

Tuesday, September 7, 2010

The Board of County Commissioners met in regular session on **Tuesday, September 7, 2010 at 8:05 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 September 2, 2010 meeting. All in favor, motion carries

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PORTAGE DEVELOPMENT BOARD (PDB)

Present: Board of Commissioners, PDB Chairman Steve Colecchi, Vice-Chairman Elizabeth Barry, Secretary-Treasurer Yank Heisler, and Members Joe Bica, John Ryan, Rick Organ, PCDED Director Bill Ulik

Commissioner Keiper noted that the purpose of today's meeting is to discuss the proposed partnership between Portage County and the Portage Development Board, which the Board of Commissioners has been considering as a model for the past several years.

Mr. Colecchi, Chairman of the Portage Development Board, introduced the members of the PDB Executive Committee who are attending today. Mr. Colecchi noted that historically in Portage County, economic development has operated under the county auspices. There are many successful Ohio models with development boards morphing into quasi public/governmental entities, which are true partnerships between local governments and other agencies to promote economic development in the area. A decision was made at some point [later determined to be a Journal Entry on September 22, 2009] to form a not-for-profit Ohio corporation and obtain tax exempt status as a 501(c)3 and involve the private sector. The County engaged Attorney George Sarkis of Roetzel & Andress to create the Articles of Incorporation for the Portage Development Board, which were filed in November 2009 and the Board was established as a not-for-profit corporation. The PDB organizational meeting was held on May 18, 2010. At that meeting, the Code of Regulations was adopted including the Designated Directors; there was an election of officers and approval of an Executive Committee. The Board is an excellent composition representing all of Portage County. The application to IRS for tax exempt status was filed and it is expected that a ruling on that application will happen by November 1, 2010. The PDB intends to get organized before accepting donations. Committees will be formed to provide and a membership structure will be determined to include a dues structure to build on the funding the PDB hopes to receive from the County.

The next step is to finalize a contract between the Portage Development Board and Portage County that will transfer all current services provided by the Portage County Department of Economic Development (PCDED) to the Portage Development Board. Those services will be detailed in the agreement. Mr. Colecchi also recommended that the services provided to the Portage County Port Authority by the PCDED be transferred under a separate contract.

Although the Portage Development Board does not intend to rely solely on Portage County financial support, intending to solicit membership and financial support from individuals, businesses, universities and colleges, and other Portage County governmental agencies, initially this support will enable the Board to leverage the support from the County to improve and expand on services already provided. Mr. Colecchi noted that the Portage Development Board is asking for a minimum three year agreement modeled after similar agreements in neighboring counties with the deliverables clearly defined, financial support of \$285,000 per year, which is the current level of funding for the PCDED, and in kind services as currently provided to the PCDED. The Portage Development Board Executive Committee members all believe that this effort is extremely important and have committed their time to work collectively in a concerted effort to promote economic development in Portage County.

Commissioner Frederick asked what the monetary commitment from other entities is this far. Mr. Colecchi responded that the Board of Commissioners' commitment must come before the PDB formally asks for a commitment from private agencies. He is certain that the companies that serve on the PDB will make a financial commitment as will Robinson Memorial Hospital. The goal is to generate a minimum of \$150,000 in annual financial support in addition to the financial support provided by the County.

Commissioner Frederick asked Mr. Colecchi what he thinks the Portage Development Board can get done that the County cannot get done by maintaining its department of economic development, besides being able to solicit funds. Commissioner Frederick said that she certainly appreciates the intent and efforts of this new development Board, but would not be inclined to relinquish the responsibility for staff as the County would still be liable for all staff obligations. She added that this is the first time that she has seen any proposal even though she has asked to see a proposal and budget. She has had one limited discussion with Attorney George Sarkis.

Commissioner Frederick stated that she is not inclined to loan out or contract out our existing staff. This comes at a time when money is extremely tight in the General Fund. She added that the Board of Commissioners is going through all budgets to ascertain where funds can be garnered back to the General Fund. The PCDED currently has \$82,000 in its budget that may have to come back to the General Fund to fund essential services such as law enforcement, judicial needs, the Prosecutor's Office, etc. and programming. She applauds the effort but believes that there may be a way to accomplish this without the PDB incorporating the County's economic development office as well as that funding.

