

**Tuesday, August 24, 2010**

The Board of County Commissioners met in regular session on **Tuesday, August 24, 2010 at 9:19 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 19, 2010 meeting. All in favor, motion carries

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

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**DBFM/COUNTY AUDITOR/WATER RESOURCES**

Present: Janet Esposito, Rebecca Ritterbeck, Audrey Tillis, Karen Garman, Jeff Lonzrick, JoAnn Townend, Karen U’Halie, Rob Habowski.

Continuation from the August 19<sup>th</sup> discussion of the construction of utility infrastructure at the Ravenna Joint Military Training Center.

Auditor Esposito indicated the Board needs an agreement or MOU with Neighborhood Development Services because it’s their grant and there isn’t anything identifying the relationship between the County and Neighborhood Development Services in order for the Water Resources Department to get funding for the project.

Director Tillis spoke with Mike Bogo from Neighborhood Development Services and he indicated NDS has been given the grant for the project, there’s money in their account the project has been pulled off the note issuance. Neighborhood Development Services is willing to bring the cash into the County so there isn’t a negative unencumbered cash situation at year end.

There is talk as to whether Neighborhood Development Services should handle all expenses on their side or if the project should be handled internally. Mr. Lonzrick thought the project should be handled here because it’s all one contract. Director Townend indicated that we are bidding water and sewer separate so there is no guarantee only one contractor will get the job. County Auditor Esposito added that the Water portion will be paid out of the 594 grant and Neighborhood Development Services is administering the project. Karen Garman said water and sewer will have to be separated.

Director Townend stated that they can still bid as one project and they administer and pay the bills and not bring the money in and deed it over at the end to the County or bring it all in, depending on what the Board wants to do. Neighborhood Development Services can’t do an agreement with the Board until we have firm numbers. Once Neighborhood Development Services receives the final numbers, the County can

do an MOU. That's why the resolution was pulled from today because Neighborhood Development Services already has the cash instead of having the issuance costs associated with it.

Commissioner Smeiles indicated it may be simpler for Neighborhood Development Services to do it all. If the County gets involved, it will be a duplicate of all the work because of the County regulations, etc.

Director Tillis recommends that since it's not part of the note issuance that Director Townend work with Neighborhood Development Services, Water Resources Department, the Auditor's office and Department of Budget & Financial Management and bring back a recommendation to the Board.

Director Tillis also indicated the other part of the note issuance for Aurora Meadows project was also pulled down. The part pulled back was the USDA loan. We are working with the Auditor's office and Internal Services to encumber the portion of the cash that relates to the Water Resources portion and the other part of the encumbrance for the contract will be taken care of in FY2011. County Auditor Esposito said the County is borrowing \$615,000.00 in the notes for Aurora Meadows which is the County's portion but needs to know how the Board is going to do the notes.

Director Tillis recalled the Board had talked about negotiating a note sale with the Board but didn't talk about if the Board wants to rate the notes. Commissioner Keiper added they will rate the underlying credit anyway.

Auditor Esposito asked if the Board is going to have someone sell the \$1,550,000.00 in notes is the Auditor selling the notes? Commissioner Keiper indicated the Board hasn't really discussed that.

Director Tillis said the proposal Mike provided was for the bonds and the refunding and it didn't have notes included. In the past, the County Auditor has sold the notes.

Commissioner Smeiles asked if there's a fee involved. If so, it should be done in-house through the Auditor's Office.

Commissioner Smeiles is comfortable with the County Auditor handling the transactions with Mike Sharb. No journal entry required.

Director Tillis said the Auditor's office is working on the POS Statement for the Woodlands and the prior POS indicates

*The Woodlands has been self supporting since its inception and is currently projected to remain so.*

The proposed wording would change the sentence to

*The Woodlands in the past has been self supporting. Debt revenue is taken directly from receipt and deposited into the debt service fund. In recent months, the facility has gone through some transition and reorganization. Planned new relationships, reorganization and restructuring of debt provides an outlook showing that the facility will emerge from the transition and remain self supporting in the long term.*

The Board approved the change.

The last item Director Tillis presented was information for the preliminary official statement for planning for the future so underwriters have an idea of what the County is intending on spending for the Water Resources projects over the next 12 months.

Water Resources has provided information requested for the sewer and water projects planned for the next 12 months. Commissioner Smeiles suggested discussion with Harold Huff or Jeff Lonzrick to see which projects are priority. Director Tillis indicated the list is just an estimate but did include the biosolids facility and other smaller projects.

The Board will need to decide on the projects so a range can be determined and the Department of Budget & Financial Management can get the information to the Auditor's office today.

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Human Resources Director Karen U'Halie and Ron Habowski attending regarding the collective bargaining agreement with the Department of Job & Family Services, The American Federation of State, County and Municipal Employees Local 1696 and Ohio Council 8, AFL-CIO effective July 1, 2010 through September 30, 2011./ 10-0777. Agreements signed and returned to Mr. Habowski.

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After the Board adjourned, Commissioner Keiper received an e-mail from Dave McIntyre, County Dog Warden, requesting the Board allow his family to ride in his County owned vehicle to fairs and festivals, etc. Commissioner Frederick was not in favor of the request noting it goes against the Commissioners Vehicle Use Policy; however, the Board agreed to allow his request by Journal Entry with Commissioner Frederick voting no./Journal Entry II.

