

**Thursday, June 10, 2010**

The Board of County Commissioners met in regular session on **Thursday, June 10, 2010 at 9:40 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the June 8, 2010 meeting. All in favor, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier; Patricia Petty and Jan Rusnack

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### **NEIGHBORHOOD DEVELOPMENT SERVICES**

Present: Jim Shank, Christy Sanders, Jen King

### **2<sup>nd</sup> Public Hearing– Henkan, LLC**

**Portage County Board of Commissioners' Board Room\**

**Convened: 9:30 AM**

Present: Commissioner Keiper, Smeiles and Frederick; Neighborhood Development Services, Inc. staff Jim Shank, Christy Sanders and Jen King; Mike Sever, Record-Courier; Residents Patricia Petty and Jan Rusnack; Department of Budget & Financial Management Director Audrey Tillis; Clerk Deborah Mazanec

#### **I. Introduction and Project Explanation**

Jim Shank stated that Cheng Wen-Wong and his wife Hsiao Chi-Hsu have been leasing the Evergreen Chinese Restaurant and Buffet in the plaza located at 1665 East Main Street in Franklin Township, Ohio for the past 11 years. The plaza owner defaulted on its loan with Home Savings Bank of Youngstown and Mr. Wen-Wong and Ms. Chi-Hsu formed an LLC to buy and manage the retail plaza, but not the storage units. Mr. Shank noted that this will preserve 30 jobs and create four new jobs with the planned opening of the Laundromat.

Home Savings Bank of Kent has approved a 240 month \$1,000,000 loan for the project contingent upon CDBG funding of \$200,000 at 3% for 240 months.

#### **II. Questions and Comments**

- Commissioner Smeiles asked if the Wongs were signing personally
- Mr. Shank responded yes and gave a guarantee of the restaurant
- Commissioner Smeiles asked if the cash flow works
- Mr. Shank responded yes
- Commissioner Frederick asked if there is a restaurant expansion planned

- Mr. Shank responded no – the Laundromat will reopen next door
- Director Tillis noted that the CDBG grant will be for \$210,000 and used for a \$200,000 loan to Henkan, LLC and \$10,000 in administrative costs for the Neighborhood Development Services, Inc.
- Commissioner Smeiles stated that he commends the hard work of the Wongs.

Hearing no further comments, the public hearing adjourned at 9:40 AM

After adjourning the public hearing, the Board of Commissioners adopted Resolution 10-0544 authorizing the CDBG Grant application to the Ohio Department of Development.

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Neighborhood Development Services, Inc. staff Jen King advised the Board of Commissioners that they are proposing a Neighborhood Revitalization Grant, which has replaced the Community Distress Grant, as recommended by the State. The grant for the Village of Windham along Maple Grove Road would be for \$300,000 with \$27,700 proposed for sidewalk improvements, \$5,200 for fire protection and equipment, \$229,100 for flood and drainage facilities, \$8,000 for street improvements, \$35,000 for admin and an NSP match of \$280,000. Commissioner Smeiles wondered if any other community could/would be considered other than Windham. Ms. King responded that possibly in the future looking forward but there is the LMI requirement that limits areas/Journal Entry.

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Record-Courier Reporter Mike Sever asked if the Board of Commissioners had talked to the State about the 2009 audit any time after the pre-bid hearing. Commissioner Keiper replied that he made it clear in the pre-bid hearing, that he found out about only a day or so before the meeting, that the Board of Commissioners was a part of the process. Mr. Sever asked if the Board of Commissioners asked the County Auditor for any progress reports. Commissioner Keiper responded no – he understood that the County Auditor would contact him.

The Board of Commissioners noted the receipt of the public records that they requested from the State Auditor for the 2009 Audit. Commissioner Frederick wondered what the number is of State Auditor findings for communities not accepting the low bid. Accepting the low bid is always her priority. Commissioner Smeiles added that the low bidder is qualified and there is no reason not to use that firm. He added that the Administrative Code says that the contracting authority (Board of Commissioners) must be involved in the process and we were not involved. Commissioner Smeiles stated that he is not comfortable signing the current agreement with Ciuni & Panichi. Commissioner Frederick would like the Prosecutor to comment; Commissioner Smeiles replied that he has asked Prosecutor Vigluicci to look at this issue. He added that Attorney Denise Smith has advised that there is no need for the Board of Commissioners to sign the agreement since the ORC gives the County Auditor the authority to pay for the audit without Board of Commissioners approval. Commissioner Keiper agreed that there is no need for the Board of Commissioners to sign.

