington, Kevin Gowan

- I. The Director presented the Summary Report for the Ohio Benefit Bank 2010 Tax Clinics, noting the resulting \$160,902 in tax refunds. The Director recognized JFS employees Linda Seeman, Tim Beckner, Debbie Smith and Anita Carr, who volunteered their services in staffing the four tax clinic events.
- II. The Director presented the CSEA Performance for March 2010, noting that the economy continues to impact collections.
- III. The Director presented the OWF & Food Assistance Timeliness reports for Portage County for March 2010, noting that she is extremely proud of staffs that have increased OWF percentages from 40% in July 2009 to 83% in March 2010 and Food Stamps percentages from 59% in July 2009 to 93% in March 2010. The Director also noted that Portage County will make a presentation at the May Public Assistance Video Conference as to how this was accomplished. The Commissioners agreed to create a certificate acknowledging each staff person on this accomplishment.
- IV. The Director presented the Food Assistance, OWF & Medicaid Statistics for Portage County for March 2010, noting that the numbers continue to rise.
- V. The Director presented the proposed restructuring of the Public Assistance division/Journal Entry approval
- VI. Kevin Gowan explained that the goal of the Fatherhood Initiative is to get disenfranchised fathers more involved in their children’s lives, in particular young fathers who are unprepared for fatherhood. There was a meeting on April 8, 2010 with representatives from Kent and Ravenna schools, Portage County courts, Adult Probation, JFS and Safer Futures to begin the discussion of the grant application. The Board of Commissioners agreed to consider the grant application when presented, noting a mid-May deadline for submittal.

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**WATER RESOURCES**

Present: Harold Huff; Wayne Carkido; Bill Zawiski, Ohio EPA, Twinsburg Office

**Tinkers Creek Trading Program**

In accordance with an April 9, 2010 correspondence from Bill Zawiski, Environmental Scientist with the Twinsburg Office of the Ohio EPA, Director Huff is recommending that the Board of Commissioners agree to enter into the Tinkers Creek Trading Program in lieu of accepting the reduction in phosphorus limits for the Streetsboro wastewater treatment plant.

Mr. Zawiski noted that the driver for this recommendation is that Tinkers Creek has not made improvements like elsewhere in Ohio. The goal of this program is to “restore the biological integrity of the Tinkers Creek watershed”. This program will be used to determine what is wrong with Tinkers Creek and

will count in the storm water management program in the control of water and reduce storm water runoff and phosphorus. He also advised that this program is the first to use these rules in this manner to try to improve water quality; all entities are working together including Aurora, Bedford, Bedford Heights, Solon and Twinsburg. One of the stressors on the stream is phosphorus; the EPA is recommending a reduction at all NPDES permit holder facilities. In lieu of a reduction in phosphorus effluent, the Ohio EPA offers participation in an approved water quality trading plan over the next ten years.

Commissioner Smeiles asked how the County can educate Streetsboro city, council and residents who objected to a similar trading program as well as a storm water plan to get them on board. Mr. Zawiski responded that he has been working for two decades to try to get the city on board with storm water planning. There is a good planner in Streetsboro now and he is looking forward to working with that planner. The water shed must be protected. Development in Streetsboro and Aurora is the main reason for the problems in Tinkers Creek with discharges.

Mr. Zawiski added that the Tinkers Creek Watershed Partners is a community based organization that Chris Craycroft is working with. The Portage County Soil & Water Conservation District also do an education outreach. He added that we must work to improve water quality; he will work with Streetsboro on an education program if they allow it; Streetsboro has a Phase II permit and is obligated to provide education.

Wayne Carkido noted that the county can meet a .7 limit with no problem but will need process and engineering changes to meet a .26 Mg/l limit. He added that fines will be levied if the target is not met. If Tinkers Creek is not cleaned with the reduction to .26 in phosphorus, nitrates will be next. Mr. Zawiski added that the intent is to keep the federal EPA away to allow the Ohio EPA to look at this in a new way with all entities working cooperatively together.

Commissioner Smeiles stated that the options are to spend \$450,000 to upgrade the Portage County plant or participate in the Trading Program to benefit the region to enhance northeast Ohio water quality.

Commissioner Keiper noted for the record that this is the same water quality trading program that he championed last year but now we will have to pay to take advantage of the program. Mr. Zawiski responded that the concepts are similar but the focus is different.