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**RESOLUTION No. 10-0767 - 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 24, 2010 in the total payment amount of **\$268,420.82 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. 10-0768 - 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:

|          |     |               |
|----------|-----|---------------|
| 08/23/10 | 922 | \$ 290,638.71 |
|          |     |               |
| Total    |     | \$ 290,638.71 |

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. 10-0769 - 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 **\$4,755.00** as set forth in Exhibit “A” dated **August 24, 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. 10-0770 - RE: DECLARE OBSOLETE AND UNFIT FOR USE AND AUTHORIZE THE DISCARDING OR SALVAGE OF PORTAGE COUNTY PERSONAL PROPERTY.**

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

**WHEREAS,** Portage County personal property not needed by the Portage County Board of Mental Retardation and Developmental Disabilities (MR/DD), now known as Portage County Board of Developmental Disabilities (PCBDD), which is obsolete or unfit for the use for which it was acquired, and has no value, may be declared obsolete and unfit for use; and

**WHEREAS,** the Portage County Board of Developmental Disabilities presented its Fixed Assets Policy, amended on March 17, 2010, authorizing the Superintendent or his/her designee to request Board of Commissioners' approval to sell, donate, lease, discard or salvage assets in accordance with ORC 307.12; and

**WHEREAS,** pursuant to the Ohio Revised Code Section 307.12, the Board of County Commissioners may declare such items obsolete and unfit for use and having no value, and the items may be discarded or salvaged if the property is valued under \$2,500.00, without advertisement or public notification; now therefore be it

**RESOLVED,** that, in accordance with the Ohio Revised Code Section 307.12 (G), the Board of County Commissioners declares the following items obsolete and unfit for use and further authorizes the discarding or the salvage of the items:

One (1) Computer  
County Tag # 004108  
PCBDD/MRDD Identification: 006308

One (1) Computer  
County Tag # 005947/005932  
PCBDD/MRDD Identification: 006494

**RESOLVED,** that these items may be discarded or salvaged in accordance with the Ohio Revised Code; 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. 10-0771 RE: ENTER INTO A FIRST AMENDMENT TO MANTUA-PORTAGE COUNTY WASTEWATER FLOW AGREEMENT.**

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

**WHEREAS,** this Board of Commissioners and the Village of Mantua entered into a Wastewater Flow Agreement on September 12, 2000 authorized by Resolution No. 00-663 adopted on September 5, 2000; and

**WHEREAS,** this Board of Commissioners desires to amend the Agreement in order to secure USDA Rural Development funding for the Aurora Meadows subdivision; and

**WHEREAS,** the Village of Mantua has agreed to and signed the amendment on August 17, 2010; now therefore be it

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

Section 1. The Portage County Board of Commissioners hereby agrees to amend the Agreement as described in the attached First Amendment to Mantua-Portage County Wastewater Flow Agreement.

Section 2. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0772**

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**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, and seconded by Christopher Smeiles that the following resolution be adopted:

**WHEREAS,** this Board by **Resolution No. 09-0006** adopted January 06, 2009 and amended by **Resolution No. 10-0709** adopted August 3, 2010, has established connection charges for connection to the sanitary sewerage system in the Portage County Regional Sewer System 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:

Ronald L. Livezey & Francine Livezey (Owners)

Service Addresses: 5600 Horning Road  
Kent, Ohio 44240

Parcel Numbers: 12-016-00-00-008-000

Property Deed Description: Situated in the Township of Franklin, County of Portage and State of Ohio: and known as being part of Lot 16 in Franklin Township and further described as follows: Beginning at a spike in the center line of Horning Road, Township Highway 150 at its intersection with the south line of Lot 16; thence N 15 degrees W. 207.73 feet the centerline of Horning Road; thence S 89 degrees 19' 07" E. 787.83 feet to an iron pipe and passing over an iron pipe 31.16 feet from the road center; thence S 0 degrees 40' 53" W. 200.00 feet to an iron pipe in the grantor's south line; thence N 89 degrees 19' 07" W. 731.16 feet along said south Line and the south line of Lot 16 to the beginning and containing 3.4859 acres of land, be the same more or less but subject to all legal highways, as surveyed in May, 1964, by David J. Collier, R.S. #4819, May 21, 1964, by Stockman & Associates Inc. and recorded in Volume 184, Page 91 of the Portage County Official Records of Deeds; and

**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. **09-0006**, adopted January 6, 2009, and **Resolution No. 10-0709** 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 \$8,287.00
- 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. **09-0006**.

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.

Voice vote was as follows:

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

|                               |   |            |   |   |
|-------------------------------|---|------------|---|---|
| *                             | * | *          | *   | * |
| <b>RESOLUTION No. 10-0773</b> | - | <b>RE:</b> | <b>APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST, AND SETTING THE DATE AND TIME FOR ACCEPTANCE OF BIDS FOR THE CONSTRUCTION OF PROJECT NO. M-1 (06-190), AURORA MEADOWS SUBDIVISION SANITARY IMPROVEMENTS, IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, MANTUA TOWNSHIP.</b> |   |

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

**WHEREAS,** this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District, hereinafter called the "SEWER DISTRICT"; and

**WHEREAS,** pursuant to authorization by the Board contained in Resolution 06-0815 adopted September 19, 2006, the Water Resources Department has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No. M-1 (06-190), Aurora Meadows Subdivision Sanitary Improvements, hereinafter referred to as the "PROJECT" and copies of said plans, specifications and estimate of cost on file in the office of the Clerk and Water Resources Department and are available for examination therein; and

**WHEREAS,** the PROJECT is necessary because the Portage County Health Department has declared the area a public health nuisance and the Ohio EPA has issued Findings and Orders; and

**WHEREAS,** the PROJECT has been submitted and received approval for USDA Rural Development funding; and

**WHEREAS,** USDA Rural Development has approved the Bidding of the PROJECT; now therefore be it

**RESOLVED,**

by the Board of Commissioners of Portage County, Ohio:

Section 1. That said plans, specifications and estimate of cost for said PROJECT hereto be and the same are hereby approved.

