

Thursday, September 16, 2010

The Board of County Commissioners met in regular session on **Thursday, September 16, 2010 at 9:27 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the September 7 and September 14, 2010 meetings. All in favor, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier, Executive Assistant Charlene Badger

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

1. Use of court funds for security purposes for the maintenance of the metal detectors.

The Board agreed that if it can be fixed, try to fix it or have the Judges' sign off and buy new from the capital item.

2. Carpeting replacement at Juvenile Court.

Director Townend to check into other options besides carpet (ie. tile, pergo) and bring back to the Board.

3. September 15, 2010 correspondence from the State Auditor regarding the 2010-2014 audits. The Board is requested to fill out the questionnaire/The Board agreed to discuss this issue at the 2:30 PM meeting today with the State Auditor to determine if it is a total of 10 for the Board and 10 for the County Auditor or are they combined? Who completes the paperwork, the County Auditor or Board of Commissioners?

At the 2:30 PM meeting, Senior Audit Manager Richard Cunningham indicated the letter came from the Youngstown division and they are from the Canton branch. He referred the Board the Youngstown Office Manager for any further questions. Auditor Cunningham believes it's a grand total of ten.

4. Architect's meeting – Director Townend recommended getting Bowen & Associates, the Judges and the Board together for a meeting regarding space adjacencies. The Board agreed that the Clerk of Courts should also be invited and Director Townend should handle the meeting and report back to the Board.

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RESOLUTIONS

1. Enter into an agreement with Marn Enterprise LLC dba Utility Refund Corporation./10-0863
2. Enter into an agreement with Annette Petranic, Pavlick Marketing Inc. for emergency management assessment and planning services for EMA Homeland Security./10-0864
3. Enter into an agreement with Maximus, Inc. to prepare the indirect cost allocation plan based on year-end financial data for the year 2010 to be used for the basis of recoveries in calendar year 2012./10-0865
4. Set the bid date for roof replacement for Community Action Council, 1036 West Main St., Ravenna for RPC./10-0866. Director Townend to get the word out to other Ohio Job & Family Networks.
5. Set the proposal date for qualifications for contract monitoring for JFS./10-0867
6. Award and enter into a contract with Ace Zuver JV for the former Hiram elementary School Demolition project./10-0868
7. Temporary License Agreement permitting entry at the Streetsboro Wastewater Treatment Plant for tours on September 19, 2010 as part of the Tinker’s Creek Festival./10-0869 (cc: Human Resources Department).

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HUMAN RESOURCES

Present: Karen U’Halie

Public Session

1. Leave Donation Policy. The Board tabled this issue from last week to find out if the Auditor’s office has accruals for Mental Health, Park District, Board of Elections, Regional Planning Commission, and the Health Department. The office does keep their accruals and the Board would like it to remain that way. /10-870 (effective date of implementation January 1, 2011).

10:25 AM Brian Boykin and Terri Burns attending.

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10:29 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to consider the appointment a public employee. **Also present:** Director Karen U’Halie, Human Resources Department, Interim Director Terri Burns, Job & Family Services, and Brian Boykin. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

11:15 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves 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 took no action.

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Recessed to Solid Waste Management District 11:15 AM
Reconvened 11:50 AM

Recessed: 11:52 AM
Reconvened: 1:15 PM
Commissioner Frederick absent

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IQM2 INC.
Present: Robert Wrightson, Executive Assistant Charlene Badger, Security Director Jon Barber, Internal Services Director JoAnn Townend, IT Director Brian Kelley.

The Board listened to discussion on video streaming of the Commissioners' meeting.

1:42 Commissioner Frederick attending
1:46 PM Commissioner Frederick absent

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STATE AUDITOR
Present: State Auditor's Senior Audit Manager Richard Cunningham and Audit Manager Jacob Kaufman; Mike Chadsey, Regional Liaison; County Auditor Janet Esposito and Maureen Bennett

1. Staffing issues/scheduling conflict – None reported. There are seven auditors working on the audit and it should be done on schedule.
2. Audit Status by areas:
 - * Areas completed (since last meeting)

<u>Substantive Testing</u>	
Intergovernmental Receivables	Equity
Loans Receivable	Property Tax Revenue
Capital Assets	Permissive Sales Tax Revenue
Accounts Payable	Intergovernmental revenue
Intergovernmental Payables	Interest Revenue

Ohio Compliance Testing:
Chapter 1 – Budgetary & Related Reqs. Chapter 2 – Contracts

Expenditures

Federal Compliance Testing:
 Highway Planning & Construction
 CFDA #20.205
 Child Care Cluster
 CFDA #93.575/.596/.713

Temporary Assistance for
 Needy Families CFDA #93.558

* Areas in process

Control Testing
 Monitoring Controls over revenues and expenditures

Substantial Testing
 Cash and investments
 Debt
 Charges for Services

Non Payroll Expenditures
 Payroll Expenditures

Ohio Compliance Testing
 Chapter 3 Debt

Chapter 7 Other Laws & Regulations

Federal Testing
 Supplemental Nutrition Assistance
 Program Cluster CFDA #10.561

Child Support Enforcement CFDA #93.563

III. Problems/Issues
 Material citations? None
 Reportable conditions? None
 Material weakness? None
 Significant audit adjustments? None

IV. Client Delays – None.

V. Status of engagement hours and fees

Description	Budget	Actual As of 9-11-10	Percentage Charged
Hours	\$ 3,000.00	\$ 1,298.00	43%
Fees	\$112,000.00	\$45,459.00	41%

VI Estimated completion/deadlines:

*Estimated financial statement opinion date: October 31, 2010
* Estimated OMB A-133 Single Audit Opinion Date: November 30, 2010

VII Other

The Auditors requested that the Board set the next meeting during mid October when the financial and Federal portions of the audit should be completed.

