

Tuesday, August 17, 2010

The Board of County Commissioners met in regular session on **Tuesday, August 17, 2010 at 8:15 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

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It was moved by Maureen T. Frederick, seconded by Christopher Smeiles to approve the meeting minutes of the August 12, 2010 meeting. Commissioner Keiper abstaining, motion carries.

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

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT WORK SESSION

Present: Audrey Tillis and Karen U'Halie

8:16 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 compensation issues. **Also present: Department of Budget & Finance Director Audrey Tillis and Human Resources Department Director Karen U'Halie.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

8:30 AM Director U'Halie out of the meeting

8:45 AM Director Tillis out of the meeting

9:18 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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Commissioner Frederick reported that there was an incident recently on State Route 44 in Randolph Township with sewer backing-up into the basement. Commissioner Frederick had the Water Resources Department investigate and it appears that there may be some culpability on the county's part since the Water Resources Department had been trying to perform some maintenance on this vacuum system.

Apparently, the gentleman who routinely performs the maintenance was out of town and the department sent an electrician to the site. The homeowner was told that the County had been experiencing problems with this vacuum system. The homeowner believes that the attempts recently by the County to try and do the maintenance caused the back-up and would like assistance in paying for the clean-up. There was another incident over the weekend.

Commissioner Frederick added that she has been advised that a Representative from the equipment manufacturer will be visiting Randolph today to investigate this issue, and will provide his recommendation for a permanent solution.

The Board of Commissioners asked for an update from the Water Resources Department.

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Commissioner Keiper advised the Board of Commissioners that he and Bill Steiner went to the GreenStar Recycling Plant in Pittsburg yesterday to look at that operation, which he described as remarkably impressive processing 68 tons of material an hour. Director Steiner will talk to the Board of Commissioners about the operation today during the Solid Waste Management District meeting.

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THE WOODLANDS AT ROBINSON - Cancelled

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PROSECUTOR

Present: Denise Smith

Review of Prosecutor Pending

1. Attorney Smith advised that she is working with Audrey Tillis on the draft resolution for the transfer from Benefit Reserves Fund
2. The Board of Commissioners had asked the Prosecutor to begin the collection process against the uninsured driver that backed into a Sheriff's Cruiser in April 2010 since CORSA has decided not to. Today, Attorney Smith recommended that the Board of Commissioners not pursue that collection since the driver will be unable to pay and the county will simply spend \$1000 -\$2000 in fees etc. The Board of Commissioners agreed that Attorney Smith should determine whether or not the county was "made whole" by CORSA for the Sheriff's Cruiser involved in accident with an uninsured driver before agreeing not to pursue the uninsured driver.
3. The Board of Commissioners asked that Attorney Prugh draft a resolution for Board consideration to move litigation forward in the matter of unfinished subdivisions. The Board of Commissioners also agreed that there should be an immediate check of all escrow accounts for these unfinished subdivisions to make certain they are still in place.

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Prosecutor's Correspondence

1. August 10, 2010 correspondence from David Brode, regarding Dominion East Ohio pipeline replacement/Information only.
2. August 9, 2010 correspondence from Denise Smith to Phil King, Attorney at Law, regarding Workforce Investment Act Local Area #19 GAPP July 1, 2007-June 20, 2008/Information only at this time.

3. August 11, 2010 correspondence from Nancy Dailey, WIC to Denise Smith, regarding criminal investigation./Information Only.
4. August 12, 2010 e-mail from Leigh Prugh, regarding sanitary sewer rules and regulations/Commissioner Frederick noted that this issue came up because the Water Resources Department sent notices to residents, without Board of Commissioners knowledge, that they must connect to the county system. She added that the Board of Commissioners should have been consulted before these notices were issued. Attorney Smith noted that the Water Resources Department could pay for all of the assessments up front and bill residents on their taxes. The Board of Commissioners agreed that they must discuss how to move forward with this issue.
5. August 13, 2010 e-mail from Denise Smith to Nancy Dailey, WIC regarding criminal investigation/Information only.

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10:25 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 a pending litigation issue. **Also present: Attorney Denise Smith.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:35 AM JFS Director Anita Herington attending

10:43 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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The Board of Commissioners asked Attorney Smith to work with JoAnn Townend and Leigh Prugh to find solutions for the legal issues in the URS agreement for the review of all county utility bills.