Section 2. That said plans, specifications and estimate of cost shall be filed in the office of the Clerk of this Board and in the office of the Water Resources Department and kept continuously on file for inspection by all persons interested therein.

Section 3. That sealed bids for the construction of the PROJECT will be accepted by the Portage County Commissioners until 3:00 PM on September 29, 2010, at their office on the seventh floor of the County Administration Building, 449 South Meridian Street, Ravenna, Ohio.

Section 4. That the Notice of receiving bids shall be posted in the Record Courier on August 30, 2010 and September 7, 2010 and the Clerk of this Board is directed to post said Notice on the official bulletin board in the office of the County Commissioners. This advertisement for bids can also be found on Portage County's website at: [www.co.portage.oh.us](http://www.co.portage.oh.us) under county bid notices.

Section 5. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote was as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0774

RE: AMENDMENT TO THE NON GENERAL FUND 2010 ANNUAL APPROPRIATION RESOLUTION NO. 09-1170 ADOPTED DECEMBER 17, 2009.

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

**RESOLVED,** that it has become necessary to amend the Non General Fund 2010 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

|                   |                                  | <u>Increase</u>        | <u>Decrease</u>    |
|-------------------|----------------------------------|------------------------|--------------------|
| <b>Fund: 1101</b> | <b>Enforcement And Education</b> |                        |                    |
| 700               | <b>Sheriff's Department</b>      |                        |                    |
| 11015             | Enforcement & Education MS       | 2,000                  | 0                  |
|                   | <b>MEMO TOTAL</b>                | <u><u>\$ 2,000</u></u> | <u><u>\$ -</u></u> |

Note: Increase approp. for supplies

|                   |                                   |                        |                    |
|-------------------|-----------------------------------|------------------------|--------------------|
| <b>Fund: 1109</b> | <b>Law Enforcement Assistance</b> |                        |                    |
| 700               | <b>Sheriff's Department</b>       |                        |                    |
| 11094             | Law Enforcement Assistance CS     | 5,000                  | 0                  |
|                   | <b>MEMO TOTAL</b>                 | <u><u>\$ 5,000</u></u> | <u><u>\$ -</u></u> |

Note: Increase approp. for training

|                   |                                    |                        |                    |
|-------------------|------------------------------------|------------------------|--------------------|
| <b>Fund: 1160</b> | <b>Hazmat Operations</b>           |                        |                    |
| 930               | <b>Emergency Management Agency</b> |                        |                    |
| 11604             | Hazmat Operation CS                | 4,400                  | 0                  |
| 11605             | Hazmat Operation MS                | 300                    | 0                  |
|                   | <b>MEMO TOTAL</b>                  | <u><u>\$ 4,700</u></u> | <u><u>\$ -</u></u> |

Note: Projected Need

|                   |                                       |                        |                    |
|-------------------|---------------------------------------|------------------------|--------------------|
| <b>Fund: 1170</b> | <b>Emergency Response LEPC/CERP</b>   |                        |                    |
| 931               | <b>Local Emergency Planning Commi</b> |                        |                    |
| 11704             | LEPC / CERP CS                        | 4,300                  | 0                  |
|                   | <b>MEMO TOTAL</b>                     | <u><u>\$ 4,300</u></u> | <u><u>\$ -</u></u> |

Note: Projected Need

|              |                                       | <u>Increase</u>          | <u>Decrease</u>    |
|--------------|---------------------------------------|--------------------------|--------------------|
| <b>Fund:</b> | <b>1201 Motor Vehicle And Gas Tax</b> |                          |                    |
|              | <b>800 Engineer's Department</b>      |                          |                    |
|              | 12014 Motor Vehicle/Gas Tax CS        | 357,500                  | 0                  |
|              | <b>MEMO TOTAL</b>                     | <u><u>\$ 357,500</u></u> | <u><u>\$ -</u></u> |

Note: LOVERS LANE TALLMADGE RD RESURFACING 2010

|              |                                  |                      |                      |
|--------------|----------------------------------|----------------------|----------------------|
| <b>Fund:</b> | <b>1251 CDBG County Formula</b>  |                      |                      |
|              | <b>081 Community Development</b> |                      |                      |
|              | 12514 CDBG Conty Formula CS      | 532                  | 105                  |
|              | <b>MEMO TOTAL</b>                | <u><u>\$ 532</u></u> | <u><u>\$ 105</u></u> |

Note: RETURN UNSPENT GRANT

|              |   |                         |                         |
|--------------|---|-------------------------|-------------------------|
| <b>Fund:</b> | <b>1340 PCBDD General Administration</b>      |                         |                         |
|              | <b>905 Mental Ret &amp; Dev Disability Bd</b> |                         |                         |
|              | 13404 MRDD General Admin CS                   | 0                       | 83,500                  |
|              | 13405 MRDD General Admin MS                   | 63,500                  | 0                       |
|              | 13406 MRDD General Admin CO                   | 20,000                  | 0                       |
|              | <b>MEMO TOTAL</b>                             | <u><u>\$ 83,500</u></u> | <u><u>\$ 83,500</u></u> |