Mr. Colecchi responded that this is the time to invest more money into economic development and not less. He argued that the County should be embarrassed to be only spending \$285,000 on economic development in Portage County. The proposed model has been used successfully in other Ohio counties and the new Portage Development Board would make it more palatable for private organizations to participate with a non-governmental entity and a not-for-profit organization. He added that this model makes sense in the current fiscal environment and that it is not a new approach; the model has been in place in Stark County since 1989 and is a proven success, attracting national and international companies to Stark County.

Commissioner Keiper stated that, among other things, we would take a workforce of two in the Economic Development Office and create a staff of unknown size with a minimum of 25 new sets of eyes. He added

that the PCDED took one of the largest budget cuts last year including \$104,000 last year; Mr. Ulik noted a 20% cut. County resources are then available as well as the Portage Development Board's talented resources, which means more community investment and partnerships. He added that some of Commissioner Frederick's concerns should be alleviated since she ran the Portage Private Industry Council and had the economic development office under the PPIC.

Commissioner Frederick responded that the JTPA funded the entire organization and was a way to fund economic development; the county never provided funding to the PPIC. Commissioner Frederick complimented Mr. James Barry, who served as the Chairman of the PPIC and introduced the economic development effort with the PPIC.

Mr. Colecchi responded that it is his hope that the Portage Development Board is so successful that the County would not have to continue to provide financial support. At this time, it is vitally important that the PDB have county support. Membership dues and other revenue activities will come into play in the next five years.

Commissioner Frederick noted the new composition of the Board of Commissioners as of January 1, 2011 and added that she is reluctant to commit to a three year agreement and is not willing to commit this money at this time. The Sheriff may have to take a \$1 million cut and, looking at the PCDED budget figures shows that the department has money that should go back into the General Fund. She added that there has even been some discussion of cutting one of the two positions, as is being discussed with every other department.

Mr. Colecchi responded that this is the worst time to make any cuts, adding that the Board of Commissioners should be able to find \$285,000 in a \$34 million budget. The County needs to commit to economic development in Portage County and this group of leaders is ready to commit their time and company's resources to make this happen. He added that, appreciating that there will be a new Commissioner after the next election, if elected bodies waited for the next election, no decisions would be made. He recommended that the Board of Commissioners make these decisions today and move forward.

Commissioner Frederick replied that the priority must be law enforcement and the judicial system. The people do not want the Board to cut the Sheriff's budget; they want protection of their homes and property. There are other entities out there doing economic development that the Board of Commissioners may want to consider partnering with. She stated again that she sees the PCDED money going back to the General Fund to fund mandated services.

Commissioner Smeiles noted that Commissioner Frederick had asked what the PDB can do that the county cannot. In answer to that, the suggestion was that there is a group of 25 entities that are partnering to provide resources, time and talent. Mr. Colecchi noted that the PDB will leverage the finances and personnel commitment from the members.

Commissioner Smeiles stated that this should come as no surprise since the Board of Commissioners has been discussing this proposal for years. Commissioner Smeiles asked Commissioner Frederick if her concerns are a matter of money and/or the contracting this service out. If money was no object, would

Commissioner Frederick vote to contract this service out? Commissioner Frederick responded the PDB is not the surprise but that she has not seen a proposal and/or a budget before today. She has had one limited discussion with Attorney George Sarkis when she learned that the plan called for the “loaning out” or “contracting out” of existing staff to the PDB. She would not vote for this at this time.

Commissioner Frederick added that perhaps she may be in favor of contracting the service out and noted that the Board discussed last week the possibility of eliminating the PCDED and contracting with the Neighborhood Development Services, since they are very successful in this area.

Commissioner Smeiles suggested that the Board of Commissioners vote to see if we would contract this out and eliminate the PCDED under the Board of Commissioners’ direction and then determine how much the Commissioners would be willing to spend. He asked Commissioner Frederick why she would agree to contract with Neighborhood Development Services, Inc. and not the PDB. Commissioner Frederick reminded Commissioner Smeiles that they had a conversation that perhaps with the limited results coming from the current economic development office, it would be better to contract out with any other viable entity. She noted that the Neighborhood Development Services has a proven record of success with the County.