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

RESOLUTIONS

1. Create Fund 3016, GO Bond 2010/10-0752
2. Create Fund 5217, PCS Revenue Bond 2010/10-0753
3. Create Fund 5318, PCS Rav Training & Logistics/10-0754
4. Create Fund 5415, PCW Revenue Bond 2010/10-0755
5. Cash Advance from Fund 0001, General Fund to Fund 1460, Enforcement Protection Orders/10-0756

OTHER

6. Discussion Items:

- a. The Director presented the Coroner’s request for an additional \$30,000 for autopsy and transport services. The Board of Commissioners agreed to meet with Dr. Marcial to discuss this request noting that the Board does not have the funds for this request.
- b. The Director noted that the Common Pleas Court has requested funds for the Health Benefits/Non Compensation Lines. The Board of Commissioners agreed that the department should find the funds within its own budget.
- c. The Director has been in contact with the Park District after being notified that the District received the Clean Ohio grant. Director Tillis noted that the last information sent to the Board of Commissioners was that the District did not receive the grant and the \$25,000.00 requested for 2010 would not be needed. There was no recommitment made by the County for the \$25,000 or the cash flow requirement. The Board of Commissioners agreed that the General Fund cannot support this match or the cash flow requirement per your grant due to our budget shortfalls/Clerk to let Executive Director Craycroft know.

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Board of Commissioners recessed to the Solid Waste Management District Meeting at 10:45 AM
Board of Commissioners reconvened: 11:25 AM

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WATER RESOURCES - cancelled

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Executive Assistant Charlene Badger attending to update the Board of Commissioners on the proposed gas tax discussed at AMATS on August 12th. The Executive Assistant advised that the vote was tabled until the September meeting.

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Lunch Recess: 11:30 AM
Board of Commissioners reconvened: 1:00 PM

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STATE AUDITOR – 2009 AUDIT UPDATE

Present: State Auditor’s Senior Audit Manager Richard Cunningham and Audit Manager Jacob Kaufman;
County Auditor Janet Esposito, Treasurer Steve Shanafelt and Maureen Bennett

The State Auditors attending today to provide the Board with its monthly update.

- I. Staffing issues/scheduling conflicts
- II. Audit Status by Area
 Areas completed:
 - Control Testing: Application Controls
 - Substantive Testing: Property Taxes Receivable, Special Assessments Receivable, & Interfund Receivable/Payable
 - Ohio Compliance Testing: Chapter 4 – Accounting and Reporting, Chapter 5 Deposits and Investments, & Chapter 6 – Other Direct and Material laws
 Areas in process:
 - Control Testing: Monitoring Controls
 - Substantive Testing: Cash, Capital Assets, Property Tax Revenue, Non-Payroll Expenditures, and Payroll Expenditures
 - Ohio Compliance Testing: Chapter 7 – Other Laws and Regulations
 - Federal Testing: Preliminary Planning/Risk Assessment Procedures
- III. Problems/Issues - None
 - Material Citations?
 - Reportable Conditions?
 - Material Weaknesses?
 - Significant Audit Adjustment?
 - (Proposed adjustments in property tax revenue and receivables – amounts included by accident)
- IV. Client delays/problems – None
- V. Estimated Completion/deadlines:
 The Standard testing should be completed and the financial audit opinion should be issued by mid to late October and the Federal issued at the end of November.

County Auditor Esposito asked if the CAFR document is public in draft form; Mr. Cunningham responded that it was. County Auditor Esposito will request that opinion in writing in order for her to release the document for the sale of bonds and notes.

The Commissioners agreed that their Clerk should schedule the next monthly meeting during the second or third week of September.

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RESOLUTION No. 10-0744 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles 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 Department of Budget and Financial Management or other designee on August 17, 2010 in the total payment amount of **\$446,851.56 for Funds 0001-8101** 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. 10-0745 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

8-17-10	659	13,826.92
8-17-10	660	11,337.02
8-17-10	661	114,151.09
8-17-10	664	28,524.60
8-17-10	665	87,496.84
8-17-10	666	14,293.48
Total		\$269,629.95

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. 10-746

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RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles 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 \$4,800.44 as set forth in Exhibit "A" dated August 17, 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. 10-0747 - RE: ACCEPTANCE OF DONATION TO THE OFFICE OF THE PORTAGE COUNTY DOG WARDEN.