Note: Projected Need

|              |  |                        |                        |
|--------------|--|------------------------|------------------------|
| <b>Fund:</b> | <b>1390 Women Infants And Children</b>   |                        |                        |
|              | <b>053 Women, Infants &amp; Children</b> |                        |                        |
|              | 13903 Women Infant Children Fringes      | 0                      | 8,785                  |
|              | 13904 Women Infants & Children CS        | 4,900                  | 0                      |
|              | 13905 Women Infants & Children MS        | 3,885                  | 0                      |
|              | <b>MEMO TOTAL</b>                        | <u><u>\$ 8,785</u></u> | <u><u>\$ 8,785</u></u> |

Note: Balance Project Codes

|              |  |                        |                        |
|--------------|--|------------------------|------------------------|
| <b>Fund:</b> | <b>1410 Job And Family Services</b>    |                        |                        |
|              | <b>051 Job And Family Services</b>     |                        |                        |
|              | 1410D Job & Family Service Full Time   | 0                      | 8,000                  |
|              | 1410O Job & Family Services Retirement | 8,000                  | 0                      |
|              | <b>MEMO TOTAL</b>                      | <u><u>\$ 8,000</u></u> | <u><u>\$ 8,000</u></u> |

Note: Projected need

|              |   | <u>Increase</u>         | <u>Decrease</u>         |
|--------------|---|-------------------------|-------------------------|
| <b>Fund:</b> | <b>1412 JFS Help Me Grow Allocation</b> |                         |                         |
|              | <b>051 Job And Family Services</b>      |                         |                         |
|              | 14123 JFS Help Me Grow Fringes          | 14,036                  | 18,793                  |
|              | 14124 JFS Help Me Grow CS               | 26,554                  | 0                       |
|              | 1412D JFS Help Me Grow Full Time        | 0                       | 18,538                  |
|              | 1412E JFS Help Me Grow Part Time        | 0                       | 3,259                   |
|              | <b>MEMO TOTAL</b>                       | <u><u>\$ 40,590</u></u> | <u><u>\$ 40,590</u></u> |

Note: Projected need

|              |  |                        |                        |
|--------------|--|------------------------|------------------------|
| <b>Fund:</b> | <b>1414 Child Support General Admini</b> |                        |                        |
|              | <b>051 Job And Family Services</b>       |                        |                        |
|              | 1414D JFS Child Support Ge Full Time     | 0                      | 6,500                  |
|              | 1414O JFS Child Support Gen Retirement   | 6,500                  | 0                      |
|              | <b>MEMO TOTAL</b>                        | <u><u>\$ 6,500</u></u> | <u><u>\$ 6,500</u></u> |

Note: Projected need

|              |  |                        |                        |
|--------------|--|------------------------|------------------------|
| <b>Fund:</b> | <b>1415 Child Welfare - Special Levy</b> |                        |                        |
|              | <b>051 Job And Family Services</b>       |                        |                        |
|              | 1415D JFS Child Welfare Le Full Time     | 0                      | 7,000                  |
|              | 1415O JFS Child Welfare Retirement       | 7,000                  | 0                      |
|              | <b>MEMO TOTAL</b>                        | <u><u>\$ 7,000</u></u> | <u><u>\$ 7,000</u></u> |

Note: Projected need

|              |   |                         |                    |
|--------------|---|-------------------------|--------------------|
| <b>Fund:</b> | <b>4011 Regional Planning Parking Lot</b> |                         |                    |
|              | <b>012 Central Purchasing Services</b>    |                         |                    |
|              | 40114 Regional Plan Parking Lot CS        | 33,954                  | 0                  |
|              | <b>MEMO TOTAL</b>                         | <u><u>\$ 33,954</u></u> | <u><u>\$ -</u></u> |

Note: Contract Service                      Project Expense appropriation

|                   |                                   | <u>Increase</u>         | <u>Decrease</u>         |
|-------------------|-----------------------------------|-------------------------|-------------------------|
| <b>Fund: 5200</b> | <b>PCS General Administration</b> |                         |                         |
| <b>060</b>        | <b>Water Resources</b>            |                         |                         |
| 52004             | Portage County Sewer CS           | 6,874                   | 0                       |
| 52005             | Portage County Sewer MS           | 15,000                  | 0                       |
| 52006             | Portage County Sewer CO           | 6,231                   | 0                       |
| 52009             | Portage County Sewer ME           | 0                       | 28,105                  |
|                   | <b>MEMO TOTAL</b>                 | <u><u>\$ 28,105</u></u> | <u><u>\$ 28,105</u></u> |

Note: Projected Need

|                   |                                      |                     |                    |
|-------------------|--------------------------------------|---------------------|--------------------|
| <b>Fund: 5215</b> | <b>PCS Revenue Bonds 2007 (USDA)</b> |                     |                    |
| <b>060</b>        | <b>Water Resources</b>               |                     |                    |
| 52158             | PCS Revenue Bonds 07 (USDA) DE       | 53                  | 0                  |
|                   | <b>MEMO TOTAL</b>                    | <u><u>\$ 53</u></u> | <u><u>\$ -</u></u> |