2:53 PM Commissioner Frederick attending.

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2:53 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to consider the purchase of real estate. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

3:05 PM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

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After exiting Executive Session Commissioner Keiper stepped down as Chairman and made a motion to not move forward with the Kent Courthouse Project, seconded by Commissioner Smeiles. Commissioner Keiper stated that he is interested in having this dialog since there seems to be some concern on Commissioner Frederick's part about moving forward. He added that he feels the Board should move forward with a specific site. Commissioner Frederick replied that it is his concern that Commissioner Keiper is expressing. She added that it seems that the Board wants her to go on the record to say whether or not she is in favor of going forward with the Project. Commissioner Keiper agreed that he wants to know the direction of each of the Commissioners.

Commissioner Frederick stated that she has several concerns and they have been expressed at each and every meeting. She is concerned about the following:

- The amount of space, which has grown to 35,000 to 39,000 square feet
- Commissioner Frederick has been told that the site that she wanted to consider [the current Courthouse site] is now out of the question. In an effort to conserve funds, she wanted the Board to consider what the County already owns and she wants the current site to be re-considered.
- She would like to consider the possibility of downsizing
- The number of cases hasn't risen substantially in a number of years
- The actual building may not impact the General Fund, but should anything unforeseen happen, that will impact the General Fund as it is an obligation of the General Fund.

Commissioner Frederick stated that she intends to be conservative although she does want the Court to have adequate space, acknowledging that they are in the current facility like sardines. She added that she

is not convinced that the Board cannot use something the County already owns in some configuration. Commissioner Keiper said the architects study indicated that the current location is not feasible. Commissioner Keiper said that the Hasenstab study showed that it should cost the same for a new facility as it would to renovate the current facility. Commissioner Frederick responded that she hasn't seen the costs for any of the proposals.

Commissioner Smeiles stated that the question is to proceed with the project or not. Commissioner Frederick responded that the question before the Board is "not to" proceed. Commissioner Keiper agreed that the motion on the table is not to move forward with this project.

Commissioner Keiper also stated that there is every reason to do the project; there has been a clear need for space for some time. Commissioner Keiper does believe that records, staff, the public and prisoners are at risk and that there is not the right amount of security in a facility significantly too small. Architects have advised that the current site will not work and that it will be expensive to buy the buildings around the current facility to demo for the new court. To build while employees are onsite has also proven to be a challenge. The Board has an opportunity to purchase land and although he also believes that the proposed square footage is in excess, there must be excess for future planning. Judge Poland is correct in saying that there should be a way to collapse some of the space needs, which will be addressed by the Architect. That is not a reason to stop the project.

Commissioner Smeiles asked what information Commissioner Frederick needs to make a decision; what can Commissioner Frederick get in black and white that would help her decide. Commissioner Frederick responded that she would be willing to speak with Architect Allan Renzi again. Commissioner Smeiles stated that he is comfortable in withdrawing his second to the motion but he would like to know what information Commissioner Frederick needs to make a decision. The Board has had two or three meetings at the Kent Courthouse with Kevin Poland, the Clerk of Courts Rep, Kent Police and Kent Safety Director and then one meeting here and he thought that there was some progress. After those meetings, he is frustrated because there still seems to be a question. Commissioner Frederick replied that she will have those ongoing questions. Commissioner Smeiles replied that, in some point in time, regardless of size and location, the Board of Commissioners has to decide to either kill the project or move it forward. He does not want to go out on a limb in voting on size or location only to have Commissioner Frederick vote no to be politically correct in this tough economic time. He would prefer that Commissioner Frederick vote no today and get it over with. Commissioner Frederick replied that If the question is called today she would vote to abstain until her resounding questions are answered.

Commissioner Keiper stated that the Board of Commissioners wants Commissioner Frederick to be comfortable and be able to make a decision as to whether or not to move forward. The motion and second were withdrawn.

The Board asked that the Clerk schedule a meeting with Allan Renzi and the Judges for the courthouse discussion ASAP. Commissioner Smeiles stated that he would like Mr. Renzi and the Judges to meet in the Board Room on tape instead of off-tape so that the red light/green light situation does not occur.

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RESOLUTION No. 10-0855 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on September 16, 2010 in the total payment amount of **\$436,805.47 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. 10-0856 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on September 16, 2010 in the total payment amount as follows:

1. \$140,751.77 for Medical Mutual Claims-Fund 7101; and
2. \$ 17,716.79 to WageWorks, Inc. for processing claims for Medical Mutual; and

as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

RESOLVED, that the Board of Commissioners authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor's Office:

Wire Transfer on Friday, September 17, 2010 \$ 140,751.77

Wire Transfer on Friday, September 17, 2010

\$ 17,716.79

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. 10-0857

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RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

WHEREAS,

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

WHEREAS,

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

WHEREAS,

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

RESOLVED,

that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor's Office:

09/16/10	661	\$ 56,900.76
09/16/10	683	14,293.48
09/16/10	682	13,826.92
09/16/10	681	87,496.84
09/16/10	680	138.00
09/16/10	675	1,384.80
09/16/10	659	35,189.30
09/16/10	658	114.52

Total		\$ 209,344.62
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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. 10-0858	-	RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

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

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

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

RESOLVED, that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$31,303.87** as set forth in Exhibit “A” dated **September 16, 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. 10-0859

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

It was moved by Christopher Smeiles, second by Maureen T. Frederick 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>
Fund: 0001 General Fund		
010 Commissioners Other		
00107 Commissioner Other OE	0	136
MEMO TOTAL	<u>\$ -</u>	<u>\$ 136</u>

Note: Reimburse state for late file & fee

016 Building Maintenance		
00163 Justice Center Maint Fringes	5,692	0
0016E Justice Center Maint Part Time	0	5,692
MEMO TOTAL	<u>\$ 5,692</u>	<u>\$ 5,692</u>