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

WHEREAS, The office of the Portage County Dog Warden received a donation totaling \$100.00 from the following;

Dale & Kimberly Burrier
10594 Newton Falls Ravenna Rd.
Newton Falls, Oh 44444; now therefore be it

RESOLVED, The Board of Portage County Commissioners does hereby accept the donation on behalf of the Portage County Dog Warden’s Office; and be it further

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

Voice vote was as follows:

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

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RESOLUTION No. 10-0748 - RE: ACCEPT MODIFICATION TO URS CORPORATION AGREEMENT FOR PROVIDING PROFESSIONAL SERVICES FOR THE INTERSECTION IMPROVEMENT PROJECT AT PROSPECT STREET (C.H. 74)/SUMMIT ROAD (C.H. 148)/HAYES ROAD (C.H. 138), LOCATED IN RAVENNA TOWNSHIP, PORTAGE COUNTY, OHIO.

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

WHEREAS, Resolution 08-1133 accepted the proposal of URS Corporation and authorized the Portage County Engineer to enter into an engineering agreement for providing professional services for the Intersection Improvement Project at Prospect Street

(C.H. 74)/Summit Road (C.H. 148)/Hayes Road (C.H. 138), located in Ravenna Township, Portage County, Ohio; and

WHEREAS, a portion of the cost for said agreement will be paid with federal funds through the Ohio Department of Transportation; and

WHEREAS, the Ohio Department of Transportation has requested a modification to the URS Corporation agreement whereby a portion of the costs associated with the project agreement included in “Part 2- Construction Plans” are to be moved to “Part 1 Preliminary Engineering and Environmental Documentation”; now therefore be it

RESOLVED, that the Portage County Board of Commissioners do hereby accept said modification to the URS Corporation agreement for providing professional services for the Intersection Improvement Project at Prospect Street (C.H. 74)/Summit Road (C.H. 148)/Hayes Road (C.H. 138); and be it further

RESOLVED, that this is simply a clerical modification and no additional costs are involved; and be it further

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

Voice vote was as follows:

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

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RESOLUTION No. 10-0749 - RE: APPROVING A REQUEST FOR INSTALLMENT PAYMENTS OF CONNECTION CHARGES FOR CONNECTION TO THE SANITARY SEWERAGE SYSTEM IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT AND ESTABLISHING THE TERMS AND CONDITIONS OF THE SAME.

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

WHEREAS, this Board by **Resolution No. 09-0007** adopted January 06, 2009 and amended by **Resolution No. 10-0710** adopted August 3, 2010, has established connection charges for connection to the sanitary sewerage system in the City of Streetsboro and has provided therein that the applicants in order to purchase a permit for such

connection may submit a written request to the Board requesting that such connection charges be paid in installments; and

WHEREAS,

the following named applicant, being the owner of the property hereafter described applied for a sanitary sewer permit and have now requested in writing the option of paying the connection charges, applicable to the following described property in installments;

Applicants:
Elwood Howitt (Owner)

Service Addresses: 8539 State Route 14
Streetsboro, Ohio 44241

Parcel Numbers: 35-077-00-00-010-001

Property Deed Description: Situated in the City of Streetsboro, County of Portage and State of Ohio and known as being part of Streetsboro Township Lot 78 and further described as follows: Beginning at a point in the centerline of State Route 14 and being S 31 deg. 21' 20" E 285.15 feet from the intersection of said road centerline with the north line of Lot 78; thence S 31 deg. 21' 20" E 250.00 feet along the centerline of State Route 14; thence S 58 deg. 38' 40" W 350.00 feet to an iron pipe and passing over an iron pipe 55.02 feet from the road center; thence N 31 deg. 21' 20"W 250.00 feet to an iron pipe; thence N 58 deg. 38' 40" E 350.00 feet to the beginning and passing over an iron pipe 33 feet from the road center and containing 2.009 acres of land.

Property deed recorded under instrument number 200200781 of the Portage County Official Records of Deeds

WHEREAS,

this Board, on the basis of all relevant facts and circumstances, hereby determines that the granting of such request would be equitable pursuant to the following terms and conditions that are determined to be fair and appropriate now therefore be it

RESOLVED,

by the Board of County Commissioners, Portage County, Ohio
(COMMISSIONERS):

Section 1. That determinations set forth in the second preamble of this resolution are hereby incorporated herein.