Note: ADJUST TO ACTUAL

|                   |                                   |                         |                         |
|-------------------|-----------------------------------|-------------------------|-------------------------|
| <b>Fund: 5400</b> | <b>PCW General Administration</b> |                         |                         |
| <b>060</b>        | <b>Water Resources</b>            |                         |                         |
| 54004             | Portage County Water CS           | 3,379                   | 0                       |
| 54005             | Portage County Water MS           | 1,200                   | 0                       |
| 54006             | Portage County Water CO           | 3,600                   | 0                       |
| 54009             | Portage County Water ME           | 0                       | 12,179                  |
| 5400E             | Portage County Water Part Time    | 4,000                   | 0                       |
|                   | <b>MEMO TOTAL</b>                 | <u><u>\$ 12,179</u></u> | <u><u>\$ 12,179</u></u> |

Note: Projected Need

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|              |  | <u>Increase</u>         | <u>Decrease</u>         |
|--------------|--|-------------------------|-------------------------|
| <b>Fund:</b> | <b>5600 StS General Administration</b> |                         |                         |
|              | <b>060 Water Resources</b>             |                         |                         |
| 56003        | Streetsboro Sewer Fringes              | 800                     | 0                       |
| 56004        | Streetsboro Sewer CS                   | 4,982                   | 0                       |
| 56005        | Streetsboro Sewer MS                   | 6,000                   | 0                       |
| 56006        | Streetsboro Sewer CO                   | 4,340                   | 0                       |
| 56009        | Streetsboro Sewer ME                   | 0                       | 34,122                  |
| 5600E        | Streetsboro Sewer Part Time            | 18,000                  | 0                       |
|              | <b>MEMO TOTAL</b>                      | <u><u>\$ 34,122</u></u> | <u><u>\$ 34,122</u></u> |

Note: Projected Need

|   |                          |                          |
|---|--------------------------|--------------------------|
| <b>TOTAL MEMO BALANCE FOR ALL FUNDS</b> | <u><u>\$ 636,820</u></u> | <u><u>\$ 228,886</u></u> |
|---|--------------------------|--------------------------|

; and be it further

**RESOLVED,** that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the 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 as Follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-0775

RE: AMENDMENT TO THE GENERAL FUND 2010 ANNUAL APPROPRIATION RESOLUTION NO. 09-1169 ADOPTED DECEMBER 17, 2009.

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

RESOLVED, that it has become necessary to amend the General Fund 2010 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

|                   |                      | <u>Increase</u> | <u>Decrease</u> |
|-------------------|----------------------|-----------------|-----------------|
| <b>Fund: 0001</b> | <b>General Fund</b>  |                 |                 |
| <b>001</b>        | <b>Commissioners</b> |                 |                 |
| 00014             | Commissioners CS     | 0               | 4,979           |
|                   | <b>MEMO TOTAL</b>    | <u>\$ -</u>     | <u>\$ 4,979</u> |

Note: Adj where needed

|            |                            |             |                   |
|------------|----------------------------|-------------|-------------------|
| <b>010</b> | <b>Commissioners Other</b> |             |                   |
| 00109      | Commissioner Other ME      | 0           | 180,000           |
|            | <b>MEMO TOTAL</b>          | <u>\$ -</u> | <u>\$ 180,000</u> |

Note: Repay Temp Trans for Cash Flow

|            |                             |             |               |
|------------|-----------------------------|-------------|---------------|
| <b>016</b> | <b>Building Maintenance</b> |             |               |
| 00164      | Justice Center Maint CS     | 0           | 500           |
|            | <b>MEMO TOTAL</b>           | <u>\$ -</u> | <u>\$ 500</u> |

Note: BOC Approved JE #13 8/10/10

|            |                                       |                 |                 |
|------------|---------------------------------------|-----------------|-----------------|
| <b>020</b> | <b>Building Regulation Inspection</b> |                 |                 |
| 00204      | Building Regulation Insp CS           | 800             | 0               |
| 00205      | Building Regulation Insp MS           | 0               | 903             |
| 00207      | Building Regulation Insp OE           | 103             | 0               |
| 0020D      | Building Regulation Full Time         | 0               | 5,000           |
| 0020E      | Building Regulation Part Time         | 5,000           | 0               |
|            | <b>MEMO TOTAL</b>                     | <u>\$ 5,903</u> | <u>\$ 5,903</u> |

Note: Decrease Full Time Salary Line    Decrease Material & Supply

|                          |                   | <u>Increase</u>        | <u>Decrease</u>     |
|--------------------------|-------------------|------------------------|---------------------|
| <b>055 Senior Center</b> |                   |                        |                     |
| 00554                    | Senior Center CS  | 4,979                  | 50                  |
| 00555                    | Senior Center MS  | 50                     | 0                   |
|                          | <b>MEMO TOTAL</b> | <u><u>\$ 5,029</u></u> | <u><u>\$ 50</u></u> |

Note: Projected Need      Adj. to agreed upon amount      Inc Supported by Revenue

|                            |                                |                        |                        |
|----------------------------|--------------------------------|------------------------|------------------------|
| <b>500 Clerk of Courts</b> |                                |                        |                        |
| 05003                      | Clerk Common Pleas Ct Fringes  | 0                      | 1,561                  |
| 05005                      | Clerk Common Pleas Ct MS       | 1,561                  | 0                      |
| 0500D                      | Clerk Common Pleas C Full Time | 0                      | 1,000                  |
| 0500M                      | Clerk Common Pleas C Overtime  | 1,000                  | 0                      |
| 05023                      | Clerk-Civil/Criminal Fringes   | 0                      | 2,596                  |
| 05025                      | Clerk-Civil/Criminal MS        | 2,596                  | 0                      |
| 0502D                      | Clerk-Civil/Criminal Full Time | 0                      | 1,000                  |
| 0502M                      | Clerk-Civil/Criminal Overtime  | 1,000                  | 0                      |
|                            | <b>MEMO TOTAL</b>              | <u><u>\$ 6,157</u></u> | <u><u>\$ 6,157</u></u> |