Mr. Colecchi stated that he will do what he needs to do to help the county. He added that he has attended meeting after meeting and now sees a meaningful opportunity that will far outweigh any county commitment. A \$30 million plus budget with a \$300,000 commitment is an embarrassment. The fact is that unless Portage County is able to attract business and industry, the tax base will get worse and there will be less dollars in the future. If we want to improve our law enforcement protection and all of the other things the county needs to do, we need increase economic development in Portage County now.

Commissioner Smeiles noted that the Board of Commissioners is discussing potential layoffs and the PCDED is one of the departments under consideration. He asked what the oversight and accountability of this department would be once the Board of Commissioners contracts the PCDED to the Portage Development Board. Mr. Colecchi responded that the Board of Directors will oversee the day-to-day activities and office functions. There will be a legal, written contract with the county that will spell out certain deliverables and if not delivered, the contract could be terminated.

Commissioner Smeiles asked who will be the fiscal agent? Mr. Colecchi responded that the hope is that KSU would be willing to house that part of the operation similarly to the NEOTEC partnership. Commissioner Keiper confirmed that he has a meeting with Kent State next month to discuss that partnering. Commissioner Smeiles noted that the Board of Commissioners has been discussing this effort for two or three years and a natural progression.

Yank Heisler stated that the best practices of the Stark and Medina County agencies are really a combination of public and private organizations. Incoming businesses need to identify with a business community that supports economic development. Businesses need more than tax incentives or a structure of some kind from the government. What the Board of Commissioners will get with this combination is the leverage of the business community supporting economic development, which is the best practice in Stark. That is what makes the difference. Whatever entity the Board of Commissioners contracts with must

build in the private sector for something positive to happen. Without building in the private sector, there is a risk to incoming businesses. In the past five years, economic development practices show that almost any business that came to northeast Ohio included the business community and the local government coming together. The Portage Development Board will leverage dollars from the private sector with a governmental commitment. Mr. Colecchi agreed, stating that we need to have businesses at the table. Portage County needs to have our business leaders at the table when new businesses express an interest.

Elizabeth Barry noted that interest “gets contagious”. John Ryan stated that when he was first contacted by Commissioner Frederick to participate in this effort, he was skeptical about the PDB until he went to the initial meeting and saw the commitment from the business owners attending. We need to put more people to work to increase the tax base and drive economic development in the county. This will take some time but he is impressed with the leadership at the table.

Commissioner Frederick agreed with the leadership present, and again acknowledged that fact but, from where she sits, mandated services are the foremost priority for the General Fund. Commissioner Frederick is not diminishing what has been accomplished by the new economic development board effort, but it cannot rely on the General Fund, which has a \$4 million shortfall.

Commissioner Keiper noted that the next step is to draft a contract with the deliverable that the Board of Commissioners can respond to. Mr. Colecchi responded that the PDB will draft that contract. Commissioner Keiper added that the 2011 budget process is moving forward and the Board of Commissioners needs to see this document; he noted that he is committed and believes that this is long overdue and is the right thing to do.

Commissioner Smeiles agreed that this is an important decision and also understands Commissioner Frederick’s concerns about being able to fund mandated services. He suggested separating out the contracting issue versus the money issue. Commissioner Frederick stated that if the Board of Commissioners will vote today without considering any other option that may conserve funds and assure an open and competitive process, then she cannot support it. Commissioner Smeiles responded that to bring these entities to the table and not move forward is a slap in the face to the members.

Commissioner Smeiles made a motion to agree that the Portage Development Board should draft a three year agreement for the provision of services to Portage County subject to a review by the Portage County Board of Commissioners, the Portage County Prosecutor’s Office and available financing; Commissioner Frederick voting no, requesting that the meeting minutes reflect her reasons for voting no.

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PROSECUTOR

Present: Denise Smith

Review of Prosecutor’s Pending List

1. Transfer from Benefit Reserves Fund
The Board of Commissioners is planning to move forward with the onetime option of pulling from benefit reserves to provide a cash flow reserve for the General Fund. The allocation from the

reserve fund will be transferred based on the distribution revenue receipted into the fund from participating funds. DBFM Director Audrey Tillis is waiting for the reworked report.

2. Attorney Smith noted that she received the working papers on the WIA audit and is now finishing the Portage County response. She recommended that the Board of Commissioners consider the hire of an outside auditing firm to look at the auditing costs. Prosecutor Viglucci is investigating which firm to hire.