Commissioner Smeiles noted that he is disappointed that Kent and Ravenna cannot see how their opposition to the David Gross proposal for a water quality trading program has impacted the county.

The Board of Commissioners accepted Director Huff's recommendation/Journal Entry

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Director Huff presented two resolutions for Board consideration:

1. Enter into a grant agreement with the US Army Corps of Engineers for the Streetsboro Trunk Sewer Rehabilitation/10-0390
2. Accept the bids and award the contract for Project NO. ST-4 (10-010), Countywide Line Maintenance Program; Cleaning and Jet Flushing, Zone 4 – Streetsboro West in the Streetsboro Sanitary Sewer District No. 4/10-0391

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**MAINTENANCE - Cancelled**

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**RESOLUTION No. 10-0377 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Christopher Smeiles, 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 22, 2010 in the total payment amount of **\$237,378.85 for Funds 0001-7218** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

**RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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**RESOLUTION No. 10-0378 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Christopher Smeiles, 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 22, 2010 in the total payment amount as follows:

1. \$170,767.66 for Medical Mutual Claims-Fund 7101; and
2. \$4,900.00 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 23, 2010	\$ 170,767.66
Wire Transfer on Friday, April 23, 2010	\$ 4,900.00

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, Yea; Maureen T. Frederick, Absent;

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**RESOLUTION No. 10-0379 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Christopher Smeiles, 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:

04/21/10	735	\$ 2,640.20
04/21/10	734	7,891.62
Total		\$ 10,531.82

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, Absent;

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**RESOLUTION No. 10-0380**

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

It was moved by Christopher Smeiles, 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 **\$4,852.39** 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, Yea;

Maureen T. Frederick, Absent;

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**RESOLUTION No. 10-0381**

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**RE: ACCEPT BIDS FOR VARIOUS BITUMINOUS MATERIALS FOR USE BY THE PORTAGE COUNTY ENGINEER.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** notice of Receiving Bids to furnish **Bituminous Materials** for use by the Portage County Engineer was published in the Record Courier on **March 29, 2010** and **April 5, 2010**, and

**WHEREAS,** seven (7) sealed bids for furnishing various **Bituminous Materials** for use by the Portage County Engineer were received, tabulated and recorded by the Portage County Commissioners on April 14, 2009; and

**WHEREAS,** after reviewing said bids, the Portage County Engineer recommended the bids of the following vendors be accepted as the lowest and best bids received:

- Russell Standard/JASA Asphalt**, 990 Hazel Street, Akron, Ohio 44305
- Shalersville Asphalt Company**, P.O. Box 540, Burton, Ohio 44024
- Mar-Zane, Inc.**, 720 Home Avenue, Akron, Ohio 44310
- Tallmadge Asphalt Paving Company**, 741 Tallmadge Road, Brimfield, Ohio 44240
- Central –Allied Enterprises, Inc.**, P.O. Box 80449, Canton, Ohio 44708-0449

In accordance with the following stipulations:

1. All materials to be ordered as needed and in amounts needed at the time of order from the supplier that has available material.
2. Payment of the order to be made upon receipt of the invoice after delivery of the materials.
3. Bids of alternate suppliers be accepted, based on plant location and reduced trucking, to ensure continuity of the Engineer's scheduled work program;

now therefore be it

**RESOLVED,** that bids for Bituminous Materials be accepted as follows:

	<b>Central- Allied Enterprises</b>	<b>Shalersville Asphalt</b>	<b>Tallmadge Asphalt</b>	<b>Mar-Zane, Inc.</b>	<b>Russell Standard/ JASA Asphalt</b>
<b>SS-921 Cold Mix</b>	<b>\$105.00/Ton</b>				
<b>405 Cold Mix</b>					<b>\$87.50/Ton</b>

#9 Stone Cold Patch				\$90.00/Ton ALTERNATE	\$87.50/Ton
301 Modified		\$45.70/Ton	\$49.00/Ton ALTERNATE		
448PG 64-22 Type II		\$48.70/Ton	\$51.25/Ton ALTERNATE		
448PG 64-22 Type I		\$53.70/Ton	\$56.75/Ton ALTERNATE		

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, Absent;

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**RESOLUTION No. 10-0382 - RE: ACCEPT BIDS FOR VARIOUS BITUMINOUS LIQUIDS FOR USE BY THE PORTAGE COUNTY ENGINEER.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** notice of Receiving Bids to furnish **Bituminous Liquids** for use by the Portage County Engineer was published in the Record Courier on **March 29, 2010 and April 5, 2010,** and