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**INTERNAL SERVICES**

Present: JoAnn Townend, Mickey Marozzi

Discussion

- 1. The Director will send the draft Vehicle Use Policy to the Board of Commissioners’ Leadership Team for comment.
- 2. The Municipal Court Judges have asked for a vehicle to replace their 2001 Ford Taurus noting that they do not have the funds to purchase a new vehicle. The Motor Pool has determined that the Taurus needs \$1,300 in repairs. The Board of Commissioners agreed that the Municipal Court can continue to use the Motor Pool’s pool car (2000 Crown Vic) until funding becomes available to purchase a replacement vehicle.
- 3. The Director advised the Board of Commissioners that she contacted the Greater Akron Chamber to determine how to stop participating in that organization. The Board of Commissioners would have to send a letter stating their intent. Commissioner Keiper will discuss PCDED Director Ulik’s recommendation that the county not pay the \$10,000 in dues this year. Commissioner Frederick stated that she is not inclined to pay these dues and is interested in looking at every line item before approving/Bring back on June 15, 2010.

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Resolutions

- 1. Enter into amendment no. 1 with Family & Community Services for PRC car seat education and installation for JFS (extends the agreement to July 31, 2010 at no additional cost)./10-0545
- 2. Enter into an agreement with the Portage County Domestic Relations Court for IV-D Magistrate’s Services and Job & Family Services CSEA./10-0546

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The County Engineer is attending to present the Storm Water Agreements with the Soil & Water Conservation District and the Health Department/10-0547 and 10-0548

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**HUMAN RESOURCES**

Present: Karen U’Halie

- 1. The Director discussed the proposed Revision to Section 22 (12) and (17) of the Portage County Board of Commissioners’ Personnel Policy Manual – “Paid Leaves of Absence”/Bring Back

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10:43 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to

consider an employee benefit issue. **Also present: Human Resources Department Director Karen U'Halie.**  
Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

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

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

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**AIRPORT BOARD CANDIDATE**

Present: R. Daniel Forman

Mr. Forman is attending to discuss his interest in serving on the Airport Board of Trustees.

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**JOB & FAMILY SERVICES**

Present: Anita Herington

- I. The Director presented the CSEA Performance numbers for May 2010 noting that Portage County continues to outperform other Ohio counties in Paternity Establishment, Support Order Establishment, Collections on Current and Collections on Arrears.
- II. The Director noted that staff once again took part in the Bowl Against Abuse event/fund raiser to benefit the Children's Advocacy Center.
- III. Building Updates – the Director noted that both Jim Manion and Tim Miller are out of the office
  - a. The Director reported flooding in the Administration Building Annex basement. JFS Custodians have cleaned the area as well as they can. The Maintenance Department has not been able to provide the necessary dehumidifiers to dry the area.
  - b. The fourth floor CSEA office in the Riddle Block Building flooded again and the department lost one computer and two work stations, which the state will not replace.
  - c. Air conditioning is once again a problem at the One-Stop.

The Board of Commissioners agreed to contact the Maintenance Department for an update.

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**RESOLUTION No. 10-0536 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

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

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on June 10, 2010 in the total payment amount of **\$256,869.85 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, Yea;

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**RESOLUTION No. 10-0537 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

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

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Internal Auditor or other designee on June 10, 2010 in the total payment amount as follows:

1. \$5,992.78 to WageWorks, Inc. for processing claims for Medical Mutual; and
2. \$74,409.09 for Medical Mutual Claims-Fund 7101; 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, June 11, 2010	\$ 5,992.78
Wire Transfer on Friday, June 11, 2010	\$ 74,409.09

and be it further

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

formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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**RESOLUTION No. 10-0538 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

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

**WHEREAS,** the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

**WHEREAS,** there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

**WHEREAS,** the Journal Vouchers/Entries are recommended by the County Auditor’s Office for review and approval by the Board of Commissioners; now therefore be it

**RESOLVED,** that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor’s Office:

06/09/10	381	\$ 11,351.96
06/09/10	376	68.88
06/09/10	375	114.52
06/09/10	374	2,212.87
06/09/10	373	8,451.85
06/09/10	371	336.00
06/09/10	370	166.01
06/09/10	367	145,896.00
06/09/10	365	1,052.57
06/09/10	364	13,826.92
06/09/10	363	20,655.20
06/09/10	362	27,423.09
Total		\$ 231,555.87

and be it further

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

formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Roll call vote as follows:

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

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**RESOLUTION No. 10-0539 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

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

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

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

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

**RESOLVED,** that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$31,886.27** as set forth in Exhibit “A” dated **June 10, 2010** shall be paid; and be it further

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

Voice Vote as Follows:

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

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**RESOLUTION No. 10-0540 - RE: AUTHORIZE THE ELECTRONIC APPLICATION TO THE OHIO DEPARTMENT OF HEALTH, BUREAU OF EARLY INTERVENTION SERVICES, FOR THE HELP ME GROW**

**PART C ARRA (STIMULUS) GRANT.**

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

**WHEREAS,** the Ohio Department of Health, Bureau of Early Intervention Services has announced the availability of grant funds through the American Recovery and Reinvestment Act (ARRA) of 2009 for the Help Me Grow Program, grant name Help Me Grow Part C ARRA (GMIS #067-1-00-31-HA-0211), to the Portage County Department of Job and Family Services (PCJFS); and

**WHEREAS,** the State’s allocation to PCJFS through Help Me Grow Part C ARRA is \$61,389.00; and

**WHEREAS,** the Portage County Board of Commissioners (the Board) does hereby support the Help Me Grow Program of Portage County and recognizes it support to Portage County Families; now therefore be it

**RESOLVED,** that the Board of Commissioners authorizes the Director of PCJFS to submit the electronic application for the Help Me Grow Part C ARRA funding through the Ohio Department of Health, Bureau of Early Intervention Services for the grant period of July 1, 2010 through June 30, 2011, to support the Help Me Grow Program: Ohio’s Birth To Three System; and be it further

**RESOLVED,** that the application to the Ohio Department of Health Bureau of Early Intervention Services Help Me Grow Part C ARRA Grant (GMIS #067-1-00-31-HA-0211) for the Help Me Grow Program of Portage County is for \$61,389.00; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Department of Budget and Financial Management, and Portage County Department of Job & Family Services; 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, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0541**

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**RE: ACCEPT THE EXTENSION OF THE OHIO DEPARTMENT OF HEALTH, BUREAU OF EARLY INTERVENTION SERVICES**

**HELP ME GROW PART C GRANT AND AUTHORIZE THE ELECTRONIC SUBMISSION OF THE REVISED BUDGET**

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

**WHEREAS,** the Ohio Department of Health, Bureau of Early Intervention Services has announced the availability of grant funds for the Help Me Grow Program, grant name Help Me Grow Part C (GMIS #067-1-00-31-HG-0209), to the Portage County Department of Job and Family Services (PCJFS); and

**WHEREAS,** the State’s allocation to PCJFS through Help Me Grow Part C is \$77,523.00; and

**WHEREAS,** the Portage County Board of Commissioners (the Board) does hereby support the Help Me Grow Program of Portage County and recognizes its support to Portage County Families; now therefore be it

**RESOLVED,** that the Board accepts the extension of the Help Me Grow Part C (GMIS #067-1-00-31-HG-0209) from the Ohio Department of Health, Bureau of Early Intervention Services for the amount of \$77,523.00; and be it further

**RESOLVED,** the Board authorizes the Director of PCJFS to submit the electronic budget revision for the Help Me Grow Part C ARRA funding through the Ohio Department of Health, Bureau of Early Intervention Services for the grant period of July 1, 2010 through June 30, 2011, to support the Help Me Grow Program: Ohio’s Birth To Three System; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Department of Budget and Financial Management, and Portage County Department of Job & Family Services; 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, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0542**

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**RE:**

**DECLARING THE NECESSITY OF AND PLACING ON THE BALLOT OF THE NOVEMBER 2, 2010 GENERAL ELECTION**

**A RENEWAL LEVY OF ONE AND EIGHTH TENTHS (1.8)  
MILLS FOR BENEFIT OF THE PORTAGE COUNTY BOARD  
OF DEVELOPMENTAL DISABILITIES.**

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

**WHEREAS,** the Portage County Board of Developmental Disabilities certified to the Portage County Board of Commissioners, through its Resolution No. 10-03-12, that a need exists for a renewal levy to provide funds for the operation and administration of facilities, programs, and services provided by the Board of Developmental Disabilities pursuant to Chapter 5126 of the Ohio Revised Code; and

**WHEREAS,** the current one and eight tenths (1.8) mill levy in excess of the ten-mill limitation, approved by the voters of Portage County in 1996 and renewed in 2000 and 2005, expires at the end of tax year 2010, and a renewal thereof requires a vote of the people pursuant to Ohio Revised Code Sections 5705.19(L) and 5705.222; now therefore be it

**RESOLVED,** that the Board of Commissioners hereby declares that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide the necessary requirements of the Board of Developmental Disabilities established pursuant to Chapter 5126 of the Ohio Revised Code; and be it further