Prosecutor's Correspondence

1. September 3, 2010 correspondence from Attorney Denise Smith regarding the organization of a non-profit corporation for economic development purposes/Information only

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NURSING HOME

Present: Barb Fleischmann, DON Cathie Eggleston, Allison Box, Human Resources Department Director Karen U'Halie

The Administrator noted that the census is at 69 as of today. After the Record-Courier article last week, family members and staff have expressed concern about the future of the facility. Commissioner Keiper responded that Robinson Memorial Hospital has hired Roth & Goffman to investigate a possible partnership with a decision expected by November.

Commissioner Smeiles asked what issues need to be addressed prior to the end of the Generations Management contract and a possible partnership with the hospital. Ms. Fleishmann responded that the MDS agreement is being processed now to take over the Medicare/Medicaid reimbursement piece and there will be day-to-day management issues. She agreed to make a list of things that need to be done.

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9:50 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 discipline issue and an employment issue. **Also present:** Barb Fleischmann, DON Cathie Eggleston, Allison Box, and Human Resources Department Director Karen U'Halie. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

9:55 AM DON Cathie Eggleston, Allison Box and Human Resources Department Director Karen U'Halie left the executive session.

10:25 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 action by Journal Entry.

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

The Board of Commissioners discussed the 2011 budget with the Director.

Since it is clear to Board of Commissioners that the budget will need a 10% reduction , the Board agreed to ask elected officials to make the decision about their budgets and let the Board of Commissioners know/Director Tillis to draft a memo noting that whatever can be done in the 4th quarter will lessen the impact on the first quarter of 2011.

The Board of Commissioners discussed the inclusion of MUNIS costs in the Cost Allocation Plan and asked the Director to include those costs.

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The Executive Assistant attending to discuss the agenda for the September 14th Leadership.

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WATER RESOURCES

Present: Harold Huff, Jeff Lonzrick

SIGNATURE – “Certification Under Section 1511 of the American Recovery Reinvestment Act” for Aurora Meadows Sanitary Sewer Improvements for the USDA grant and loan/Journal Entry

DISCUSSION - The Board of Commissioners discussed the proposed revision to Section 1005.04 of the Rules and Regulations governing the construction, maintenance and operation of sanitary sewer and water works systems in Portage County Regional Sewer & Streetsboro Sanitary Sewer District No. 4 under the jurisdiction of the Portage County Board of Commissioners. Attorney Leigh Prugh had advised the Board of Commissioners that Section 1005.04 of the rules states that residents must connect to the county system within 90 days; the Board of Commissioners could change that rule. Director Huff cautioned the Board of Commissioners about making the time frame too long but also noted that the time frame could be more reasonable than 90 days. Commissioner Smeiles suggested a 12 month period along with an appeals process on a case-by-case basis to allow residents to plan and budget for the connection. Commissioner Keiper is okay leaving the time at 90 days but would agree to a 12 month period including the appeals process. Commissioner Frederick stated that 90 days is a pretty short time period and suggested adding verbiage that the Ohio EPA and Portage County Health Department findings and orders would supersede the time frame set by the Board of Commissioners.

Commissioner Frederick stated that, had the Board of Commissioners had advance notice of the letters being sent to residents requiring the connection, the Commissioners could have had input into the letter. Director Huff agreed that the Board of Commissioners should have been notified but staff acted in their normal way and the notices went out. She added that the Health Commissioner had advised her that his office would have taken no action against the residents without this letter having been sent.

Commissioner Smeiles asked if the extended time period would be retroactive for those who received the connection notices. Commissioner Keiper noted that he only heard from a handful of residents objecting to the connection notice. He would not want the time period to be retroactive; if someone has a hardship, the Board of Commissioners could consider an appeals process.

Commissioner Smeiles wondered why the Health Department would issue a permit and why a contractor would install a new septic system when both knew that the sewer was available. Director Huff responded that the Health Department has agreed not to issue any permits in the future without first checking with the Water Resources Department to make certain that sewer is or is not available.

The Board of Commissioners asked staff to draft a resolution to amend the rules and regulations to include the verbiage as suggested.

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DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT

Present: Jon Barber, DBFM Director Audrey Tillis

The Director is attending today to discuss the need to build a communication system with a committee for guidance. Attorney Denise Smith has advised the Board of Commissioners that a review of the EMA Tactical Communications Plan Committee shows that the Board of Commissioners has the discretion as to whether or not to create this committee/Journal Entry.