Section 2. That request of the above named applicants for the Installment payment of the connection charges established pursuant to Resolution No. **09-0007**, adopted January 6, 2009, **Resolution No. 10-0710** adopted August 3, 2010 with respect to the property described in the

preamble to this resolution is hereby approved subject to the following terms and conditions.

A. The total amount of such connection charges is \$4,537.00.

B. The connection charges shall be payable in 40 quarterly installments beginning with the first sanitary sewer billing after connection to the sanitary sewer, unless pursuant to Paragraph H of this section, if the applicants are delinquent twice in any Calendar year on paying quarterly installments and carrying charge thereon, at which time the total unpaid balance of such connection charges shall be deemed an additional installment then due and owing in that quarter.

C. A carrying charge shall be paid equal to 0.11 percent per annum (based on Star Ohio end of month report) on the unpaid balance of the total connection charges due and owing computed from the date of the payment of the preceding quarterly installment.

D. The quarterly installment and the carrying charges thereon shall be included as a separate quarterly bill.

E. In the event any installment or the carrying charge thereon are not paid within 21 days after the quarterly billing date, a penalty of 10 percent of the amount then due and owing shall be charged.

F. The applicants, prior to the issuance of the permit, may be required by the Board of County Commissioners to give security, which may include the requirement of a surety Bond sufficient to assure the payment of all such installments.

G. The applicants or their successors, in title to the property identified in the preamble (hereinafter referred to as "their successors"), at their option may, at any time, make payment of the unpaid balance of the connection charges and carrying charge provided for herein, provided that if such prepayment option is elected, the carrying charge provided for herein shall be computed and paid only to the date of payment of the unpaid balance.

H. In the event the applicants or their successors are delinquent twice in any calendar year on paying quarterly installments and carrying and the carrying charge thereon, the Board may by notice in writing to the applicants or their successors, declare the unpaid balance of the connection charge to be due and payable immediately as an additional installment then due and owing in that quarter and upon such declaration such installment shall become due and

payable, provided that the applicants or their successors, may cure such default and acceleration of the additional installment by paying, within 15 days of such carrying charges thereon together with the penalty applicable thereto. Such written notice shall be given to the applicants or their successors, by registered or certified mail, postage prepaid at the address set forth in the following approval of terms and conditions. It shall be the obligation of the applicants or their successors to notify the County Sanitary Engineer of any difference of address to which such notice shall be sent. In the event such default is not cured by such payment within the specified period, the installments which are delinquent, together with any unpaid carrying charges and penalty and the balance of the connection charges, all of which are due and payable by reason of such declaration, shall be certified by this Board to the County Auditor who shall place the same upon the real property tax list and duplicate against the property served by such connection and such charge shall be a lien on such property from the date the same are placed on the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.

Section 3. The Sanitary Engineer acting on behalf of the Board, is hereby authorized and directed to certify to the County Auditor such information as will identify the parcel of property to be served by the connection to be paid in installments pursuant to this resolution, the total amount of the connection charges to be paid in installments, the amount of each installment and the total number of installments to be paid. The County Auditor shall record such information in the sewer improvement record provided for in Section 6117.33, Revised Code, for the Sewer District and maintain such record until the connection charges are paid in full.

Section 4. The County Sanitary Engineer shall present a certified copy of this resolution to the applicants referred to herein. The applicants shall execute thereon an endorsement that the terms and conditions set forth in the resolution are satisfactory to the applicants and that the resolution and the terms and conditions thereof, constitute an agreement between the applicants and the County. Upon the execution by the applicants of the approval of such terms and conditions, the applicants can execute an affidavit pursuant to Section 5301.252, Revised Code, for recording pursuant to Section 317.08, Revised Code, with respect to the right of Portage County to acquire a lien against the above described property in the event of the failure of the applicants or their successors, to pay when due as provided herein. Such affidavit shall, among other things, identify the property to which such lien may attach and shall have attached to it a true and correct copy of this resolution, including the approval of the terms and conditions by the applicants and such County. Upon the receipt of the resolution with such endorsement executed by the applicants and the execution of such

affidavit, the County Sanitary Engineer is authorized to issue to the applicants the permit provided for in Section 2 of Resolution No. **09-0007**.