Note: Projected Need

|                               |                       |                        |                        |
|-------------------------------|-----------------------|------------------------|------------------------|
| <b>530 Common Pleas Court</b> |                       |                        |                        |
| 05304                         | Common Pleas Court CS | 0                      | 5,000                  |
| 05305                         | Common Pleas Court MS | 5,000                  | 0                      |
|                               | <b>MEMO TOTAL</b>     | <u><u>\$ 5,000</u></u> | <u><u>\$ 5,000</u></u> |

Note: Projected Need

|                                 |                          |                          |                    |
|---------------------------------|--------------------------|--------------------------|--------------------|
| <b>700 Sheriff's Department</b> |                          |                          |                    |
| 07004                           | Sheriff-General Admin CS | 180,000                  | 0                  |
| 07005                           | Sheriff-General Admin MS | 500                      | 0                  |
|                                 | <b>MEMO TOTAL</b>        | <u><u>\$ 180,500</u></u> | <u><u>\$ -</u></u> |

Note: BOC Approved JE #13 8/10/10      Repay Temp Trans for Cash Flow

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|                                  |                       | <u>Increase</u>        | <u>Decrease</u>        |
|----------------------------------|-----------------------|------------------------|------------------------|
| <b>915 Data Processing Board</b> |                       |                        |                        |
| 09154                            | Data Processing Bd CS | 0                      | 3,000                  |
| 09155                            | Data Processing Bd MS | 3,000                  | 0                      |
| <b>MEMO TOTAL</b>                |                       | <u><u>\$ 3,000</u></u> | <u><u>\$ 3,000</u></u> |

Note: Projected Need

|  |                          |                          |
|--|--------------------------|--------------------------|
| <b>TOTAL MEMO BALANCE ALL AMENDMENTS</b> | <u><u>\$ 205,589</u></u> | <u><u>\$ 205,589</u></u> |
|--|--------------------------|--------------------------|

; and be it further

**RESOLVED,** that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the 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 as Follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0776**

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**RE: REVISING CHARGES FOR THE USE OF THE PORTAGE COUNTY STORM WATER DISTRICT, FUND 6800 (STORM WATER MANAGEMENT), PURSUANT TO CHAPTER 6117, OHIO REVISED CODE.**

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

**WHEREAS,** the federal regulations promulgated by the Federal Water Pollution Control Act, as amended (40 Code of Federal Regulations Part 122 et seq), referred to as NPDES (National Pollutant Discharge Elimination System) Storm Water Phase II Permit

Program (the “Phase II Program”), the Ohio Water Pollution Control Act (Ohio Revised Code Chapter 6111), and Ohio Administrative Code Chapter 3745-39, referred to as Phase II Storm Water Rules – Small Municipal Separate Storm Sewer Systems (MS4), require dischargers of storm water from Small MS4s, including the County of Portage and various independent jurisdictions that own and/or operate a MS4, to obtain a permit from the Ohio Environmental Protection Agency and to develop a Storm Water Management Program under this permit that addresses the quality of storm water runoff; and

**WHEREAS,** Portage County and various independent jurisdictions that own and/or operate a MS4 within Portage County are required to comply with the regulations of the NPDES Phase II Program; and

**WHEREAS,** this Board established the Portage County Storm Water District by Resolution No. 09-0834, adopted on September 10, 2009, hereinafter referred to as the "District" for the purposes of implementing the Storm Water Management Plan for NPDES Phase II Program compliance; and

**WHEREAS,** this Board established service rates for users of the District by Resolution No. 09-0835, adopted on September 10, 2009, as authorized by the pertinent provisions of Chapter 6117 of the Ohio Revised Code; and

**WHEREAS,** the Storm Water District Coordinator has recommended this Board revise the service rates for users of the District as herein set forth; and

**WHEREAS,** to further ensure the equitable distribution of the cost of providing services for implementing the Storm Water Management Plan and for Phase II Program compliance among the present and future users of the District, this Board has determined to revise the service rates to be charged which, in its judgment are reasonable and proper having due regard to all relevant circumstances and conditions, as hereinafter set forth; now therefore be it

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

**SECTION 1. AMENDMENTS**

Resolution 09-0835 “Fixing Charges for the Use of the Portage County Storm Water District, Fund 6800 (Storm Water Management), Pursuant to Chapter 6117, Ohio Revised Code” shall be amended as follows:

1. **SECTION 4. BASE USER FEE CHARGES**

Delete the paragraph following the Land Use and User Fee Basis table and replace with the following:

For the above uses, in no case shall the base user fee be less than 1 ERU for a parcel before the application of credits as outlined in Sections 8-11 of this resolution, unless the parcel qualifies for a contiguous common ownership reduction as described in this section.

2. **SECTION 4. BASE USER FEE CHARGES**

Add the following paragraphs:

Contiguous Common Ownership Reduction

When a common property owner assembles multiple contiguous parcels of land to act as a single property for the owner's use, the contiguous parcels shall each be classified as either a main parcel, being the largest in area of the contiguous parcels, or a secondary parcel, being all non-main parcels.