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The FAA certifications are in place for the move from the Delphi tower to the Administration Building . It will cost \$5800 to move the Sheriff’s equipment to the administration building. The 911 funds are available to use for this project/Journal Entry

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11:30 AM Lunch Recess

1:05 PM Board of Commissioners reconvened

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GAPP CANDIDATE

Present: Keith Barton, Charlene Badger

After meeting with Attorney Barton to discuss his interest in serving on the GAPP Workforce Investment Board, the Board of Commissioners adopted Resolution 10-0831

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RESOLUTION No. 10-0824 - 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 September 7, 2010 in the total payment amount of **\$640,429.13 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. 10-0825 - 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:

09/07/10	259	\$ 8,000.00
09/07/10	258	215.50
Total		\$ 8,215.50

and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an

open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in 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. 10-0826 - 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 **\$695.00** as set forth in Exhibit “A” dated **September 7, 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. 10-0827 - RE: ACCEPT PROPOSAL OF HAMMONTREE & ASSOCIATES, LIMITED AND ENTER INTO AGREEMENT FOR

**PROVIDING PROFESSIONAL SERVICES FOR THE
PROJECT KNOWN AS THE INSPECTION AND LOAD
RATING OF 17 BRIDGES IN PORTAGE COUNTY**

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

- WHEREAS,** the Portage County Board of Commissioners, by Resolution No. 10-0467, authorized the announcement of the request for proposals for professional services for the project known as **The Inspection and Load Rating of 17 Bridges in Portage County;** and
- WHEREAS,** the Portage County Board of Commissioners authorized the Portage County Engineer, by Resolution No. 10-0613, to enter into contract negotiations between the Portage County Commissioners and Hammontree & Associates, Limited to provide professional Services for the project known as **The Inspection and Load Rating of 17 Bridges in Portage County;** now therefore be it
- RESOLVED,** that the Portage County Board of Commissioners does hereby accept the proposal of Hammontree & Associates, Limited and authorizes the Portage County Engineer to enter into an engineering agreement for providing professional services for the project known as **The Inspection and Load Rating of 17 Bridges in Portage County** and be it further
- RESOLVED,** that said professional services will be performed by Hammontree & Associates, Limited, 5233 Stoneham Road, North Canton, Ohio 44720 for a Cost not to Exceed \$32,493.00; 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. 10-0828 - RE: THE PORTAGE COUNTY BOARD OF COMMISSIONERS CERTIFIES TO THE PORTAGE COUNTY AUDITOR ANNUAL MAINTENANCE ASSESSMENTS FOR COUNTY ASSESSED DITCHES TO BE LEVIED ON THE 2010 TAX DUPLICATE PAYABLE IN 2011.

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

WHEREAS, the Portage County Board of Commissioners wishes to certify to the Portage County Auditor **Annual Maintenance Assessments for County Assessed Ditches** which are to be levied on the 2010 tax duplicate payable in 2011, now therefore be it

RESOLVED, that this Board hereby certifies to the Portage County Auditor **Annual Maintenance Assessments for County Assessed Ditches** which are to be levied on the 2010 tax duplicate payable in 2011 as indicated on the attached lists; and be it further

RESOLVED, that a copy of this Resolution be filed with the Portage County Auditor’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. 10-0829 - RE: ENTER INTO LICENSE AGREEMENT BETWEEN THE PORTAGE COUNTY COMMISSIONERS AND RAVENNA BALLOON-A-FAIR CHILDREN’S PARADE

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

WHEREAS, the County owns property located at 203 W. Main St., Ravenna, Ohio known as the Portage County Courthouse and property at the corner of Spruce and Prospect Streets, Ravenna Ohio known as the Spruce Street Parking Lot; and

WHEREAS, Ravenna Balloon-A-Fair wishes to use the Courthouse lawn, surrounding Courthouse grounds, the Courthouse parking lot and the Spruce Street Parking lot on Thursday, September 16th, 2010 from 5:00 p.m. to 9:00 p.m. for the 2010 Balloon-A-Fair Children’s Parade; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a License Agreement between the Board and Ravenna Balloon-A-Fair, P.O. Box 454, Ravenna OH 44266 for use of the Courthouse lawn, surrounding Courthouse grounds,

the Courthouse parking lot and the Spruce Street Parking lot on Thursday, September 16th, 2010 from 5:00 p.m. to 9:00 p.m. for the 2010 Balloon-A-Fair Children's Parade; 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. 10-0830 - RE: ENTER INTO LICENSE AGREEMENT BETWEEN THE PORTAGE COUNTY COMMISSIONERS AND RAVENNA BALLOON-A-FAIR.