**RESOLVED,** that it is necessary to levy a renewal tax in the amount of one and eight tenths (1.8) mills for the purpose of providing funds for the operation of programs and services by the Board of Developmental Disabilities, including Happy Day School, Portage Industries, Inc., residential programs and services, and for the acquisition, construction, renovation, financing, maintenance, and operation of mental retardation and developmental disabilities facilities; and be it further

**RESOLVED,** that this Board shall certify the following language to the Board of Elections, Portage County, Ohio for placement on the ballot at the next general election on November 2, 2010:

“An renewal of a tax for the benefit of PORTAGE COUNTY for the purpose of PROVIDING FUNDS FOR COMMUNITY MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES PROGRAMS AND SERVICES AND INCLUDING HAPPY DAY SCHOOL, PORTAGE INDUSTRIES, INC., RESIDENTIAL PROGRAMS AND SERVICES, AND FOR THE ACQUISITION, CONSTRUCTION, RENOVATION, FINANCING, MAINTENANCE, AND OPERATION OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES FACILITIES ADMINISTERED BY THE PORTAGE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES at a rate not exceeding ONE

AND EIGHT TENTHS (1.8) MILLS for each one dollar of valuation, which amounts to EIGHTEEN CENTS (\$.18) for each one hundred dollars of valuation, for five years, commencing in 2011, first due in calendar year 2012”;

and be it further

**RESOLVED,** that the aforementioned one and eight tenths (1.8) mills renewal tax levy shall be placed on the tax list for the tax years 2011, 2012, 2013, 2014, and 2015; and be it further

**RESOLVED,** that the Portage County Auditor has certified the tax valuation and funds to be generated by the one and eight tenths (1.8) mills renewal tax levy; and be it further

**RESOLVED,** that the Clerk of the Board of Commissioners shall deliver a certified copy of this resolution to the Board of Elections no later than 4 o'clock p.m. August 4, 2010; and be it further

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

Voice vote as follows:

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

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**RESOLUTION No. 10-0543 - RE: AMEND RESOLUTION 08-1071 ONLY TO CHANGE THE GRANT AMOUNT AND PROJECT TOTAL IN THE OHIO DEPARTMENT OF DEVELOPMENT HOME INVESTMENT PARTNERSHIPS GRANT THROUGH THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP).**

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

**WHEREAS,** the Portage County Board of Commissioners adopted Resolution 08-1071 on October 28, 2008 accepting the Ohio Department of Development Housing Improvement Program Grant (Grant Number B-C-08-062-2 changed to B-C-08-1CJ-2 with Resolution No. 10-0455) in an amount of Three Hundred Sixty-Seven Thousand Three Hundred Dollars and No Cents (\$367,300); and

**WHEREAS,** the Board of Commissioners requested Ohio Department of Development authorization to replace \$40,000 (designated for Habitat for Humanity of Portage

County) in CHIP funding with RLF funds noting that the RLF would carry the same compliance requirements as the CHIP funds but without the deadline for completion, in an effort to assure that the FY 2008 Portage County CHIP is completed on time and without issues; now therefore be it

**RESOLVED,** the Board of Portage County Commissioners agrees to a decrease of \$40,000 for Grant Number B-C-08-062-2 (changed to B-C-08-1CJ-2 with Resolution No. 10-0455) for the 2008 Community Housing Improvement Program Grant reducing the amount from Three Hundred Sixty-Seven Thousand Three Hundred Dollars and No Cents (\$367,300) to Three Hundred Twenty-Seven Thousand Three Hundred Dollars and No Cents (\$327,300) for a new project total of Four Hundred Eighty-Seven Thousand Three Hundred Dollars and No Cents (\$487,300); and be it further

**RESOLVED,** that the balance of Resolution 08-1071 (Exhibit A) remains unchanged; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Department of Budget & Financial Management, the Neighborhood Development Services, Inc., and the Portage County Auditor; and be it further

**RESOLVED,** 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 was as follows:

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

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**EXHIBIT A**  
**RESOLUTION No 08-1071**  
**October 28, 2008**

**RE: ACCEPT THE OHIO DEPARTMENT OF DEVELOPMENT'S, HOME INVESTMENT PARTNERSHIPS GRANT THROUGH THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP)**