Note: OPERS Projected Need

100 Auditor		
01137 Auditor RE Assessment OE	136	0
MEMO TOTAL	<u>\$ 136</u>	<u>\$ -</u>

Note: Reimburse state for late file &

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		<u>Increase</u>	<u>Decrease</u>
500 Clerk of Courts			
05003	Clerk Common Pleas Ct Fringes	6,000	0
0500D	Clerk Common Pleas C Full Time	0	500
0500M	Clerk Common Pleas C Overtime	500	0
05023	Clerk-Civil/Criminal Fringes	0	6,000
05024	Clerk-Civil/Criminal CS	2,425	0
0502D	Clerk-Civil/Criminal Full Time	0	4,425
0502M	Clerk-Civil/Criminal Overtime	2,000	0
MEMO TOTAL		<u>\$ 10,925</u>	<u>\$ 10,925</u>

Note: Projected Need

TOTAL MEMO BALANCE ALL AMENDMENTS	<u>\$ 16,753</u>	<u>\$ 16,753</u>
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; 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. 10-0860

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

It was moved by Christopher Smeiles, second by Maureen T. Frederick 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>
Fund: 1001	Certificate Of Title Administr		
500	Clerk of Courts		
10013	Certificate Of Title Fringes	7,527	4,483
1001M	Certificate Of Title Overtime	0	3,044
	MEMO TOTAL	<u><u>\$ 7,527</u></u>	<u><u>\$ 7,527</u></u>

Note: Projected Need

Fund: 1112	Sheriff Inmate Commissary		
700	Sheriff's Department		
1112D	Shf Inmate Commissary FullTime	0	10,000
1112E	Shf Inmate Commissary PartTime	10,000	0
	MEMO TOTAL	<u><u>\$ 10,000</u></u>	<u><u>\$ 10,000</u></u>

Note: Projected Need

Fund: 1123	Community Integration Soc CISP		
590	Adult Probation		
11233	Comm Integra Soc CISP Fringes	10,000	0
1123D	Comm Integr Soc CISP Full Time	35,000	50,000
1123E	Comm Integr Soc CISP Part Time	5,000	0
	MEMO TOTAL	<u><u>\$ 50,000</u></u>	<u><u>\$ 50,000</u></u>

Note: Adjust to Grant Award Resolution

		<u>Increase</u>	<u>Decrease</u>
Fund: 1165	Homeland Security B (SHSP)		
930	Emergency Management Agency		
11654	Homeland Security B (SHSP) CS	4,500	0
11655	Homeland Security B (SHSP) MS	0	4,500
	MEMO TOTAL	<u><u>\$ 4,500</u></u>	<u><u>\$ 4,500</u></u>

Note: Correct budget per grant

Fund: 1340	PCBDD General Administration		
905	Mental Ret & Dev Disability Bd		
13403	MRDD General Admin Fringes	600	600
13404	MRDD General Admin CS	0	33,000
13406	MRDD General Admin CO	33,000	0
	MEMO TOTAL	<u><u>\$ 33,600</u></u>	<u><u>\$ 33,600</u></u>

Note: Projected Need

Fund: 3000	County Notes		
001	Commissioners		
30008	County Notes DE	45,000	0
	MEMO TOTAL	<u><u>\$ 45,000</u></u>	<u><u>\$ -</u></u>

Note: BOND COUNSEL FEES 2010 ISSUANCE COSTS FOR 2010 BOND

Fund: 3012	GO Bonds 2001 Riddle Block		
001	Commissioners		
30128	GO Bonds 2001 Riddle Block DS	2,456,000	0
	MEMO TOTAL	<u><u>\$ 2,456,000</u></u>	<u><u>\$ -</u></u>

Note: 2010 REFUNDING BOND

Fund: 3013	GO Bonds 2001		
001	Commissioners		
30138	GO Bonds 2001 DS	3,590,000	0
	MEMO TOTAL	<u><u>\$ 3,590,000</u></u>	<u><u>\$ -</u></u>

Note: 2010 REFUNDING BOND

		<u>Increase</u>	<u>Decrease</u>
Fund: 3114	SA PCS Bond 2001		
010	Commissioners Other		
31148	SA PCS Bonds 2001 DE	311,000	0
	MEMO TOTAL	<u><u>\$ 311,000</u></u>	<u><u>\$ -</u></u>

Note: 2010 REFUNDING BOND

Fund: 4008	Wireless 911 Upgrades		
700	Sheriff's Department		
40084	Wireless 911 Upgrades CS	4,000	5,000
40086	Wireless 911 Upgrades CO	1,000	0
	MEMO TOTAL	<u><u>\$ 5,000</u></u>	<u><u>\$ 5,000</u></u>

Note: Projected Need

Fund: 5110	NH Revenue Bonds 2001		
054	Nursing Home		
51108	NH Revenue Bonds 2001 DS	7,169,000	0
	MEMO TOTAL	<u><u>\$ 7,169,000</u></u>	<u><u>\$ -</u></u>

Note: 2010 REFUNDING BOND

Fund: 5211	PCS Revenue Bonds 2001		
060	Water Resources		
52118	PCS Revenue Bonds 2001 DS	491,000	0
	MEMO TOTAL	<u><u>\$ 491,000</u></u>	<u><u>\$ -</u></u>

Note: 2010 REFUNDING BOND

Fund: 5313	PCS Twin Lakes Prelim Treatmnt		
060	Water Resources		
53134	PCS Twin Lks Prelim Trtmnt CS	1,000	0
53136	PCS Twin Lks Prelim Trtmnt CO	50,000	40,671
53138	PCS Twin Lakes Prelim Trmt DE	4,000	0
	MEMO TOTAL	<u><u>\$ 55,000</u></u>	<u><u>\$ 40,671</u></u>