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

WHEREAS, the County owns property located at 203 W. Main St. and 449 South Meridian, Ravenna, Ohio known as the Portage County Courthouse and Administration building Parking lot; and

WHEREAS, the Ravenna Balloon-A-Fair wishes to use the Courthouse Lawn and Administration Parking Lot, on Saturday, September 18th, 2010 between the hours of 5:00 AM to 8:00 PM for the Ravenna Balloon-A-Fair; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a License Agreement between the Board and Ravenna Balloon-A-Fair, PO Box 454, Ravenna, Ohio 44266 for use of the Courthouse lawn and Administration Parking Lot on Saturday, September 18th, 2010 between the hours of 5:00 AM and 8:00 PM for the Ravenna Balloon-A-Fair; 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. 10-0831

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RE:

PORTAGE COUNTY APPOINTMENTS TO THE GEAUGA-ASHTABULA-PORTAGE PARTNERSHIP WORKFORCE INVESTMENT BOARD (GAPP WIB).

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

WHEREAS,

the Portage County Board of Commissioners, in collaboration with the Boards of Commissioners from Geauga County and Ashtabula County, created a three county Regional Workforce Investment Area and Workforce Investment Board, in conjunction with the Federal Workforce Act of 1998, called the GAPP WIB; now therefore be it

RESOLVED,

that the Portage County Board of Commissioners appoints the following to the Geauga-Ashtabula-Portage Partnership Workforce Investment Board (GAPP WIB) for a three-year term effective September 7, 2010 and expiring on June 30, 2013:

Category	Name	Agency/Business
Business Member	Keith Barton	The Law Office of Keith J. Barton P.O. Box 54 Mantua, OH 44255

;and be it further

RESOLVED,

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

September 7, 2010

1. Approval of Meeting Minutes from the August 31, 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/10-0824.
3. Approve the Journal Vouchers as presented by the County Auditor/10-0825.
4. Approve Then & Now as presented by the County Auditor/10-0826.
5. Accept proposal of Hammontree & Associates, Limited and enter into an agreement for providing professional services for the project known as the inspection and load rating of 17 bridges in Portage County (County Engineer) /10-0827.

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INVITATIONS/MEETING NOTICES

September 7, 2010

1. Invitation from Aurora Chamber of Commerce for “Aurora’s Favorite Things” Luncheon on Wednesday, November 17, 2010, 11:30 AM–1:00 PM.

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INCOMING CORRESPONDENCE

DISCUSSION

September 7, 2010

1. August 30, 2010 correspondence from the US Senators George Voinovich and Sherrod Brown, regarding a series of meetings focused on addressing environmental infrastructures issues/Forward to Water Resources Department Director Harold Huff and add the dates to the Board of Commissioners calendar.

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JOURNAL ENTRY

September 7, 2010

1. Board of Commissioners’ authorization requested to allow use of the 3rd Floor Veteran Services Office on Monday, September 27, 2010 from 4:30-7:00 PM for a Commission Meeting as requested by Robert Park, Veteran Services.
2. The Board of Commissioners received the September 1, 2010 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2010 as presented by the Portage County Auditor’s Office.
3. Board of Commissioners’ authorization requested to pay the Portage County Regional Planning Commission for 2008 Aurora CHIP Fair Housing for citywide for \$240.40 as requested by Neighborhood Development Services. No review necessary in accordance with the Board of Commissioners/Neighborhood Development Services, Inc. SOP.