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

- WHEREAS,** the Portage County Board of Commissioners adopted Resolution 08-0338 on April 15, 2008 and approved an application for the 2008 Community Housing Improvement Program Grant application in an amount not to exceed \$534,900 committing \$4,000 of the 2008 Formula Allocation funds and \$100,000 of the Portage County CDBG RLF to the application; and
- WHEREAS,** on 9/18/2008 the Portage County Board of Commissioners approved an additional commitment of \$100,000 local match to be taken out of the County's Economic Development RLF per the state's request; and
- WHEREAS,** on 10/21/2008 the Portage County Board of Commissioners successfully applied for a waiver from the Ohio Department of Development stating that an additional \$100,000 will be used from the Economic Development RLF as a substitution for the \$100,000 initially pledged from the CDBG RLF, this includes the (\$60,000) being used as match for grant # B-C-08-062-2; and,
- WHEREAS,** this resolution will be passed in conjunction with Res. # 08-1070 to account for the entire CHIP award; now therefore be it
- RESOLVED,** the Board of Portage County Commissioners accepts the 2008 Community Housing Improvement Program Grant, grant number B-C-08-062-2 in an amount of Three Hundred Sixty-Seven Thousand Three Hundred Dollars and No Cents (\$367,300); and be it further
- RESOLVED,** that the Board of Commissioners commits \$160,000 of the Portage County Economic Development RLF to this grant for a project total of Five Hundred Twenty-Seven Thousand Three Hundred Dollars and No Cents (\$527,300); and be it further
- RESOLVED,** that the Board of Commissioners agrees that the grant will be administered and implemented by the Neighborhood Development Services Inc. (NDS, Inc.); and be it further
- RESOLVED,** that the grant period begins September 1, 2008 and ends December 31, 2010; and be it further
- RESOLVED,** Portage County agrees to comply with all State and Federal Regulations and Guidelines in the administration and implementation of these funds and designate the President of the

Portage County Board of Commissioners, or his/her designee, as the Chief Elected Official to sign all necessary documents in connection with this grant; and be it further

**RESOLVED** that a certified copy of this resolution be filed with the Portage County Department of Budget & Financial Management, the Neighborhood Development Services, Inc., Portage County Internal Auditor and the Portage County Auditor’s Office; and be it further

**RESOLVED,** 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 was as follows:

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

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**RESOLUTION No. 10-0544 - RE: AUTHORIZE NEIGHBORHOOD DEVELOPMENT SERVICES (NDS) TO APPLY FOR A CDBG GRANT THROUGH THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) TO DIRECTLY ASSIST HENKAN, LLC.**

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

**WHEREAS,** the Ohio Department of Development has Community Development Block Grants available for economic development projects; and

**WHEREAS,** the Portage County Board of Commissioners is qualified to apply for grant funding through this program; and

**WHEREAS,** there is no match requirement for participation in the Community Development Block Grant; and

**WHEREAS,** Henkan, LLC is in need of \$200,000 to purchase a facility in Kent, Ohio that will retain 11 full time positions to Portage County, and as a stipulation of the Grant, the company has committed to creating three (3) additional full time positions over the next two years; and

**WHEREAS,** the CDBG funds granted to Portage County will be loaned to Henkan, LLC in the form of a second mortgage at a rate of three percent annual interest with the payments being captured into Portage County’s Economic Development Revolving Loan Fund; therefore be it

**RESOLVED,** that the Portage County Board of Commissioners authorizes Neighborhood Development Services Inc. to apply to the Ohio Department of Development for \$210,000.00 (Two Hundred Ten Thousand Dollars) for purposes of a loan of \$200,000.00 (Two Hundred Thousand Dollars) to Henkan, LLC, and the payment of \$10,000 (Ten Thousand Dollars) to Neighborhood Development Services for administrative expenses; and be it further

**RESOLVED,** the Board of Commissioners authorizes the President or Vice-President of the Board of Commissioners to sign the papers pertaining to the grant application; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Portage County Auditor, Department of Budget and Financial Management, and Neighborhood Development Services; 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:

Christopher Smeiles, Yea;

Charles W. Keiper II, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0545**

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**RE:**

**ENTER INTO AMENDMENT NO. 1 FOR PREVENTION, RETENTION AND CONTINGENCY (PRC) CAR SEAT EDUCATION AND INSTALLATION SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND FAMILY & COMMUNITY SERVICES, INC.**

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

**WHEREAS,** an agreement between the parties was entered into and known as Portage County Contract No. 20090339 (the “Original Contract”) on August 27, 2009 by Resolution No. 09-0750 to provide Prevention, Retention & Contingency (“PRC”) Car Seat Education and Installation Services for eligible Portage County residents; and

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

**RESOLVED,** that the Board of Portage County Commissioners does hereby enter into Amendment No. 1 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Family & Community Services, Inc. to extend the agreement one (1) additional month from July 1, 2010 to July 31, 2010 to complete Car Seat Education and Installation Services for all approved PRC car seat applications made by June 30, 2010; and be it further