**WHEREAS,** one (1) sealed bid for furnishing various **Bituminous Liquids** for use by the Portage County Engineer was received, tabulated and recorded by the Portage County Commissioners on April 14, 2010; and

**WHEREAS,** after reviewing said bid, the Portage County Engineer recommended the bid of **Russell Standard Corporation/JASA Asphalt,** 990 Hazel Street, Akron, Ohio 44305 be accepted as the lowest and best bid received in accordance with the following stipulations:

1. All materials to be ordered as needed and in amounts needed at the time of order.

2. Payment of the order to be made upon receipt of the invoice after delivery of the materials.

now therefore be it

**RESOLVED,** that the bid of Russell Standard Corporation/JASA Asphalt, for Bituminous Liquids, be accepted as follows:

CRS-2, FOB Plant @ **1.805**/Gallon  
CRS-2, Delivered to Various Locations @ **1.865**/Gallon  
HFRS2P, Delivered to Various Locations @ **2.450**/Gallon  
HFRS2P, FOB Plant @ **2.390**/Gallon  
HFRS2, Delivered to Various Locations @ **1.865**/Gallon  
HFRS2, FOB Plant @ **1.805**/Gallon

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, Absent;

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**RESOLUTION No. 10-0383**

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**RE:**

**ACCEPT BID FOR FURNISHING CORRUGATED METAL BRIDGE FLOORING AND BRIDGE REPLACEMENT BEAMS FOR USE BY THE PORTAGE COUNTY ENGINEER.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** Notice of Receiving Bids to furnish **Corrugated Metal Bridge Flooring and Bridge Replacement Beams** for use by the Portage County Engineer was published in the Record Courier on **March 22, 2010** and **March 29, 2010** and

**WHEREAS,** one (1) sealed bid for furnishing **Corrugated Metal Bridge Flooring and Bridge Replacement Beams** for use by the Portage County Engineer was received, tabulated and recorded on April 7, 2010 and

**WHEREAS,** after reviewing said bid, the Portage County Engineer recommended the bid of **U. S Bridge** be accepted as the lowest and best bid received for furnishing **Corrugated Metal Bridge Flooring and Bridge Replacement Beams** in accordance with the following:

1. All bridge flooring and bridge replacement beams 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 after the delivery of the materials.

now therefore be it

**RESOLVED,** that the bid of **U.S. Bridge, 201 Wheeling Avenue, P. O. Box 757, Cambridge, Ohio 43725** be and hereby is accepted for furnishing **Corrugated Metal Bridge Flooring and Bridge Replacement Beams** as follows:

**Corrugated Metal Bridge Flooring**

Gauge: 3  
Corrugation: 3" x 9"  
Width: 18" **\$15.60 Per Sq. Ft.**

Gauge: 5  
Corrugation: 3" x 9"  
Width: 18" **\$14.00 Per Sq. Ft.**

Gauge: 7  
Corrugation: 2" x 6"  
Width: 24" **\$12.90 Per Sq. Ft.**

Gauge: 7  
Corrugation: 3" x 9"  
Width: 18" **\$12.90 Per Sq. Ft.**

**Bridge Replacement Beams**

Steel Beams **\$ 1.30 Per Pound**

Galvanizing **\$ 0.25 Per Pound**

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, Absent;

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**RESOLUTION No. 10-0384 - RE: ACCEPT BIDS FOR FURNISHING VARIOUS SIZES OF STORM SEWER PIPE FOR USE BY THE PORTAGE COUNTY ENGINEER.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** Notice of Receiving Bids to furnish **Storm Sewer Pipe** for use by the Portage County Engineer was published in the Record Courier on **March 22, 2010** and **March 29, 2010**, and

**WHEREAS,** six (6) sealed bids for furnishing various sizes of **Storm Sewer Pipe** for use by the Portage County Engineer were received, tabulated and recorded on April 7, 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:

1. All pipe 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 after the delivery of the pipe.
3. Bids of alternate suppliers be accepted to ensure continuity of the Engineer’s work program.

now therefore be it

**RESOLVED,** that the bid of **HD Supply Waterworks, 320 Tallmadge Road, Kent, Ohio 44240** be accepted as the **LOWEST AND BEST** bid received for furnishing **CORRUGATED METAL PIPE** and **ALUMINIZED STEEL PIPE** , as follows:

Corrugated Metal Pipe (CMP) Aluminized Steel Pipe	CMP (Per Ft.)	Bands (Each)	AS (Per Ft)	Bands (Each)

<b>(AS)</b>				
12", 16 Ga.	6.51	6.51	6.93	6.93
15", 16 Ga.	7.82	7.82	8.28	8.28
18", 16 Ga.	9.72	9.72	10.29	10.29
21", 14 Ga.	13.35	13.35	14.15	14.15
24", 14 Ga.	15.08	15.08	15.98	15.98
30", 14 Ga.	19.48	19.48	20.65	20.65
36", 12 Ga.	33.12	33.12	35.11	35.11
48", 12 Ga.	42.38	42.38	44.92	44.92

and be it further

**RESOLVED,** that the bid of **Baughman Tile Company, Inc., 8516 Township Road 137, Paulding, Ohio 45879** be accepted as the **LOWEST AND BEST** bid received for furnishing **PLASTIC PIPE, as follows**

Plastic Pipe	PP (Per Foot)	Bands/Connectors (Each)
12"	3.70	3.70
15"	4.80	4.80
18"	7.36	7.36
24	11.45	11.45
36"	23.35	----
48"	34.97	----

and be it further

**RESOLVED,** that the bid of **Marlboro Supply, 9271 Edison, Louisville, Ohio 44641** be accepted as an **ALTERNATE** based on product availability (same day to next day delivery) for furnishing **PLASTIC PIPE, as follows:**

Plastic Pipe	PP (Per Foot)	Bands/Connectors (Each)
12"	3.95	3.95
15"	5.20	5.20
18"	7.60	7.60
24	12.15	12.15
36"	23.50	23.50
48"	38.50	38.50

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, Absent;

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**RESOLUTION No. 10-0385 - RE: ACCEPT BID FOR FURNISHING GUARD RAIL AND CURVED END TREATMENTS FOR USE BY THE PORTAGE COUNTY ENGINEER.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** Notice of Receiving Bids to furnish **Guard Rail and Curved End Treatments** for use by the Portage County Engineer was published in the Record Courier on **March 22, 2010** and **March 29, 2010**, and

**WHEREAS,** one (1) sealed bid for furnishing **Guard Rail and Curved End Treatments** for use by the Portage County Engineer was received, tabulated and recorded on April 7, 2010; and

**RESOLVED,** after reviewing said bid, the Portage County Engineer recommended the bid of **Firelands Supply Company** be accepted as the lowest and best bid received for furnishing straight guard rail and curved end treatments in accordance with the following:

1. All guard rail and curved end treatments 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 after the delivery of the materials.

now therefore be it

**RESOLVED,** that the bid of **Firelands Supply Company, 18 S. Norwalk Road, P.O. Box 828, Norwalk, Ohio 44857** be and hereby is accepted for furnishing **Guard Rail and Curved End Treatments** as follows:

3,000 L.F., 12 Gauge, Straight  
Guard Rail - \$5.90/L.F.

Curved End Treatments  
60 - Convex - \$85.00/Each

60 - Concave -  
100 Half Wraps -

**\$85.00/Each**  
**\$29.10/Each**

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, Absent;

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**RESOLUTION No. 10-0386 - RE: AUTHORIZE SALE OF OBSOLETE EQUIPMENT BY PUBLIC AUCTION**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** Michael A. Marozzi, Portage County Engineer, has advised this Board that several pieces of equipment once used by the Portage County Engineer’s Department are obsolete and unfit for the use for which they were acquired; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners has determined that the herein described equipment is obsolete and unfit for the use for which said equipment was acquired, and be it further

**RESOLVED,** that said equipment will be sold at Public Auction, as prescribed by Section 307.12 of the Ohio Revised Code, for cash to the highest bidder; and be it further

**RESOLVED,** that Notice of Public Auction shall be posted in the office of the Portage County Auditor, the offices of the Portage County Commissioners and in the office of the Portage County Engineer. Further Notice of Public Auction shall be published in the Record Courier on April 23, 2010.

**Date of Auction: Saturday - May 15, 2010**

**Time of Auction: 9:30 A.M.**

**Location: Edinburg Auction Sales, Inc.  
4029 State Route 14**

**Edinburg, Ohio**

Said equipment may be viewed from 9:00 A.M. to 5:00 P.M. Monday, Tuesday, Thursday and Friday at Edinburg Auction Sales, Inc.