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REFERRED

September 7, 2010

1. September 2, 2010 correspondence from Linda Marcial, Board of Elections, thanking Maintenance staff for the assistance with mold clean-up. Referred to Internal Services and Maintenance Department.
2. August 27, 2010 correspondence from Judi Payden, Portage County Juvenile Court, to the Ohio Department of Youth Services, including the Subsidy Grant FY2010 County Financial Expenditure Final Report for the Portage County Juvenile Court for the period of July 1, 2009 through June 30, 2010. Referred to Department of Budget & Financial Management.
3. August 31, 2010 memo from Michael Colbert, Ohio Department of Job & Family Services, including the revised County share of public assistance expenditures mandated share for State Fiscal Year 2011. Referred to the Department of Budget & Finance

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PLEASE ADD TO THE AGENDA

September 7, 2010

1. The Portage County Board of Commissioners certifies to the Portage County Auditor Annual Maintenance Assessments for County Assessed Ditches to be Levied on the 2010 Tax Duplicate Payable in 2011 (County Engineer)/10-0828.
2. Enter into a license agreement between the Board of Commissioners and the Ravenna Balloon A Fair Children's Parade (Internal Services) /10-0829
3. Enter into a license agreement between the Board of Commissioners and the Ravenna Balloon A Fair (Internal Services) /10-0830

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Journal Entry

September 9, 2010

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

1. The Board of Commissioners authorized the use of the 3rd Floor Veteran Services Office on Monday, September 27, 2010 from 4:30-7:00 PM for a Commission Meeting, as requested by Robert Park, Veteran Services.
2. The Board of Commissioners acknowledged the receipt of the September 1, 2010 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2010, as presented by the Portage County Auditor.
3. The Board of Commissioners authorized payment to the Portage County Regional Planning Commission for the 2008 Aurora CHIP Fair Housing (citywide) for \$240.40, as presented by the Neighborhood Development Services. No review necessary in accordance with the Board of Commissioners/Neighborhood Development Services, Inc. SOP.

4. The Board of Commissioners acknowledged the receipt of the August 27, 2010 correspondence from Judi Payden, Portage County Juvenile Court, to the Ohio Department of Youth Services, including the Subsidy Grant FY2010 County Financial Expenditure Final Report for the Portage County Juvenile Court for the period of July 1, 2009 through June 30, 2010.
5. The Board of Commissioners signed the Certification Under Section 1511 of the American Recovery Investment Act” for the Aurora Meadows Sanitary Sewer Improvements for the USDA grant and loan, as authorized by Resolution No. 09-0598, and presented by the Portage County Water Resources Department.
6. After meeting today in an Executive Session, the Board of Commissioners agreed to hire Barb Fleishmann as The Woodlands at Robinson Nursing Home Administrator effective October 1, 2010 for a 90 day period at \$41.00 per hour. The Board of Commissioners agreed to prepare the necessary agreement for Ms. Fleishmann to serve as a county employee with no Health Benefits.
7. After meeting today in an Executive Session with The Woodlands at Robinson staff, the Board of Commissioners authorized a three day suspension for an STNA for Attendance in accordance with the union contract. The days to be served are September 9, September 10, and September 13, 2010.
8. After meeting today with Homeland Security and Emergency Management Office Director Jon Barber, the Board of Commissioners accepted his recommendation and agreed to move forward on relocating the equipment from the Delphi tower to the Portage County Administration Building roof and accepted the B&C Communications quote of \$5,228.60 for that work. The Board of Commissioners also agreed that this purchase will be paid for from Fund 4008 - Wireless 911 Upgrades.
9. On June 17, 2010, the Board of Commissioners agreed to add additional language in the “Authority Section” of the Interoperability and Communications Committee’s charter in order to clarify the chain of command for the committee to read as follows:

“This will be a subcommittee under the EMA Advisory Council, under the direction for the EMA Director, to make recommendations to the EMA Advisory Council to be forwarded to the Board of Commissioners for its approval.”

The Board further agreed to have Director Barber and Director Badger make the necessary changes and resubmit the document for final approval by the Board of Commissioners.

Today, after meeting with Director Jon Barber, the Board of Commissioners accepted his recommendation and approved the final amendment to the Portage County Interoperability and Communication Committee Charter to include the suggested changes. The Board of Commissioners authorized the Director to move forward to appoint this subcommittee from the current members of the EMA Advisory Council, noting that Attorney Theresa Scahill reviewed this issue and advised the Commissioners that it is within their discretion as to whether or not to create this committee.

All in favor, motion carries.

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JOURNAL ENTRY II

September 7, 2010

Motion by Christopher Smeiles, seconded by Charles W. Keiper II to agree that the Portage Development Board should draft a three year agreement for the provision of services to Portage County subject to a review by the Portage County Board of Commissioners, the Portage County Prosecutor's Office and available financing. 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 **September 7, 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 1:35 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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