For the purposes of this rule, secondary parcels shall be exempt from user fee charges when they satisfy all of the following requirements:

- a. The secondary parcel is less than 0.25 acres in area;
- b. Parcels of residential and agricultural land use have no improved value as shown on the County Auditor's property records; and
- c. Parcels of all other land use have no impervious area.

The term "common property owner" shall be defined as the same deeded owner as listed on the County Auditor's property records. When parcels are owned by the same individual or group of individuals but the deeded owner is not consistent on the County Auditor's property records, the Storm Water Coordinator shall have the authority to resolve the situation in an equitable manner.

**SECTION 4. BASE USER FEE CHARGES**

Add the following paragraph:

Residential Use Leased Land Condition:

When a parcel includes leased land with multiple residential units, the user fee established for the parcel shall be the greater of:

- a. the ERU's stated in the Land Use and User Fee Basis table in this section for the parcel's primary land use as determined by the Storm Water Coordinator, or
- b. an ERU equal to the number of residential units on the parcel.

3. **SECTION 10. CREDIT PROGRAM – AGRICULTURAL**

Add the following paragraphs:

Agricultural parcels must be enrolled in the current agricultural use valuation (CAUV) program to be eligible for credits under this section.

When an agricultural parcel's CAUV status changes, the credits earned under this section shall automatically expire. The parcel owner may reapply for the user fee credits when the parcel satisfies the requirements of this section.

**SECTION 2. NOTIFICATION**

The Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Engineer, the County Board of Health, the County Soil and Water Conservation District, the Township Trustees, the County Auditor, the County Treasurer, and the County Recorder.

**SECTION 3. SEVERABILITY**

This Resolution is severable and the invalidity of any section, phrase or provision thereof shall not affect the validity of any other section, phrase or provision.

**SECTION 4. OPEN MEETING**

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

Voice vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-0777**

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**RE:**

**APPROVE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PORTAGE COUNTY COMMISSIONERS/PORTAGE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND (THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) AFSCME LOCAL 1696 AND OHIO COUNCIL 8, AFL-CIO.**

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

**RESOLVED,** that the Board of Portage County Commissioners does hereby approve the Collective Bargaining Agreement between the Portage County Commissioners/Portage County Department of Job and Family Services and AFSCME Local 1696 and Ohio Council 8, AFL-CIO, effective July 1, 2010 through September 30, 2011, as accepted by vote by the members of the Bargaining Unit within the Portage County Department of Job and 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 II, Yea; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTIONS**

August 24, 2010

1. Approval of Meeting Minutes from the August 19, 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./10-0767
3. Approve the Journal Vouchers as presented by the County Auditor./10-0768
4. Approve Then & Now as presented by the County Auditor./10-0769
5. Resolution to declare two computers obsolete and unfit for use and authorize the discarding or salvage of Portage County personal property, as requested by the Portage County Board of Developmental Disabilities (PCBDD)./10-0770
6. Resolution presented by the Water Resources Department to enter into an amendment to the Mantua-Portage County Wastewater Flow Agreement. (Water Resources Department to process original )./10-0771
7. Resolution presented by the Water Resources Department to approve 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./10-0772
8. Resolution presented by the Water Resources Department to approve the plans, specifications and estimate of cost, and setting the date and time for acceptance of bids for the construction of Project No.

M-1 (06-190), Aurora Meadows Subdivision Sanitary Improvements in the Portage County Regional Sewer District, Mantua Township./10-0773

9. Resolution presented by the Department of Budget and Finance to adopt a resolution declaring the necessity of a transfer of an amount not to exceed \$2,000,000.00 from Fund 7101, Health Benefits Program Fund To Fund 0001, General Fund and all Health Benefit Contributing Funds, Funds 1000 Through 8912 within Portage County Government and authorizing the preparation of a petition requesting such transfer and the filing of such petition with the Tax Commissioner and the Court of Common Pleas of Portage County, Ohio./Hold
10. Resolution presented by the County Engineer revising the charges for the use of the Portage County Storm Water District, Fund 6800 (STORM WATER MANAGEMENT), pursuant to Chapter 6117, Ohio Revised Code. **The County Engineer notes that this resolution has been reviewed by Attorney Leigh Prugh.**/10-0776
11. The Department of Budget & Financial Management presents the following items for Board consideration:
  - (A) General Fund Amendments to the Annual Appropriation Resolution/10-0775
  - (B) Other Fund Amendments to the Annual Appropriation Resolution/10-0774
12. Approve Collective Bargaining Agreement between the Portage County Commissioners/Portage County Department of Job & Family Services and the (American Federation of State, County and Municipal Employees) AFSCME Local 1696 and the Ohio Council 8, AFL-CIO (Job & Family Services)./10-0777

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**INVITATIONS/MEETING NOTICES**

August 24, 2010

1. Invitation from the Board of Education – Ravenna School District for the Ravenna High School Dedication Ceremony on Saturday, August 28, 2010, 10:00 AM, 6589 N. Chestnut St., Ravenna.
2. Invitation to the F&CS event to honor senior volunteers on Wednesday, September 22, 2010 from 10:30 AM – 1:00 PM. Commissioner Keiper will be out of the office.
3. Notice of the 20<sup>th</sup> Annual Ohio GIS Conference on September 15-17, 2010 in Columbus.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

August 24, 2010

1. Discussion: Randolph Sewer Project./Water Resources is to provide another update on the second incident. Release of Liability is needed before any payment can be made for cleanup.
2. Discussion: Thursday at 9:30 AM (August 26, 2010) AMATS Connecting Communities Planning Grant Task Force meeting. The County Engineer does not want to attend, Commissioner Smeiles has agreed to attend. No journal entry needed.