Note: 2010 BOND 2010 BOND ISSUANCE COSTS

		<u>Increase</u>	<u>Decrease</u>
Fund: 5316	PCS W Branch Mobile Home Park		
060	Water Resources		
53164	PCS W Branch Mbl Home Park CS	1,841	0
53168	PCS W Branch Mbl Home Park DE	5,000	0
	MEMO TOTAL	<u><u>\$ 6,841</u></u>	<u><u>\$ -</u></u>

Note: 2010 NOTE ISSUANCE 2010 NOTE ISSUANCE COSTS

Fund: 5317	PCS Aurora Meadows Subdivision		
060	Water Resources		
53174	PCS Aurora Meadows Subdiv CS	1,787	0
53178	PCS Aurora Meadows Subdiv DE	5,000	0
	MEMO TOTAL	<u><u>\$ 6,787</u></u>	<u><u>\$ -</u></u>

Note: BOND COUNSEL FOR 2010 NOTE ISSUANCE COSTS 2010 NOTE

Fund: 5413	PCW Revenue Bonds 2001		
060	Water Resources		
54138	PCW Revenue Bonds 2001 DS	353,000	0
	MEMO TOTAL	<u><u>\$ 353,000</u></u>	<u><u>\$ -</u></u>

Note: 2010 REFUNDING BOND

Fund: 5507	PCW Cleveland to Aurora		
060	Water Resources		
55074	PCW Cleveland to Aurora CS	3,000	0
55076	PCW Cleveland to Aurora CO	0	71,247
55078	PCW Cleveland to Aurora DE	1,574,524	0
	MEMO TOTAL	<u><u>\$ 1,577,524</u></u>	<u><u>\$ 71,247</u></u>

Note: BOND COUNSEL AND ISSUANCE COSTS FOR NOTE INTEREST PAYMENT
2010

TOTAL MEMO BALANCE FOR ALL FUNDS	<u><u>\$ 16,171,779</u></u>	<u><u>\$ 222,545</u></u>
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RESOLVED, that in concurrence with the recommendation of the City of Aurora and pursuant to 5709.63 of the Ohio Revised Code, the Board of Portage County Commissioners does hereby agree that the above listed Enterprise Zone Agreement be and hereby is terminated; 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 this formal action was in a 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. 10-0862 - RE: TERMINATION OF THE ENTERPRISE ZONE AGREEMENT BETWEEN TCP, INC., THE CITY OF AURORA AND PORTAGE COUNTY

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

WHEREAS, the City of Aurora by Ordinance No. 2005-220 adopted December 19, 2005, entered into an Enterprise Zone Agreement with TCP, Inc. The Board of Commissioners of Portage County by Resolution No. 06-0160 dated February 28, 2006, agreed to approve the Enterprise Zone Agreement by and between the City of Aurora, Portage County and TCP, Inc.; and

WHEREAS, the City of Aurora by Ordinance No. 2010-101 adopted August 23, 2010 terminated the Enterprise Zone agreement between TCP, Inc., the City of Aurora and Portage County due to the fact the company has requested the agreement be terminated as personal property is no longer taxed in the State of Ohio and they are no longer receiving the benefits of the Enterprise Zone Agreement; now therefore be it

RESOLVED, that in concurrence with the recommendation of the City of Aurora and pursuant to 5709.63 of the Ohio Revised Code, the Board of Portage County Commissioners does hereby agree that the above listed Enterprise Zone Agreement be and hereby is terminated; 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

this formal action was in a 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;

* * * * *

RESOLUTION No. 10-0863 - RE: ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND MARN ENTERPRISE LLC dba UTILITY REFUND CORPORATION.

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

WHEREAS, the Board of Portage County Commissioners has determined that there is a need to have a professional review of utility billing records to recover any overpayments related to anomalies in metering or usage of utilities; and

WHEREAS, Marn Enterprise LLC dba Utility Refund Corporation is a premier provider in business cost recovery solutions; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an agreement by and between the Board of Commissioners and **Marn Enterprise LLC dba Utility Refund Corporation, 8321 Tricia Price Dr., Suite 100, Powell, Ohio 43065**, in the amount of Ten thousand and 00/100 dollars (\$ 10,000.00) ; and be it further

RESOLVED, that the term of the Agreement shall be for one year, effective from September 1, 2010 through August 31, 2011; and be it further

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

* * * * *

RESOLUTION No. 10-0864 - RE: ENTER INTO AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND ANNETTE PETRANIC,

PAVLICK MARKETING INC.

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

WHEREAS, the Board of Portage County Commissioners is in the need of emergency management assessment and planning services to enter identified risk facilities into the ACAMS (Automated Computer Management System); and

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

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an Independent Contractor Services Agreement by and between the Board of Commissioners and Annette Petranic, Pavlick Marketing, Inc., 739 Rock Creek Rd., Aurora OH 44202, as an Independent Contractor, for a total not to exceed Thirty-seven thousand, one hundred thirty-one and 00/100 dollars (\$37,131.00) as outlined in the agreement; and be it further

RESOLVED, that the term of the Agreement shall be from September 1, 2010 through August 31, 2011, and is subject to the availability of grant funding; 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. 10-0865 - RE: ENTER INTO AGREEMENT WITH MAXIMUS, INC. TO PREPARE THE INDIRECT COST ALLOCATION PLAN FOR THE PORTAGE COUNTY BOARD OF COMMISSIONERS

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

WHEREAS, the County has programs which it operates with Federal funding; and

WHEREAS, the County supports these programs with support services paid from County appropriated funds, and

WHEREAS, the United States government will pay a fair share of these costs if supported by an approved cost allocation plan, and

WHEREAS, Maximus, Inc. is staffed with personnel knowledgeable and experienced in the requirements of developing and negotiating such governmental cost allocation plans, and