Items being sold are as follows:

- 1982 Mack Dump Truck – Serial #IM2P129CoDA010141 (County Equipment #002950)
- 1986 Lawnflite Highwheel Lawn Mower – Serial #G035C (County Equipment #003143)
- 1989 Partner Cut Off Saw – Serial #9440133 (County Equipment #003104)
- 2000 Grass Hopper Mower – Serial #5037790 (County Equipment #002991)
- Two Pallet Concrete Block
- 1990 Used Onan Gas Engine
- Norton Concrete Saw

and be it further

**RESOLVED,** that a copy of this resolution be filed with 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; Christopher Smeiles, Yea; Maureen T. Frederick, Absent;

\* \* \* \* \*

**RESOLUTION No. 10-0387 - RE: APPROVE SPECIFICATIONS AND SET DATE FOR ACCEPTING BIDS FOR THE PROJECT ENTITLED 2010 GUARDRAIL UPGRADING PROJECT.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** Resolution 09-0218 authorized the Portage County Engineer to execute Local Public Agency (LPA) Agreement No. 22514 with the Director of the Ohio Department of Transportation for the upgrading of substandard guardrail at various locations within Portage County; and

- WHEREAS,** the Scope of Services Phase for this project has now been completed and the specifications are on file with the Portage County Commissioners and the Portage County Engineer; now therefore be it
- RESOLVED,** that the specifications as submitted for the **2010 Guardrail Upgrading Project** be and are hereby approved; and be it further
- RESOLVED,** that sealed bids for this project will be accepted by the Portage County Director of Internal Services, 7<sup>th</sup> Floor, Portage County Administration Building, 449 South Meridian Street, Ravenna, Ohio 44266 until **2:00 P.M.** local time on **Wednesday, May 26, 2010** and publicly opened and read; and be it further
- RESOLVED,** that Notice of Receiving Bids shall be published in the Record Courier on **April 26, 2010, May 3, 2010** and **May 10, 2010** and the Clerk of this Board is directed to post said Notice on the County Commissioners' Official Bulletin Board, 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, Absent;

\* \* \* \* \*

**RESOLUTION No. 10-0388 - RE: ENTER INTO LICENSE AGREEMENT BETWEEN THE PORTAGE COUNTY COMMISSIONERS AND HAPPY TRAILS FARM ANIMAL SANCTUARY**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

- WHEREAS,** the County owns property located 449 South Meridian St., Ravenna, Ohio known as the Portage County Administration Building Parking Lot; and
- WHEREAS,** The Happy Trails Farm Animal Sanctuary wishes to use the Portage County Administration Building Parking Lot, on Sunday, June 27, 2010 and Saturday, August 28, 2010 between the hours of 8:00 AM to 7:00 PM for Happy Trails Open House Parking; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into a License Agreement between the Board and Happy Trails Farm Animal Sanctuary, 5623

New Milford Rd., Ravenna, Ohio 44266 for use of the Administration Building Parking Lot on Sunday, June 27, 2010 and Saturday, August 28, 2010 between the hours of 8:00 AM to 7:00 PM for Happy Trails Open House Parking; 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, Absent;

\* \* \* \* \*  
**RESOLUTION No. 10-0389 - RE: ENTER INTO AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND ANNETTE PETRANIC, PAVLICK MARKETING INC.**

It was moved by Christopher Smeiles, seconded by Charles W. Keiper II that the following Resolution be adopted:

**WHEREAS,** the Board of Portage County Commissioners is in the need of emergency management assessment and planning services to develop an Alternative Care/Shelter site program for special needs populations; and

**WHEREAS,** Annette Petranic, Pavlick Marketing Inc. (the Independent Contractor) is able and willing to provide such services; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Independent Contractor Services Agreement by and between the Board of Commissioners and Annette Petranic, Pavlick Marketing, Inc., 739 Rock Creek Rd., Aurora OH 44202, as an Independent Contractor, for a total not to exceed Eleven thousand and 00/100 dollars (\$11,000.00) as outlined in the agreement; and be it further

**RESOLVED,** that the term of the Agreement shall be from April 15, 2010 through June 30, 2010, and subject to the availability of funding the term of the Agreement may be extended by execution of a written Amendment; 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, Absent;