**RESOLVED,** that service under this agreement shall remain Thirty-two thousand two hundred twenty and 20/100 dollars (\$32,220.20) for the period August 1, 2009 to July 31, 2010; and be it further

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

Voice vote as follows:

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

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**RESOLUTION No. 10-0546 - RE: ENTER INTO AN AGREEMENT BETWEEN THE PORTAGE COUNTY CHILD SUPPORT ENFORCEMENT AGENCY AND PORTAGE COUNTY DOMESTIC RELATIONS COURT – MAGISTRATE SERVICES.**

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

**WHEREAS,** the Portage County Child Support Enforcement Agency requests authorization to enter into a IV-D Contract with the Portage County Domestic Relations Court – Magistrate Services; and

**WHEREAS,** it was determined through meetings/discussions between representatives of the Portage County Child Support Enforcement Agency and the Portage County Domestic Relations Court that Magistrate Services shall be purchased at the rate of One hundred twenty-two and 64/100 dollars (\$122.64) per hour, not to exceed Eighty-five thousand eight hundred forty-five and 74/100 dollars (\$85,845.74);

**WHEREAS,** the IV-D Contract attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Child Support Enforcement Agency and Portage County Domestic Relations Court – Magistrate Services; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into a IV-D Contract between the Portage County Child Support Enforcement Agency and the Portage County Domestic Relations Court – Magistrate Services at the rate of One hundred twenty-two and 64/100 dollars (\$122.64) per hour, not to exceed Eighty-five thousand eight hundred forty-five and 74/100 dollars (\$85,845.74); and be it further

**RESOLVED,** that the term of this agreement shall be from July 1, 2010 through June 30, 2011; and be it further

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

Voice Vote as follows:

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

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**RESOLUTION No. 10-0547 - RE: AUTHORIZE EXECUTION OF AN AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND THE PORTAGE COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE PURPOSE OF COOPERATION AND COORDINATION AS IT RELATES TO THE EXECUTION OF RESPONSIBILITIES OF THE PORTAGE COUNTY STORM WATER DISTRICT**

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

**WHEREAS,** the Portage County Board of Commissioners intends to engage the Portage County Soil and Water Conservation District to perform certain monitoring, investigating, inspection and testing services required by Portage County’s Ohio Environmental Protection Agency (OPEA) National Pollution Discharge Elimination System (NPDES) Phase II permit at a cost not to exceed \$201,296.00 for the period of January 1, 2010 through December 31, 2010; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners hereby authorize the execution of an agreement with the Portage County Soil and Water Conservation District for the purpose of cooperation and coordination as it relates to the execution of the responsibilities of the Portage County Storm Water District; 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 was as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0548**

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**RE: AUTHORIZE EXECUTION OF AN AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND THE PORTAGE COUNTY COMBINED GENERAL HEALTH DISTRICT FOR THE PURPOSE OF COOPERATION AND COORDINATION AS IT RELATES TO THE EXECUTION OF RESPONSIBILITIES OF THE PORTAGE COUNTY STORM WATER DISTRICT**

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

**WHEREAS,**

the Portage County Board of Commissioners intends to engage the Portage County Combined General Health District to perform certain monitoring, investigating, inspection and testing services required by Portage County’s Ohio Environmental Protection Agency (OPEA) National Pollution Discharge Elimination System (NPDES) Phase II permit at a cost not to exceed \$205,000.00 for the period of January 1, 2010 through December 31, 2010; now therefore be it

**RESOLVED,**

that the Portage County Board of Commissioners hereby authorize the execution of an agreement with the Portage County Combined General Health District for the purpose of cooperation and coordination as it relates to the execution of the responsibilities of the Portage County Storm Water District; 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 was as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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## RESOLUTIONS