WHEREAS, the County desires to engage the Consultant to assist in developing a plan which conforms to Federal requirements, and will be approved by their representatives; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an agreement by and between the Board of Commissioners and Maximus, Inc., 7523 Fredle Dr., Concord Twp., OH 44077, to provide the necessary services to develop a cost allocation plan based upon the County's year-end financial data for the year 2010 which will be used for the basis for the recoveries to be claimed for calendar year 2012 with a total project cost not to exceed Fourteen thousand and 00/100 dollars (\$14,000.00); and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a 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. 10-0866

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RE:

APPROVE SPECIFICATIONS AND SET THE BID DATE THE ROOF REPLACEMENT FOR COMMUNITY ACTION COUNCIL, 1036 WEST MAIN STREET, RAVENNA, OHIO, 44266

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

RESOLVED, that the bid specifications for receiving bids for the replacement of the existing roof covering, gutters and downspouts, wall coping and masonry repair located at 1036 West Main Street in the City of Ravenna, be approved; and

RESOLVED, that sealed bids, therefore, will be accepted by the Director of the Portage County Office of Internal Services, 7th floor, Room 701, Portage County Administration

Building, 449 South Meridian Street, Ravenna, Ohio until 3:00 p.m., October 6, 2010 and publicly opened and read; and be it further

RESOLVED, that the notice of receiving bids shall be published in the Record Courier on September 19, 2010 and the County's website and a copy thereof be posted on the bulletin board of the Board forthwith; and be it further

RESOLVED, that a pre-bid meeting will be held on September 29, 2010 at 9:00 a.m. at the site; 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;

* * * * *
RESOLUTION No. 10-0867 - RE: SET PROPOSAL DATE FOR QUALIFICATIONS FOR CONTRACT MONITORING SERVICES FOR THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES.

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

WHEREAS, the Portage County Department of Job & Family Services has a need for contract monitoring services; now therefore be it

RESOLVED, that the specifications for contract monitoring for the Portage County Commissioners, Department of Job & Family Services be and hereby are approved; and be it further

RESOLVED, that sealed proposals, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor- room 701, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 3:00 p.m., E.S.T. on October 13, 2010; and be it further

RESOLVED, that the notice of receiving proposals shall be published in the Record Courier on September 22, 2010 and a copy thereof be posted on the bulletin board of the Board forthwith; 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;

* * * * *
RESOLUTION No. 10-0868 - RE: AWARD AND ENTER INTO CONTRACT WITH ACE ZUVER JV FOR THE FORMER HIRAM ELEMENTARY SCHOOL DEMOLITION PROJECT, 6745 BANCROFT ROAD, HIRAM, OHIO, 44234

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

WHEREAS, sixteen (16) bid packages were requested and mailed for the former Hiram Elementary School Demolition Project at 6745 Bancroft Rd., Hiram OH 44234; and

WHEREAS, eight (8) bids were received, opened, and tabulated on September 8th, 2010 at 2:00 p.m. (E.S.T.) for the above project and the lowest and best bid was submitted by Ace Zuver JV in the amount of Sixty-six thousand, six hundred ninety-nine and 00/100 dollars (\$66,699.00); now therefore be it

RESOLVED, that the Portage County Board of Commissioners enter into a contract with Ace Zuver JV, 2111 Center St., Cleveland OH 44113 in the amount of Sixty-six thousand, six hundred ninety-nine and 00/100 dollars (\$66,699.00); and be it further

RESOLVED, that funding for this project will be paid through the Community Development Block Grant 2009 Formula Allocation grant activity set aside for this project; 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. 10-0869 - RE: ENTER INTO TEMPORARY LICENSE AGREEMENT PERMITTING ENTRY ON COUNTY PROPERTY LOCATED AT 9501 JEFFERSON ST., STREETSBORO OH.

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

WHEREAS, the County owns property located at 9501 Jefferson St., Streetsboro Ohio known as the Streetsboro Wastewater Treatment Plant; and

WHEREAS, the Park District intends to offer tours through the Streetsboro Wastewater Treatment Plant, Sunday, September 19, 2010 from 11:00 a.m. to 3:00 p.m. during the Fifth Annual Tinkers Creed Watershed Festival; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to grant a temporary License Agreement for use by the Park District in offering tours of the Streetsboro Wastewater Treatment Plant, Sunday, September 19, 2010 from 11:00 a.m. to 3:00 p.m. during the Fifth Annual Creek Watershed Festival; 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;

* * * * *
RESOLUTION No. 10-0870 - RE: AMEND RESOLUTION 03-0340, ADOPTED July 1, 2003: ADDITION TO SECTION 22 OF THE PORTAGE COUNTY BOARD OF COMMISSIONERS PERSONNEL POLICY MANUAL.

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

WHEREAS, the Portage County Board of Commissioners adopted Resolution 03-0340 on July 1, 2003, substantially revising and updating the Commissioners' Personnel Policy Manual; and

- a. An employee may receive donated leave, up to the number of hours the employee is normally scheduled to work in each pay period, if the employee, or a member of the employee's immediate family as stipulated above has a serious illness or injury and:
- (1) Has exhausted all accrued leave and has not been approved to receive other state or federal government paid benefits; and
 - (2) Has applied for all paid leave, workers' compensation, or benefits program for which the employee is eligible; and
 - (3) Make their request as soon as the need is recognized, or no less than two (2) weeks prior to the date the employee intends to begin using the donated leave. For employees on the County's medical plan, an employee must be covered by the County's medical insurance at the time the request for distribution is made in order for such medical insurance to continue; and
 - (4) Donated leave will be considered as sick leave for the recipient, and shall never be converted into a cash benefit.

An employee shall request no less than forty (40) hours and no more than four hundred and eighty (480) hours in connection with a single incident or occurrence. The leave can only be credited up to the number of hours donated and approved. An employee cannot make more than one request in a rolling calendar year.