3. Water Resources Interim Director Jeff Lonzrick advises that Mantua Village signed the amendment to the wastewater flow agreement on August 17, 2010. The Village Clerk planned to deliver the agreement to the Prosecutor's Office on August 19<sup>th</sup>./No Action.
4. Discussion: The Summit County Mayors' Association is working on a project surrounding "best practices" for local governments. Work in Northeast Ohio Council (WINOC) is conducting the data mining and questioning of key leaders in our area. Commissioner Smeiles met with Bob Meyer from WINOC on August 19, 2010./Commissioner Smeiles to provide copies to the Board. Hold for later discussion.
5. Dr. Pat Macke, PCBDD, invites the Board of Commissioners to the Levy Kick-Off Cook Out on Wednesday, September 15, 2010 beginning at 4:00 PM. Dr. Macke invites one of the Commissioners to say a few words in support of the levy. Commissioner Frederick to attend, Commissioner Keiper tentative.
6. August 18, 2010 email from Office of Homeland Security and Emergency Management Director Jon Barber regarding the financial split of the charges for the September drug disposal event. (cc: JoAnn Townend)/Information Only.
7. August 17, 2010 correspondence from the Portage County Health Department to SWMD Director Bill Steiner regarding the August 13<sup>th</sup> inspection of the site. /Information Only.
8. August 20, 2010 email from Jeff Lonzrick, Interim Director of the Water Resources Department, regarding the recent installment payments approved by the Board of Commissioners./Information Only

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**JOURNAL ENTRY**

August 24, 2010

1. Pursuant to House Bill 355, Board of Commissioners' acknowledgement of the receipt of the Portage County Combined General Health District's 2<sup>nd</sup> Quarter Report, as presented by DuWayne Porter, Health Commissioner.
2. The Board of Commissioners received the Portage County Investment Reconciliation report for the month of July 2010 as presented by the County Auditor and County Treasurer.
3. Board of Commissioners' authorization requested to have Commissioner Keiper sign the Portage County ED RLF Semi-Annual Report as presented by Neighborhood Development Services./HOLD.
4. Board of Commissioners' authorization requested to pay expenditures incurred April 1, 2010 to June 30, 2010 in administering the Portage County Revolving Loan Fund 1285 for \$2,545.98, as presented by the Kent Regional Business Alliance. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

5. Board of Commissioners' signature requested on the payment authorization form for the City of Ravenna for asbestos services visual inspection and final clearance services for 455 W. Main St., Ravenna for \$895.00 as requested by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Demolition is funding this expense.

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**INFORMATION ONLY**

August 24, 2010

1. August 17, 2010 email from Safety/Loss Coordinator Michelle Ripley to Park District Director Chris Craycroft regarding a variety of Park District projects and necessary coverage.

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**PROSECUTOR'S CORRESPONDENCE**

August 24, 2010

1. August 18, 2010 email from Attorney Denise Smith regarding the Board of Commissioners' request that staff check all escrow accounts for unfinished subdivisions./Refer to County Engineer and Water Resources Department for an update.

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**Journal Entry**

August 24, 2010

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

1. Pursuant to House Bill 355, the Board of Commissioners acknowledged receipt of the Portage County Combined General Health District's 2<sup>nd</sup> Quarter 2010 Report, as presented by DuWayne Porter, Health Commissioner.
2. The Board of Commissioners acknowledged receipt of the Portage County Investment Reconciliation report for the month of July 2010 as presented by the County Auditor and County Treasurer.
3. The Board of Commissioners authorized payment of expenditures incurred April 1, 2010 to June 30, 2010 in administering the Portage County Revolving Loan Fund 1285 for \$2,545.98, as presented by the Kent Regional Business Alliance. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
4. The Board of Commissioners signed the payment authorization form for the City of Ravenna for asbestos services visual inspection and final clearance services for 455 W. Main St., Ravenna for \$895.00 as requested by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Demolition is funding this expense.

5. The Board of Commissioners signed the Personnel Action Form authorizing a leave of absence for educational purposes for Brandy Johnson, Social Services Worker 3 effective September 1, 2010 through November 19, 2010, with an expected date of return on November 22, 2010 as presented by Human Resources Department Director Karen U’Halie and approved by Department of Job & Family Services Director Anita Herington.
6. The Board of Commissioners signed the Personnel Action Form authorizing a leave of absence for educational purposes for Brandy Johnson, Social Services Worker 3 effective January 19, 2011 through April 16, 2011, with an expected date of return on April 18, 2011 as presented by Human Resources Department Director Karen U’Halie and approved by Department of Job & Family Services Director Anita Herington.

All in favor, motion carries.

**JOURNAL ENTRY II**

August 24, 2010

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

1. The Board of Commissioners approved the August 19, 2010 request from Director Dave McIntyre, Dog Warden, to make an exception to the Commissioners’ vehicle use policy and allow his family to ride in his county vehicle when on County business. The Board further stated the each family members must sign a release of liability form which is to be on file with Safety/Loss Control.

Commissioner Frederick voting no, 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 24, 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 **10:02 AM**. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Amy Hutchinson, Acting Clerk

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