June 10, 2010

1. Approval of Meeting Minutes from the June 8, 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./10-0536
3. Approve the wire transfer as presented by the County Auditor./10-0537
4. Approve the Journal Vouchers as presented by the County Auditor./10-0538
5. Approve Then & Now as presented by the County Auditor./10-0539
6. Job & Family Services presents the following Resolutions for Board consideration:
  1. Authorize the electronic application to the Ohio Department of Health Bureau of Early Intervention Services for the Help Me Grow Program of Portage County./10-0540
  2. Authorize the extension of the Part C Grant with the Ohio Department of Health Bureau of Early Intervention Services for the Help Me Grow Program of Portage County./10-0541
7. Appointment to the Portage County Regional Airport Authority Board of Trustees – Gayle Poots. (Executive Assistant)/Held for confirmation of attendance record. Commissioner Smeiles agreed to contact Airport Board President John Trew.
8. Amend Resolution No. 08-1071 only to change the grant amount and project total in the Ohio Department of Development home Investment Partnerships Grant through the Community Housing Improvement Program (CHIP)./10-0543
9. Due to a funding error by the Ohio EPA, the Water Resources Department requests the following actions pending review by the Department of Budget & Financial Management and Prosecutor's Office/Hold for a final review from the Prosecutor's Office.
  - a. Resolution to rescind Resolution Nos. 10-0101 and 10-0106.
  - b. Resolution confirming the Portage County authorization to apply for, accept and enter into a Water Pollution Control Loan Fund Agreement on behalf of the Portage County Water Resources Department for \$120,000 for planning, design and/or construction of wastewater facilities in the form of the West Branch Mobile Home Park WWTP Improvements, as first approved by Resolution 09-1020.
  - c. Resolution to rescind Resolution Nos. 10-0104 and 10-0105.
  - d. Resolution confirming the Portage County authorization to apply for, accept and enter into a Water Pollution Control Loan Fund Agreement on behalf of the Portage County Water

Resources Department for \$288,000 for planning, design and/or construction of wastewater facilities in the form of the Operations and Maintenance Equipment Garage, as first approved by Resolution 09-1021.

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**INVITATIONS/MEETING NOTICES**

June 10, 2010

1. Invitation from the Ohio State University Sea Grant College Program for the Third Annual Lake Erie Day on Wednesday, August 11, 2010, 11:00 AM-5:00 PM at the Ohio State University’s F.T. Stone Laboratory on Gibraltar Island at Put-In-Bay.
2. Invitation from Summa Foundation and NASA for the Mission Medicine – The Importance of collaboration in advancing healthcare improvements and innovations used in space exploration on Tuesday, June 22, 2010, 4:30 PM Reception, 5:15 PM Presentation, Ann & David Brennan Critical Care Center Lobby, Summa Akron City Hospital.
3. Invitation from Walls School for the Community Garden Kickoff on Saturday, June 12, 2010, 12:00 PM, at Walls Elementary School, Kent.

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**INCOMING CORRESPONDENCE  
DISCUSSION**

June 10, 2010

1. June 2, 2010 correspondence from Mary Reno, regarding a proposed vacation of Reiger Drive (TH 456). The Board of Commissioners agreed that the Clerk should respond to Mrs. Reno advising that the January 31, 2008 Public Hearing was recessed to allow the residents to have a survey completed and the plat changed.
2. May 27, 2010 e-mail from JoAnn Townend, Internal Services, regarding vehicle use policy for the County/JoAnn Townend to send the document to the Leadership Team for comment
3. Discussion: Swearing in for District Library Board Member Todd Puster/One Commissioner will attend to swear Mr. Puster in.

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**JOURNAL ENTRY**

June 10, 2010

1. Board of Commissioners’ authorization requested to pay Invoice No. 20105357 dated June 30, 2010 to the Ohio Department of Natural Resources for the Hills Pond Dam Safety Annual Fee of \$215.00. (AKA Pretty Glen Dam).

2. The Board of Commissioners received the Weekly Report of Kennel population for the week ending June 6, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged receipt of \$2340.00 in License Sales and \$635 for Impound fees.
3. The Board of Commissioners received the Portage County Investment Reconciliation for the month of April 2010 as presented by the County Auditor and County Treasurer.
4. The Board of Commissioners received the Portage County Juvenile Detention Center's FY2011 Operating Budget for the Portage/Geauga County Juvenile Detention Center. (Public Hearing scheduled for June 24, 2010).
5. Board of Commissioners' signature requested on the purchase requisition for David Sommers AIA for architectural services to prepare specifications and drawings for the proposed facility improvements for Townhall II for \$3,000.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #06 Neighborhood Facility/Community Center is funding this expense.
6. Board of Commissioners' signature requested on the purchase requisition for Joseph Mosyjowski dba Mosyjowski & Associates Engineers for engineering services for the proposed parking facility improvements for the Portage County Senior Center for \$3,595.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #02 Senior Center is funding this expense.
7. Board of Commissioners' signature requested on the purchase requisition for Emerald Environmental Inc. for asbestos specification preparation services for the former Hiram Elementary School clearance project for \$1,500.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #01 Clearance is funding this expense.
8. Board of Commissioners' signature requested on the purchase requisition for the Thompson Publishing Group Inc. for the annual subscription for the Local/State Funding Report for \$379.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #08 Administration is funding this expense.
9. Board of Commissioners' signature requested on the purchase requisition for Ohio Conference of Community Development Inc. for July 1, 2010 through June 30, 2011 OCCD membership for \$250.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #08 Administration is funding this expense.