Portage County makes no representations as to the effect of the distribution on already existing plans, such as disability separation, long-term disability leave or other benefits that may be in existence.

- b. Employees may donate leave if the donating employee:
- (1) Voluntarily elects to donate leave and does so with the understanding that unused donated leave may not be returned;
 - (2) Donates a minimum of eight (8) hours in eight (8) hour increments, up to a maximum of forty (40) hours per calendar year; and
 - (3) Retains a combined leave balance of at least one hundred and twenty (120) hours after their donation is made.
- c. The Leave Donation Program shall be administered on a pay period by pay period basis. Employees using donated leave shall be considered in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received. Donated leave shall not count toward the probationary period of an employee who receives donated leave during his or her probationary period.

Employees who are away from work on donated leave shall continue to be paid as they would be if they were using their own accumulated sick leave, until such time as the donated leave is exhausted. Such employees shall not receive more than the amount of their regular bi-weekly earnings, less any regular payroll deductions (i.e., PERS, taxes, health insurance or other voluntary program(s) elected by the employee). The employee will receive sick leave hours and the rate of pay of the employee at the time the application is made.

The Appointing Authority of the employee receiving the donated leave hours is responsible for paying the benefit.

- d. Donated leave will not affect the effective date of the qualifying event for purposes of offering continuation of the County's health insurance program. Family and Medical Leave will run concurrently with donated leave.

- e. This Program will not be available for work related injuries. Those injuries are covered under the Ohio Workers' Compensation Program (ORC 4121).
- 2) The responsibility to oversee this program will be the responsibility of the County Human Resources Director. The Director will verify the medical condition or critical need, assure non-discriminatory practices and review attendance and benefits eligibility records.
- a. At no time will the Human Resources Department contact the physician directly to discuss or verify the information provided in the medical certification. Rather, they will seek clarification through the employee making the request.
 - b. The employee seeking leave donation must submit a "Leave Donation Request and Authorization Form" to the Portage County Human Resources Director. The Director will verify that the employee making the request meets the above-mentioned criteria.
 - c. Incomplete applications will be returned to the employee for completion prior to consideration.
 - d. The recipient employee may be required to provide updated certification from the health care provider no more than on a monthly basis while on donated leave time.
 - e. After a decision is reached, the Human Resources Director will notify the employee requesting the donation by certified mail or hand delivery, and will also inform the employee's Appointing Authority/Elected Official.
 - f. All contributions and distribution requests (medical documentation redacted) will be sent to the Auditor's office for processing.

The Human Resources Department shall make the final approval of all donations of leave. Decisions affecting the donor and recipient's eligibility rest exclusively at the Human Resources Director and are not subject to appeal.

- 3) The Appointing Authority and/or Elected Official shall ensure that employees are not coerced or forced to donate leave. The Appointing Authority and/or Elected Official shall respect an employee's right to privacy. However, the Appointing Authority/Elected Official may, with the written permission of the employee who is in need of leave or a member of the employee's immediate family as stipulated above, inform employees of their co-worker's critical need for leave. The Appointing Authority, department head, supervisor, the employee requesting leave and any other employee of the County shall not directly solicit leave donations from employees. The leave donation program is confidential with regard to who has chosen to donate, who has declined and the amounts donated.
- a. Employees who wish to request donated leave shall certify to the Human Resources Director, through the use of the "Leave Donation Request and Authorization Form":
 - i. The name of the employee requesting the leave donation;
 - ii. The number of hours requested;
 - iii. Dates in which the donated leave is needed;
 - iv. The level of confidentiality requested, i.e., whether the employee wishes to disclose the medical condition as part of the solicitation request for leave donation; and
 - v. Substantiating medical documentation, including a physician's certification confirming diagnosis, the anticipated duration and the medical necessity. If the request is being made for an immediate family member, there must be sufficient information and physician verification on the application to show that the employee is needed to attend to the family member.
 - vi. The employee should retain a copy of the Leave Donation Request form and documents submitted.

In the case where an employee is in a condition due to a critical or life threatening disease or injury which does not permit the employee to apply for benefits, the next of kin or an individual having legal authority to handle the employee's matters may apply. Evidence of the legal authority or status of next of kin must be submitted with the Form. The individual holding legal authority or next of kin status must sign the Form for the employee who is not able to sign.

- b. Employees who wish to donate leave shall certify to the Human Resources Director, through the use of the “Donation of Sick/Vacation Time Authorization Form”:
- (1) The name of the donating employee;
 - (2) The name of the employee for who the donated leave is intended;
 - (3) The type of leave (sick or vacation) and the number of hours to be donated (in 8-hour increments only);
 - (4) Affirm that the donor will retain a minimum combined leave balance of at least one hundred and twenty (120) hours after donating; and
 - (5) That the leave is donated voluntarily and the employee understands that the donated leave may not be returned.

- c. In no event shall an employee be credited with more donated leave time than leave time actually consumed in connection with the absence for which leave was donated.

In the event that several donors submit pledges on behalf of a single recipient, donated time will be withdrawn from each of the donors in eight (8) hour increments to satisfy the recipient’s regular earnings for that pay period. Unused donations will be returned to all donors on a prorated basis.

In the event that the employee is separated from employment with Portage County, any remaining sick leave hours from a distribution will be forfeited and will be returned to donors on a pro-rated basis. It shall not be converted into a cash benefit or transferred to the employee’s credit with the next employer.

- 4) It is understood that the donation of paid leave is a personal, voluntary and individual choice of the donor. Employees who terminate their employment with Portage County, either voluntarily or involuntarily, are unable to donate their unused time at the end of their employment.