Section 5. That the Clerk of this Board is hereby directed to file a certified copy of this resolution with the Auditor of this County for recording pursuant to Section 319.61, Ohio Revised Code. In the event the Board declares the unpaid balance to be due and payable pursuant to Subsection H of Section 2 and the default is not cured, a certified copy of the resolution providing for the acceleration of the unpaid balance shall so be certified to the County Auditor for recording pursuant to such section.

Section 6. All terms of this resolution shall become void if the sanitary sewer is not connected by January 1, 2011. Permits issued after this date shall be governed by the current rate resolution in effect at the time of purchase.

Section 7. 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 a meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Upon call of the roll, vote was as follows:

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

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RESOLUTION No. 10-0750 - RE: AGREEMENT FOR WATER AND SANITARY SEWER EASEMENT LOCATED WITHIN THE RAVENNA TRAINING AND LOGISTICS SITE, PORTAGE COUNTY, OHIO.

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

WHEREAS, the United States of America (OWNER), is the owner of the Ravenna Training and Logistics Site, as located Portage County, Ohio; and

WHEREAS, the OWNER now wishes to grant an easement for water and sanitary sewers to Portage County for a period of fifty (50) years, beginning on August 15, 2010 and ending on August 14, 2060; and

WHEREAS, said easement will be used for the construction, operation and maintenance of County-owned and operated water mains, sanitary sewers, and pump station; and all appurtenances thereof to serve the Ravenna Training and Logistics Site; and

WHEREAS, the Water Resources Department recommends acceptance of the easement; now therefore be it

RESOLVED, by the Board of County Commissioners, Portage County, Ohio
(COMMISSIONERS):

Section 1. As per the recommendation of the Water Resources Department the COMMISSIONERS agree to accept the easement as conveyed by the OWNER to COMMISSIONERS. The easement is located on the Ravenna Training and Logistics Site as located in Portage County, Ohio.

Section 2. That after the COMMISSIONERS sign the easement/agreement this document shall be returned to the Department of the Army for final execution by the Water Resources Department.

Section 3. That upon execution by the Department of the Army, this document shall be recorded with the Portage County Recorder' Office by the Water Resources Department.

Section 4. That the COMMISSIONERS find and determine that all formal actions at this meeting concerning and relating to the adoption of this resolution were taken in an open meeting by the COMMISSIONERS and that all deliberations of the COMMISSIONERS that resulted in those formal actions were in a meeting 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. 10-0751 - RE: AGREEMENT FOR SANITARY SEWER EASEMENT AND FOR ACCEPTANCE OF SANITARY SEWER SYSTEM LOCATED WITHIN THE EASEMENT, AS LOCATED IN RANDOLPH TOWNSHIP LOT 75, PORTAGE COUNTY, OHIO.

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

WHEREAS, Portage County Agricultural Society DBA Randolph Fair, the (OWNER) is the current owner of an 8.53 acre parcel of land (permanent parcel number 28-075-00-00-001-001) and a 21.37 acre parcel of land (permanent parcel number 28-075-00-00-002-000) as located in Randolph Township Lot 75, Portage County, Ohio; and

WHEREAS, a sanitary sewer system (SANITARY SEWER) was installed by the OWNER to provide sewer service to the Randolph Fair Grounds in 2008 with inspection of this line being provided by the Portage County Water Resources Department; and

WHEREAS, the OWNER now wishes to grant an easement and convey the SANITARY SEWER as a gift to Portage County to own, maintain, and operate; and

WHEREAS, Portage County acknowledges the OWNER'S additional expense for installation of the SANITARY SEWER determined to be Twenty Nine Thousand One Hundred Twenty Two Dollars and Forty Cents (\$29,122.40); and

WHEREAS, the Water Resources Department has inspected the SANITARY SEWER and has determined that the SANITARY SEWER is in good condition and recommends acceptance of this line and the sanitary sewer easement; now therefore be it

RESOLVED, by the Board of County Commissioners, Portage County, Ohio (COMMISSIONERS):

Section 1. As per the recommendation of the Water Resources Department the COMMISSIONERS agree to accept the easement and ownership of SANITARY SEWER as conveyed by the OWNER to COMMISSIONERS. The easement and sanitary sewer are located on 8.53 acre parcel of land (permanent parcel number 28-075-00-00-001-001) and a 21.37 acre parcel of land (permanent parcel number 28-075-00-00-002-000) as located in Randolph Township Lot 75, Portage County, Ohio.