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**REFERRED**

June 10, 2010

1. June 2, 2010 correspondence from Kevin Shoemaker, Ohio EPA, regarding the Solid Waste Management Plan. The District's draft amended plan is due to the Ohio EPA on October 5, 2011 and should begin preparing the draft amended plan by July 5, 2010. Referred to Solid Waste.

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**INFORMATION ONLY**

June 10, 2010

1. June 3, 2010 correspondence from the Ohio State University Extension office in Columbus, indicating the OSU Extension will be maintaining rates charged to counties for the cost of county educators in calendar year 2011 at the same amount as they are in 2010.
2. June 8, 2010 e-mail from Amanda Jones, County Commissioners Association of Ohio, regarding HB 471 – Development Rights.

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**PLEASE ADD TO THE AGENDA**

June 10, 2010

1. June 3, 2010 correspondence from Commissioner Daniel Claypool Ashtabula County Commissioner to Geauga and Portage County, regarding the Notice for Disallowed Audit Costs Against GAPP and Recommendation by Chief LEO (Audit Tracking No. WIA-08-00007, Audit Period July 1, 2007 through June 30, 2008)/Clerk to prepare a resolution.
2. DRAFT RESOLUTION: June 9, 2010 e-mail from Theresa Scahill, Prosecutor’s office, including a draft resolution for the renewal levy for the Board of Developmental Disabilities/10-0542.
3. June 7, 2010 correspondence from Eric Czetli, Ohio Department of Transportation, regarding Tiger II Discretionary Grant Guidance/Forward to the County Engineer, Water Resources Department, Solid Waste Management District, and PCDED for comment or suggested projects.

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**PROSECUTOR’S CORRESPONDENCE**

June 10, 2010

1. June 8, 2010 e-mail from Theresa Scahill, regarding the 1.8 mill levy for the Portage County Board of Development Disabilities for the November ballot/10-0542.
2. June 8, 2010 e-mail from Leigh Prugh, regarding the Streetsboro Water Agreement/Commissioner Smeiles agreed to contact the Mayor of Streetsboro.

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**Journal Entry**

June 10, 2010

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

1. The Board of Commissioners authorized payment of Invoice No. 20105357 dated June 30, 2010 to the Ohio Department of Natural Resources for the Hills Pond Dam Safety Annual Fee of \$215.00. (AKA Pretty Glen Spillway).

2. The Board of Commissioners acknowledged the receipt the Weekly Report of Kennel population for the week ending June 6, 2010, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners also acknowledged the receipt of \$2340.00 in License Sales and \$635 for Impound fees.
3. The Board of Commissioners acknowledged the receipt of the Portage County Investment Reconciliation for the month of May 2010, as presented by the County Auditor and County Treasurer.
4. The Board of Commissioners acknowledged the receipt of the Portage County Juvenile Detention Center's FY2011 Operating Budget for the Portage/Geauga County Juvenile Detention Center. The required Public Hearing is scheduled for June 24, 2010 in Geauga County.
5. The Board of Commissioners signed the purchase requisition for David Sommers AIA of Kent for architectural services to prepare specifications and drawings for the proposed facility improvements for Townhall II for \$3,000.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #06 Neighborhood Facility/Community Center is funding this expense.
6. The Board of Commissioners signed the purchase requisition for Joseph Mosyjowski dba Mosyjowski & Associates Engineers of Hartville for engineering services for the proposed parking facility improvements for the Portage County Senior Center for \$3,595.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #02 Senior Center is funding this expense.
7. The Board of Commissioners signed the purchase requisition for Emerald Environmental Inc. of Kent for asbestos specification preparation services for the former Hiram Elementary School clearance project for \$1,500.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #01 Clearance is funding this expense.
8. The Board of Commissioners signed the purchase requisition for the Thompson Publishing Group Inc., of Tampa, Florida for the annual subscription for the Local/State Funding Report for \$379.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #08 Administration is funding this expense.
9. The Board of Commissioners signed the purchase requisition for Ohio Conference of Community Development Inc. for July 1, 2010 through June 30, 2011 for the OCCD membership for \$250.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #08 Administration is funding this expense.
10. Today, the Board of Commissioners authorized the Portage County Department of Job & Family Services to submit a grant application to the Ohio Department of Health – Bureau of Early Intervention Services for the Help Me Grow Program. The State Subsidy from the General Revenue Fund was signed by Portage County Department of Job & Family Services Director Anita Herington and does not require Board signatures. The Board of Commissioners adopted Resolutions 10-0540 and 10-0541 approving the extension of the SFY 2009 grant and the Part C ARRA grant.