¹ “Critical, life threatening medical condition” is defined as a serious life threatening or terminal illness or injury involving substantial amounts of hospitalization and/or medical treatment and the subsequent recuperative and rehabilitative period.

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RESOLUTIONS

September 16, 2010

1. Approval of Meeting Minutes from the September 7 and September 14, 2010 regular Board Meetings as presented.
2. Approve the Bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management./10-0855
3. Approve the wire transfer as presented by the County Auditor./10-0856
4. Approve the Journal Vouchers as presented by the County Auditor./10-0857
5. Approve Then & Now as presented by the County Auditor./10-0858
6. Amend Annual Appropriation Resolution – General Fund/10-0859
7. Amend Annual Appropriation Resolution – Non General Fund/10-0860

8. Termination of the Enterprise Zone Agreement between Filmco Inc., the City of Aurora and Portage County (Economic Development)./10-0861
9. Termination of the Enterprise Zone Agreement between TCP, Inc., the City of Aurora and Portage County (Economic Development)./10-0862

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INVITATIONS/MEETING NOTICES

September 16, 2010

1. Invitation from Family & Community Services to honor dedicated seniors who volunteer their services on Wednesday, September 22, 2010, 10:30 AM-1:00 PM at the Ravenna Elks Club./Commissioner Frederick and Smeiles will attend.

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INCOMING CORRESPONDENCE

DISCUSSION

September 16, 2010

1. The Board of Commissioners received the following correspondence requesting a waiver to connect to public sewer.
 - (A) Mark Herdina
 - (B) Carl Dearth/

Forward to the Water Resources Department.

2. September 13, 2010 correspondence from Gary Tiboni, Local Union No. 436, requesting a meeting with the Board to negotiate a new agreement for the Building Department./Forward to Prosecutor’s Office, Building Department, and Human Resources Department for comment.
3. September 10, 2010 correspondence from Steve Colecchi, Robinson Memorial Hospital, regarding The Woodlands At Robinson/Forwarded to Barb Fleishmann and JoAnn Townend.
4. September 14, 2010 email from Harold Huff requesting confirmation of an informational meeting with Aurora East residents about the sewer project on either October 14 (Thursday) or October 18, 2010 (Monday) at 7:00 PM at the Township Civic Center. Harold Huff is recommending the October 18th date. (Copy of draft letter to residents provided for Board of Commissioners review). The Board agreed on Monday, October 18, 2010. Water Resources staff to handle.
5. Discussion: September 14, 2010 e-mail from Leigh Prugh, Prosecutors’ Office, regarding the Board’s request for Legal Opinion regarding the connection by homeowners to the County Sanitary Sewer System/No action.

6. Discussion: Draft by the Executive Assistant and Water Resources Department Director for a legal opinion to the Ohio AG regarding the connection by homeowners to the County Sanitary Sewer System. The Board of Commissioners made changes and presented to the Executive Assistant.
7. Discussion: Does the Board of Commissioners authorize the Clerk to submit a request for legal opinion on behalf of the Water Resources Department, regarding the possible combining of the two present sewer funds (Streetsboro and County sewer)? Yes, Executive Assistant to coordinate with Leigh Prugh.
8. Discussion: Activities of Senior Services Director. (Forwarded to Mark Frisone on September 14, 2010).

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JOURNAL ENTRY

September 16, 2010

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending September 12, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged receipt of \$1170.00 in License Sales and \$599 for Impound fees.
2. Board of Commissioners' authorization requested to allow use of the Portage County Administration Building's First Floor Lobby on Tuesday, September 21, 2010 from 7:30 AM-12:30 PM for a Bake Sale as requested by Director Sally Kelly, Portage County Senior Center. (cc: Security).
3. The Board of Commissioners received the August 2010 Portfolio Report as presented by the Portage County Treasurer's Office.
4. The Board of Commissioners received the monthly operating expenses and caseload report for County Public Defender's Office for June 2010 as presented by County Auditor Janet Esposito.
1. The Board of Commissioners acknowledged the receipt of the September 10, 2010 notice from Linda Marcial and Faith Lyon, Portage County Board of Elections, indicating that the Board of Elections will be open to the public in preparation for the November 2, 2010 General Election as follows. Forwarded to the Director of Security:

Saturday, September 18, 2010	8:00 AM - Noon
Saturday, September 25, 2010	8:00 AM – Noon
Saturday, October 2, 2010	8:00 AM - Noon
Tuesday, October 4, 2010	4:30 PM – 9:00 PM
Saturday, October 23, 2010	8:00 AM - Noon
Saturday, October 30, 2010	8:00 AM - Noon
Tuesday, November 2, 2010	6:30 AM – Until Business Completed

5. The Board of Commissioners received the Portage County Investment Reconciliation Report for the month of August 2010 as presented by the County Auditor and County Treasurer.

- 6. The Board of Commissioners received the September 14, 2010 Amended Certificate of Estimated Resources for the year beginning January 1, 2010 as submitted by the Portage County Budget Commission (cc: Department of Budget & Financial Management).
- 7. Board of Commissioners' signature requested on the purchase requisition for McLean Home Improvements for roof replacement for homeowners Richard and Tracy Skladoni, 793 Diane Drive, Streetsboro for **\$4850.00** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #4 Home/Building Repair is funding this expense.
- 8. Board of Commissioners' signature requested on the purchase requisition for Staples Plumbing & Heating Inc. for sewer line installation for homeowner Kathleen Valenti, 9303 Page Road, Streetsboro for **\$4200.00** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #5 Home/Building Repair is funding this expense.
- 9. Board of Commissioners' signature requested on the purchase requisition for Salt Fork Resort & Conference Center for room accommodations for two (2) employees to attend the 2010 Community Development Conference at Salt Fork State Park November 3-5, 2010 for **\$192.60** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity is funding this expense. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
- 10. Board of Commissioners' signature requested on the purchase requisition for the Ohio conference of Community Development for the 2010 Community Development Conference at Salt Fork State Park November 3-5, 2010 for two (2) employees training for **\$280.00** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity is funding this expense. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
- 11. Board of Commissioners' signature requested on the purchase requisition for Evelyn Beeman for mileage reimbursement to attend the 2010 Community Development Conference at Salt Fork State Park November 3-5, 2010 for **\$140.00** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity is funding this expense. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

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REFERRED

September 16, 2010

- 1. Undated correspondence (received September 14, 2010) from Mayor Lynn McGill, City of Aurora, regarding the vacant TIRC appointment due to the death of William Akins. Mayor McGill suggests David Lodge as his replacement. Referred to Executive Assistant.