Section 2. The COMMISSIONERS recognize the OWNER'S additional expense of installing a 12 inch sanitary sewer and road crossing in 2005 and agree to reimburse to the OWNER Twenty Nine Thousand One Hundred Twenty Two Dollars and Forty Cents (\$29,122.40) for transferring ownership of the SANITARY SEWER and the granting of a required easement to the COMMISSIONERS. This reimbursement amount shall be applied as a credit to the OWNER's sanitary sewer bills.

Section 3. That after the COMMISSIONERS sign the easement/agreement this document shall be recorded with the Portage County Recorder' Office by the Water Resources Department.

Section 4. That the COMMISSIONERS find and determine that all formal actions at this meeting concerning and relating to the adoption of this resolution were taken in an open meeting by the COMMISSIONERS and that all deliberations of the COMMISSIONERS that resulted in those formal actions were in a meeting 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;

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 was as follows:

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

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RESOLUTION No. 10-0754 - RE: CREATE FUND 5318, PCS RAV TRAINING & LOGISTICS

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

WHEREAS, it has become necessary to create a new fund in order to properly control the processing of financial related transactions related to the Ravenna Training and Logistics Site (Ravenna Ordnance Plant) Sanitary Sewer System and Facilities Construction Project, and

WHEREAS, the County Auditor has assigned fund number 5318 to the Ravenna Training and Logistics Site (Ravenna Ordnance Plant) Sanitary Sewer System and Facilities Construction Project; now therefore be it

RESOLVED, that Fund 5318, PCS Rav Training & Logistics be created, and be it further

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

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

Voice vote was as follows:

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

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RESOLUTION No. 10-0755 - RE: CREATE FUND 5415, PCW REVENUE BOND 2010

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

- WHEREAS,** it has become necessary to create a new fund in order to properly control the processing of financial related transactions involving the September, 2010 bond sale for the Cleveland to Aurora Water Line PH 1 Construction Project; now therefore be it
- RESOLVED,** that Fund 5415, PCW Revenue Bond 2010 be created, and be it further
- RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, the Water Resources Department and the Department of Budget and Financial Management, and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote was as follows:

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

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RESOLUTION No. 10-0756 - RE: CASH ADVANCE - FROM FUND 0001, GENERAL FUND TO FUND 1460, ENFORCEMENT PROTECTION ORDERS

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

- WHEREAS,** Fund 1460, Enforcement Protection Orders is in need of interim cash until grant revenues are received; now therefore be it
- RESOLVED,** that the following cash advance be made in the amount of \$ 15,000.00.

FROM:
FUND 0001, GENERAL FUND
 ORGCODE- 00100009
 Debit Expense Account
 Object 920000 - Advances-Out \$ 15,000.00

TO:
FUND 1460, ENFORCEMENT PROTECTION ORDERS
 ORGCODE - 14600102
 Credit Revenue Account

Revenue Source 290000 - Advances-In

\$ 15,000.00

and be it further

RESOLVED, the advance will be repaid to the General Fund by December 31, 2010 with anticipated revenue received from grant funds, and be it further

RESOLVED, that the County Auditor is hereby requested to make said cash advance by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor and the Department of Budget & Financial Management, and be it further

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

Roll call vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTIONS

August 17, 2010

1. Approval of Meeting Minutes from the August 12, 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/10-0744
3. Approve the Journal Vouchers as presented by the County Auditor/10-0745.
4. Approve Then & Now as presented by the County Auditor/10-0746.
5. Acceptance of donation to the Office of the Portage County Dog Warden. (Executive Assistant) /10-0747
6. Resolution to accept the modification to the URS Corporation agreement for providing professional services for the Intersection Improvement Project at Prospect Street/Summit Road in Ravenna Township, as presented by the County Engineer/10-0748.
7. Approving a request for installment payments of connection charges for connection to the sanitary sewerage system in the Portage County Regional Sewer District and establishing the terms and conditions of the same. (Water Resources Department) /10-0749.
8. Agreement for water and sanitary sewer easement located within the Ravenna Training and Logistics site, Portage County, Ohio (Water Resources Department) /10-0750.