\* \* \* \* \*

**RESOLUTION No. 10-0390** RE: **ENTER INTO A GRANT AGREEMENT BETWEEN THE UNITED STATES ARMY CORP OF ENGINEERS AND THE PORTAGE COUNTY BOARD OF COMMISSIONERS RELATIVE TO THE STREETSBORO TRUNK SEWER REHABILITATION, PHASES 2 & 3, PROJECT NO. ST-4 (06-275), IN STREETSBORO SANITARY SEWER DISTRICT NO. 4, CITY OF STREETSBORO.**

It was moved by Christopher Smeiles, and seconded by Charles W. Keiper II that the following resolution be adopted:

- WHEREAS,** this Board of Commissioners passed on September 19, 2006, Resolution 06-0810 authorizing the preparation of plans, specifications and estimate of cost for Project No. ST-4 (06-270), Streetsboro Trunk Sewer Rehabilitation, Phase 2; and
- WHEREAS,** this Board of Commissioners passed on September 19, 2006, Resolution 06-0811 authorizing the preparation of plans, specifications and estimate of cost for Project No. ST-4 (06-280), Streetsboro Trunk Sewer Rehabilitation, Phase 3; and
- WHEREAS,** this Board of Commissioners passed on March 9, 2010, Resolution 10-0235 authorizing the combination of Project Nos. ST-4 (06-270) and ST-4 (06-280) under Project ST-4 (06-275), hereinafter referred to as the “Project”; and
- WHEREAS,** the Project is eligible for federal grant funding under Section 594 of the Water Resources Development Act of 1999, Public Law 106-53, hereinafter referred to as “Section 594”; and
- WHEREAS,** the Section 594 grant requires non-federal sponsors, which is the Portage County Board of Commissioners, hereinafter referred to as “non-federal sponsor”; and
- WHEREAS,** the total project costs are estimated at \$2,133,000, and the Section 594 grant award is in the total amount of \$1,600,000, and will be administered by the United States Army Corps of Engineers; and
- WHEREAS,** the United States Army Corps of Engineers projects to incur \$50,000 of the total \$1,600,000 Section 594 grant to pay for their Project administration costs; and

**WHEREAS,** the remaining Section 594 grant funds available for reimbursement to the non-federal sponsors are projected to be \$1,550,000; and

**WHEREAS,** the Section 594 grant funds will be available to reimburse the Portage County Water Resources Department for design and construction services for the Project; now therefore be it

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

Section 1. The Portage County Board of Commissioners hereby agrees to enter into a grant agreement with the United States Army Corps of Engineers as described in the attached Agreement for Design and Construction Assistance for the Streetsboro Sanitary Sewer Rehabilitation Project and further described in the attached Project Management Plan.

Section 2. That the Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Auditor and the Department of Budget and Financial Management within 15 days after its passage.

Section 3. 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.

Voice vote as follows:

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

\* \* \* \* \*  
**RESOLUTION No. 10-0391 - RE: ACCEPT BIDS AND AWARD CONTRACT FOR PROJECT NO. ST-4 (10-010), COUNTY WIDE LINE MAINTENANCE PROGRAM; CLEANING AND JET FLUSHING; ZONE 4 - STREETSBORO WEST IN THE STREETSBORO SANITARY SEWER DISTRICT No. 4.**

It was moved by Christopher Smeiles, and seconded by Charles W. Keiper II that the following resolution be adopted:

**WHEREAS,** this Board by Resolution No. 10-0257 adopted March 16, 2010, set the date and time for bidding of Project No. ST-4 (10-010), County Wide Line Maintenance Program; Cleaning and Jet Flushing; Zone 4 – Streetsboro West, hereinafter referred to as the PROJECT; and

**WHEREAS,** the notice of accepting bids was advertised in the Record Courier Newspaper on March 22 and March 29, 2010; and

**WHEREAS,** seven potential bidders received plans and specifications for the PROJECT; and

**WHEREAS,** this Board received five bids for the PROJECT on April 7, 2010, as named below; and

AAA Flexible Pipe Cleaning Corporation	\$ 78,410.13
Lake County Sewer	\$ 86,463.05
EQ Industrial Services, Inc.	\$ 130,754.11
Robinson Pipe Services, Inc.	\$ 146,859.95
Odyssey Environmental	\$ 267,653.75

**WHEREAS,** based upon the analysis of the bids received (bid tabulation attached), the Portage County Water Resources has made a recommendation for award; now therefore be it

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

Section 1. That this Board hereby award the Contract for the PROJECT to the responsive bid of AAA Flexible Pipe Cleaning Corporation, 7277 Bessemer Avenue, Cleveland, Ohio 44127, in the bid amount of \$ 78,410.13.