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PLEASE ADD TO YOUR AGENDA

September 16, 2010

1. September 15, 2010 e-mail from Denise Smith, regarding RC 5155.011 and The Woodlands At Robinson. No action.
2. September 15, 2010 e-mail from Harold Huff, Water Resources Department, including a waiver drafted by the Prosecutor's office for Temporary License Agreement permitting entry on property for the Streetsboro Wastewater Treatment Plant tours on **Sunday, September 18, 2010** at 10:00 AM, 11:30 AM and 1:30 PM.

INFORMATION ONLY

September 16, 2010

1. September 13, 2010 correspondence from Harold Huff, Water Resources Department to Mark Herdina, regarding a request for exemption – agreement to suspend the requirement to connect to the County sanitary sewer at this time.

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Journal Entry

September 16, 2010

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

2. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending September 12, 2010, as presented by Dave McIntyre, Dog Warden. The Board of Commissioners also acknowledged receipt of \$1170.00 in License Sales and \$599 for Impound fees.
3. The Board of Commissioners authorized the use of the Portage County Administration Building's First Floor Lobby on Tuesday, September 21, 2010 from 7:30 AM-12:30 PM for a Bake Sale, as requested by Director Sally Kelly, Portage County Senior Center. (cc: Security).
4. The Board of Commissioners acknowledged the receipt the August 2010 Portfolio Report, as presented by the Portage County Treasurer.
5. The Board of Commissioners acknowledged the receipt of the monthly operating expenses and caseload report for County Public Defender's Office for June 2010, as presented by County Auditor Janet Esposito.
6. The Board of Commissioners acknowledged the receipt of the September 10, 2010 notice from Linda Marcial and Faith Lyon, Portage County Board of Elections, indicating that the Board of Elections will be open to the public in preparation for the November 2, 2010 General Election as follows. Forwarded to the Director of Security:

Saturday, September 18, 2010	8:00 AM - Noon
Saturday, September 25, 2010	8:00 AM – Noon
Saturday, October 2, 2010	8:00 AM - Noon
Tuesday, October 4, 2010	4:30 PM – 9:00 PM

Saturday, October 23, 2010
Saturday, October 30, 2010
Tuesday, November 2, 2010

8:00 AM - Noon
8:00 AM - Noon
6:30 AM – Until Business Completed

7. The Board of Commissioners acknowledged the receipt the Portage County Investment Reconciliation Report for the month of August 2010, as presented by the County Auditor and County Treasurer.
8. The Board of Commissioners acknowledged the receipt of the September 14, 2010 Amended Certificate of Estimated Resources for the year beginning January 1, 2010, as submitted by the Portage County Budget Commission (cc: Department of Budget & Financial Management).
9. The Board of Commissioners signed the purchase requisition for McLean Home Improvements for a roof replacement for homeowners Richard and Tracy Skladoni, 793 Diane Drive, Streetsboro for **\$4850.00**, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #4 Home/Building Repair is funding this expense.
10. The Board of Commissioners signed the purchase requisition for Staples Plumbing & Heating Inc. for sewer line installation for homeowner Kathleen Valenti, 9303 Page Road, Streetsboro for **\$4200.00**, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #5 Home/Building Repair is funding this expense.
11. The Board of Commissioners signed the purchase requisition for the Salt Fork Resort & Conference Center for room accommodations for two (2) employees to attend the 2010 Community Development Conference at Salt Fork State Park November 3-5, 2010 for **\$192.60**, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity is funding this expense. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
12. The Board of Commissioners signed the purchase requisition for the Ohio Conference of Community Development for the 2010 Community Development Conference at Salt Fork State Park November 3-5, 2010 for two (2) employees training for **\$280.00**, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity is funding this expense. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
13. The Board of Commissioners signed the purchase requisition for Evelyn Beeman for mileage reimbursement to attend the 2010 Community Development Conference at Salt Fork State Park November 3-5, 2010 for **\$140.00**, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Administration Activity is funding this expense. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
14. The Board of Commissioners signed the Certificate of Award for the \$1,550,000 County of Portage, Ohio Various Purpose Notes, Series 2010, as presented by Attorney Mike Sharb, Squire Sanders.

- 15. The Board of Commissioners signed the Certificate of Award for the \$20,130,000 County of Portage, Ohio Various Purpose Improvement and Refunding Bonds, Series 2010, as presented by Attorney Mike Sharb, Squire Sanders.

- 16. The Board of Commissioners authorized Commissioner Keiper to sign the Petition to the Ohio Tax Commissioner and the Court of Common Pleas of Portage County requesting a transfer of an amount not to exceed \$2,000,000.00 based on the actuarial calculation of excess reserves in Fund 7101, Health Benefits Program, as authorized by Board of Commissioners' Resolution 10-0852, adopted September 14, 2010. The Board of Commissioners noted that it is their intent to use the General Fund's portion of the excess reserves in Fund 7101, Health Benefits Program, to establish a continuing General Fund cash flow reserve.

All in favor, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **September 16, 2010**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Maureen T. Frederick to adjourn the official meeting at 3:15 PM. 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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