9. Agreement for sanitary sewer easement and for acceptance of sanitary sewer system located within the easement as located in the Randolph Township Lot 75, Portage County, Ohio /10-0751.

Commissioner Smeiles reminded the Board of Commissioners that the Board of Commissioners asked the Water Resources Department to draft an easement agreement with the Fair Board, as presented and detailed in the resolution.

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INVITATIONS/MEETING NOTICES

August 17, 2010

1. Invitation from the Ravenna Army Ammunition Plant (RVAAP) Restoration Advisory Board (RAB) member tour on Wednesday, September 15, 2010, 5: PM, RVAAP Building 1037.
2. Invitation from the Greater Akron Chamber for the 4th Annual 30 for the Future presentation on Monday, September 13, 2010, Akron Civic Theatre, 5:30 PM.
3. Invitation from Neighborhood Development Services for the 25th Anniversary Celebration Monday, August 23, 2010, 5:00 PM, at the Neighborhood Development Services Office.
4. Invitation from Hattie Larlham Doggie Day Care Ribbon Cutting Ceremony on Thursday, August 19, 2010, 3:00-7:00 PM, 7996 Darrow Rd., Suite 40, Twinsburg.
5. Invitation from Happy Trails for the Barnyard Ball on Saturday, October 2, 2010, 6:00-10:00 PM.
6. Invitation from Rose's Rescue for the Fifth Annual Reunion Fundraiser & Adopt-a-thon on Saturday, September 11, 2010, Redwood Swim Club, Twinsburg, 1:00-5:00 PM.
7. Notice from Neighborhood Development Services of the agenda for the Tuesday, August 23, 2010 25th Anniversary Celebration from 4-7 PM in their offices.

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INCOMING CORRESPONDENCE

DISCUSSION

August 17, 2010

1. August 9, 2010 correspondence from Jim Hale, County Risk Sharing Authority (CORSA), regarding the August 2, 2010 Loss Control Incentive Program (LCIP) Audit/Journal Entry receipt.
2. The Board of Commissioners met with CBO Wrentmore on August 12, 2010 to discuss his recommendation to require certain contractors to obtain a Certificate of Registration with the Portage County Building Department and to permit homeowners to obtain a permit as a General Contractor without registration. A resolution is required to change the current regulation, which allows a homeowner to obtain Electrical and Mechanical permits/Commissioner Smeiles stated that he is concerned about the increased cost and work for homeowners although he agrees that this is a safety issue. Clerk to schedule the CBO to discuss again with the Board of Commissioners.

3. August 12, 2010 email from Department of Budget & Financial Management Director Audrey Tillis to Chris Craycroft, Portage Park District, regarding the Berlin Lake Trail Grant application to the ODNR/The Board of Commissioners agreed to let Ms. Craycroft know that they cannot assist with the local match for this grant application.
4. Does the Board of Commissioners want to confirm the Tuesday, August 31st meeting at 11:30 AM with the new Governor's Regional Director Chris Cupples/Board of Commissioners agreed to invite their Leadership Team to meet Mr. Cupples.
5. August 13, 2010 email from AMATS requesting a representative be appointed to the newly created Connecting Communities Planning Grant Task Force/The Board of Commissioners agreed to ask the County Engineer if he is interested in serving on this Task Force. If not, the Board of Commissioners agreed that either Commissioner Smeiles or Frederick should serve. The first meeting is scheduled for Thursday, August 26th at 9:30 AM in the AMATS Conference Room.