Section 2. That the Water Resources is hereby authorized and directed to issue the Notice Of Award to the contractor named in Section 1.

Section 3. That the funds to cover the cost of the PROJECT are budgeted in the "County Wide Line Maintenance Program; Cleaning and Jet Flushing; Zone 4 – Streetsboro West", Fund 5600 Org 560040S4 Object 400000 Project No. 10-010.

Section 4. That the Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Auditor and the Department Of Budget and Financial Management within 15 days after its passage.

Section 5. 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 of any of its committees on or after November 28, 1975, that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Absent;

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## **RESOLUTIONS**

April 22, 2010

1. Approval of Meeting Minutes from the April 20, 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./10-0377
3. Approve the wire transfer as presented by the County Auditor. /10-0378
4. Approve the Journal Vouchers as presented by the County Auditor./10-0379
5. Approve Then & Now as presented by the County Auditor./10-0380
6. Accept bids for various bituminous materials for use by the Portage County Engineer./10-0381
7. Accept bids for various bituminous liquids for use by the Portage County Engineer./10-0382
8. Accept bid for furnishing corrugated metal bridge flooring and bridge replacement beams for use by the Portage County Engineer./10-0383
9. Accept bids for furnishing various sizes of storm sewer pipe for use by the Portage County Engineer./10-0384
10. Accept bid for furnishing guard rail and curved end treatments for use by the Portage County Engineer./10-0385
11. Authorize the sale of obsolete equipment by public auction (County Engineer)./10-0386
12. Approve specifications and set date for accepting bids for the project entitled 2010 Guardrail Upgrading Project (County Engineer)./10-0387

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## **INVITATIONS/MEETING NOTICES**

April 22, 2010

1. Invitation from the Greater Cleveland Trails and Greenways Conference on Monday, June 7, 2010, 9:00 AM-4:30 PM, Middleburg Heights.

2. Invitation from the Kent Environmental Council for the Cuyahoga River Photo Exhibit, in conjunction with the Saturday, May 15<sup>th</sup> Cuyahoga River Day Celebration, 10:00 AM at Heritage Park.

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**INCOMING CORRESPONDENCE  
DISCUSSION**

April 22, 2010

1. The Board of Commissioners agreed to discuss their participation at the Portage County Fair at a cost of \$1,000 or less. The Executive Assistant is checking with departments to determine interest/Journal Entry.
2. April 9, 2010 correspondence from the Center for Digital Government, National Association of Counties, Government Technology magazine and the Digital Communities Program request completion of the Eighth Annual National Digital Counties On-Line Survey. Completed survey must be submitted no later than Tuesday, May 4, 2010. Does the Board wish to forward to IT Department for completion/Forward to Brian Kelley
3. April 20, 2010 e-mail from Audrey Tillis, Department of Budget & Financial Management, regarding Leadership Team Discussion options/The Board of Commissioners agreed to schedule a Leadership Meeting.

\* \* \* \* \*

**JOURNAL ENTRY**

April 22, 2010

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending April 18, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged the receipt of \$ 972 in License Sales and \$871 for Impound fees.
2. Board of Commissioners' authorization requested to allow use of the Portage County Administration Building's 1<sup>st</sup> Floor Conference Room (former Building Department) on Wednesday, June 30, 2010 and Thursday, July 1, 2010 from 8:00 AM-4:30 PM for the American Red Cross Blood Drive as requested by Vickie Steiner, Portage County Human Resources Department. Note: 11 tables and 35 chairs also requested.
3. Board of Commissioners' authorization requested to allow use of the Portage County Annex Building's basement conference room for foster parent training as requested by Sharon Spence, Children Services as follows:

Tuesday, August 3, 2010	6:00 PM-9:00 PM
Saturday, August 7, 2010	9:00 AM-4:00 PM
Wednesday, August 18, 2010	6:00 PM-9:00 PM

Thursday, September 16, 2010	6:00 PM-9:00 PM
Thursday, September 23, 2010	6:00 PM-9:00 PM
Saturday, September 25, 2010	9:00 AM-4:00 PM

cc: Maintenance and Security

4. Board of Commissioners' authorization requested to have Commissioner Charles W. Keiper II, President of the Board of Commissioners, sign the Ohio Communities Development Block Grant Program Status Report for Grant No. B-F-08-062-1 as presented by the Regional Planning Commission. Documents reviewed by the Grants Administrator with no exceptions noted.