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JOURNAL ENTRY

August 17, 2010

1. Board of Commissioners' signature requested on the payment authorization form for the Ohio Conference of Community Development for a June 2, 2010 NSP Conference for \$30.00 as requested by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Administration is funding this expense.
2. Board of Commissioners' signature requested on the Request for Authorization of Expenses for a \$30.00 registration fee which was inadvertently missing on the original Request for Authorization of Expenses for the Jun 2, 2010 NSP Conference as requested by the Regional Planning Commission.
3. Board of Commissioners' signature requested on the payment authorization form for the Record Publishing Company for Coleman Project Advertisement for bid for 164 E. Spruce St., Ravenna for \$54.80 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #4 Private Rental Rehab is funding this expense.
4. Board of Commissioners' signature requested on the payment authorization form for the Record Publishing Company for Public Hearing advertising for B-F-10 Formula Grant funds for \$35.34 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity #8 is funding this expense.
5. Board of Commissioners' signature requested on the payment authorization form for the City of Ravenna for a progress payment for rehabilitation of 536 E. Highland, Ravenna for \$32,670.00 as requested by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Housing Development activity is funding this expense.
6. Board of Commissioners authorization requested for payment of the August 9, 2010 Invoice for Professional Services rendered during July 2010 for \$175.00, as presented by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.

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REFERRED

August 17, 2010

1. August 10, 2010 correspondence from Dr. Marcial, Coroner, requesting an additional appropriation of \$30,000 to pay for autopsy and transport services for the remainder of 2010. Referred to Department of Budget & Financial Management/The Board of Commissioners agreed to meet with Dr. Marcial ASAP.
2. August 11, 2010 e-mail from Trey Mann, resigning from the Portage County Regional Airport Authority. Referred to the Executive Assistant.
3. August 6, 2010 correspondence from Michael Hiler, Ohio Department of Development, requesting a copy of Portage County's contingency plan/projects/budget information by Monday, August 23, 2010. Referred to the Regional Planning Commission.

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INFORMATION ONLY

August 17, 2010

1. August 10, 2010 e-mail from Water Resources Department, regarding DEA Take Back Day.
2. August 9, 2010 correspondence from Phil King, Attorney At Law to Michael Colbert, Ohio Department of Job & Family Services, requesting an extension for Area 19 to provide responsive corrective action plans in response to Audit Tracking Nos. WIA-08-00007 and XT-07-00036 until Tuesday, September 7, 2010.
3. August 12, 2010 e-mail from Mickey Marozzi, County Engineer, regarding a newly scheduled opening date for the Lakewood Road Bridge – Wednesday, September 22, 2010.
4. August 16, 2010 e-mail from Audrey Tillis, Department of Budget & Financial Management, regarding the 2010 EMPC grant agreement (Resolution No. 10-0645).

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Journal Entry

August 17, 2010

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

1. The Board of Commissioners signed the payment authorization form for the Ohio Conference of Community Development for a June 2, 2010 NSP Conference for \$30.00, as presented by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Administration is funding this expense.
2. The Board of Commissioners signed the Request for Authorization of Expenses for a \$30.00 registration fee, which was inadvertently missing on the original Request for Authorization of Expenses, for the June 2, 2010 NSP Conference, as presented by the Regional Planning Commission.

3. The Board of Commissioners signed the payment authorization form for the Record Publishing Company for the Coleman Project advertisement for the bid for 164 East Spruce Street in Ravenna for \$54.80, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #4 Private Rental Rehab is funding this expense.
4. The Board of Commissioners signed the payment authorization form for the Record Publishing Company for the Public Hearing advertising for the B-F-10 Formula Grant funds for \$35.34, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity #8 is funding this expense.
5. The Board of Commissioners signed the payment authorization form for the City of Ravenna for a progress payment for the rehabilitation project at 536 East Highland in Ravenna for \$32,670.00, as presented by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Housing Development activity is funding this expense.
6. The Board of Commissioners authorized payment of the August 9, 2010 Invoice for Professional Services rendered during July 2010 for \$175.00, as presented by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U’Halie.
7. The Board of Commissioners acknowledged the receipt of the August 11, 2010 letter of resignation from Trey Mann from the Portage County Regional Airport Authority.
8. The Board of Commissioners acknowledged the receipt of the August 9, 2010 correspondence from Jim Hale, Loss Control Consultant for the County Risk Sharing Authority (CORSA), which advised that Portage County will receive a credit of \$11,320 under the CORSA Loss Control Incentive Program (LCIP). The Board of Commissioners also acknowledged the hard work of the Portage County Safety & Loss Control Coordinator Michelle Ripley in achieving this success.

All in favor, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners’ meeting on **August 17, 2010**. There being no further business to come before the Board, it was moved by Maureen T. Frederick, seconded by Christopher Smeiles to adjourn the official meeting at **1:33 PM**. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Deborah Mazanec, Clerk

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