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**REFERRED**

April 22, 2010

1. April 8, 2010 correspondence from Irene Porter, US Department of Transportation Federal Aviation Administration to the Regional Airport Authority regarding Project Closeout for AIP Grant No. 3-39-0099-2108. Referred to Department of Budget & Financial Management and Grants Administrator.
2. April 8, 2010 correspondence from Irene Porter, US Department of Transportation Federal Aviation Administration to the Regional Airport Authority regarding Project Closeout for AIP Grant No. 3-39-0099-2208. Referred to Department of Budget & Financial Management and Grants Administrator.
3. Undated correspondence (received April 19, 2010) from Michael Miller, Ohio Public Works, regarding approval of the Wastewater Improvements project for \$260,000.00. Referred to Water Resources and Department of Budget & Financial Management.
4. Undated correspondence (received April 19, 2010) from Michael Miller, Ohio Public Works, regarding approval of the Waterloo Road project for \$660,800.00. Referred to County Engineer.
5. Undated correspondence (received April 19, 2010) from Michael Miller, Ohio Public Works, regarding approval of the Tallmadge Road project for \$472,500.00. Referred to County Engineer.
6. The Board of Commissioners received the April 13, 2010 Notice of Receipt of 401 Application and Public Hearing from the Ohio EPA for applicant East Ohio Gas Company. Referred to Water Resources.
7. April 13, 2010 correspondence from Auditor of State Mary Taylor's office, regarding outstanding account receivable balances. County Auditor Esposito advised she has asked the Auditor of State to remove these charges. Referred to Internal Services/Clerk to draft a response
8. April 21, 1999 (received April 20, 2010) from Kathy Cutting, Portage County Auditor's Office, regarding new construction changes to previously exempt property located at 7008 St. Rte. 88 (Parcel No. 31-212-00-00-020-002). Referred to Executive Assistant.

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**INFORMATION ONLY**

April 22, 2010

- 1. The Board of Commissioners received the Board of Trustee meeting minutes from March 18, 2010 as presented by the Portage County District Library.
- 2. April 20, 2010 e-mail from Commissioner Frederick, regarding the Sheriff’s accident/cruiser damage.

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**PROSECUTOR’S CORRESPONDENCE**

April 22, 2010

- 1. April 19, 2010 e-mail from Denise Smith, regarding money transfer of Bowen & Associates Architectural contract for Kent Courthouse/Information only.
- 2. April 20, 2010 correspondence from Denise Smith to Ben Sutton, Edward H. Sutton Insurance Agency, Inc., regarding Kaley Jane Herman vs. Portage County Sheriff’s Department/Information only.
- 3. April 20, 2010 e-mail from Theresa Scahill, regarding the Mediation notice for Huntington Bank vs. Kent-Ravenna Realty Company. Please note Prosecutor Scahill suggests a Commissioner be available via phone during the May 24, 2010 hearing/Commissioner Keiper has added this event to his calendar

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**Journal Entry**

April 22, 2010

Motion by Christopher Smeiles, seconded by Charles W. Keiper II to approve the following actions:

- 1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending April 18, 2010, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners also acknowledged the receipt of \$ 972 in License Sales and \$871 for Impound fees.
- 2. The Board of Commissioners authorized use of the Portage County Administration Building’s 1<sup>st</sup> Floor Conference Room (former Building Department) on Wednesday, June 30, 2010 from 8:00 AM-4:30 PM for the American Red Cross Blood Drive, as requested by Vickie Steiner, Portage County Human Resources Department. Forward to the Internal Services Director to prepare the agreement noting that the Board waives the \$1.00 fee but requires the Certificate of Insurance.
- 3. The Board of Commissioners authorized the use of the Portage County Annex Building’s basement conference room for foster parent training, as requested by Sharon Spence, Children Services as follows:

Tuesday, August 3, 2010	6:00 PM-9:00 PM
Saturday, August 7, 2010	9:00 AM-4:00 PM

