

**Thursday, November 4, 2010**

The Board of County Commissioners met in regular session on **Thursday, November 4, 2010 at 8:10 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

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Commissioner Keiper attending NEOTEC Dusseldorf Trade Mission

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It was moved by Maureen T. Frederick, seconded by Christopher Smeiles to approve the meeting minutes of the November 2, 2010 meeting. Commissioner Keiper absent, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier and Commissioner Elect Tommie Jo Marsilio

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**2011 BUDGET DISCUSSION – JUDGE CARNES**

Present: Audrey Tillis

8:15 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 regarding and employment issues. **Also present: Judge Carnes and Department of Budget & Financial Management Director Audrey Tillis.** Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

8:30 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

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

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**2011 BUDGET DISCUSSION – JUDGE ENLOW**

Present: Audrey Tillis

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The Board of Commissioners reviewed the list of questions that must be answered prior to the public meetings on November 16<sup>th</sup> and 17<sup>th</sup> regarding the Airport. Commissioner Smeiles agreed to contact the FAA and Airport Board President John Trew to discuss some of the issues. The Board also agreed to send a list of questions to the Prosecutor for investigation. The Board of Commissioners agreed to ask the

Executive Assistant to check with the Ohio Ethics Commission on the status of the letter the Board of Commissioners sent regarding the removal of an Airport Board of Trustees member.

Executive Assistant attending to present the draft of the ad for the Veterans Commemoration on November 11<sup>th</sup>, which the Board of Commissioners approved. The Board of Commissioners asked the Executive Assistant to contact the County Auditor to discuss separating the Veterans Memorial funds to allow for maintenance of the site.

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The Board of Commissioners agreed to amend their 2003 resolution establishing the deposit and fee regulation for cost incurred in Annexation Proceedings to include that Petitioner is responsible to pay charges associated with the lease of an outside venue for a public hearing, if necessary/10-1027.

The Board of Commissioners also confirmed their decision to hold the November 18, 2010 Annexation Public Hearing in Room #111 of the Administration Building. Notices have been sent to the Attorneys of Record, various county offices and the Record-Courier.

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**2011 BUDGET DISCUSSION – COUNTY TREASURER**

Present: Department of Budget & Finance Director Audrey Tillis

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**HUMAN RESOURCES**

10:45 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 regarding employee health benefits. **Also present: Commissioner Elect** Tommie Jo Marsilio; Human Resources Department Director Karen U'Halie, Employee Benefits Specialist Vickie Steiner; Doug Brown and Brian Muldoon. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

11:05 AM Tommie Jo Marsilio left the Executive Session

11:05 AM Director Audrey Tillis joined the Executive Session

11:45 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Absent; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners took action by Journal Entry and Resolution 10-1030.

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12:10 PM Lunch Recess

1:10 PM Board of Commissioners reconvened

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**INTERNAL SERVICES**

Present: JoAnn Townend

**RESOLUTIONS**

- 1. Set bid date for quarterly and annual meter calibration/maintenance services and emergency meter repair services for the Portage County Water Resources Dept./10-1028
- 2. Set bid date for cleaning services for the Kent Municipal Court, Juvenile Court and Portage County Courthouse./The Board of Commissioners accepted the Director’s recommendation that the bids reflect a scaled back cleaning effort/ 10-1029

The Director presented the recommendation from WIC Program Coordinator Nancy Dailey that the Board of Commissioners authorize the posting for the part-time Breast Feeding Peer Helper position, noting that grant funds are available to pay for this position/Journal Entry

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**2011 BUDGET DISCUSSION – ADULT PROBATION**

Present: Audrey Tillis, Jim Eskridge and Cathy Poling

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**2011 BUDGET DISCUSSION – PROSECUTOR**

Present: Audrey Tillis, Victor Viglucci

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**2011 BUDGET DISCUSSION – BOARD OF ELECTIONS**

Present: Audrey Tillis, Faith Lyons and Linda Marcial

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**2011 BUDGET DISCUSSION – COUNTY ENGINEER**

Present: Audrey Tillis, Mickey Marozzi, Rob Schlagenhauer

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3:05 PM Commissioner Elect Tommie Jo Marsilio attending

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**2011 BUDGET DISCUSSION – SHERIFF**

Present: Audrey Tillis, Sheriff Doak, Ron Rost

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**RESOLUTION No. 10-1022 - 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 November 4, 2010 in the total payment amount of **\$296,642.30 for Funds 0001-7102** 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, Absent; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-1023 - RE: WIRE TRANSFER 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 November 4, 2010 in the total payment amount as follows:

- 1. \$199,016.18 for Medical Mutual Claims-Fund 7101; and**

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

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

Wire Transfer on Friday, November 5, 2010 \$ 199,016.18

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, Absent; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-1024 - 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:

11/04/10	251	\$ 20,740.40
11/04/10	250	7,175.10
11/04/10	249	14,363.51
11/04/10	248	439.00
11/04/10	247	50.00
Total		\$ 42,768.01

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, Absent; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-1025 - 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 **\$116,169.75** as set forth in Exhibit “A” dated **November 4, 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, Absent; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-1026 - RE: ACCEPT THE OHIO DEPARTMENT OF PUBLIC SAFETY,**

**GOVERNOR'S HIGHWAY SAFETY OFFICE GRANT FOR THE  
PORTAGE COUNTY SHERIFF'S DEPARTMENT, ENTITLED  
HIGH VISIBILITY ENFORCEMENT OVERTIME 2011.  
(AGREEMENT #HVEO-2011-67-00-00-00545-00)**

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

- WHEREAS,** the Board of Commissioners adopted Resolution 10-0615 on July 1, 2010 authorizing the online grant application to the Ohio Department of Public Safety, Governor's Highway Safety Office Grant for the Portage County Sheriff's Department for funding in the amount of \$26,715.90, **with no local match requirement:** now therefore be it
- RESOLVED,** that the Board of Commissioners accepts the Ohio Department of Public Safety, Governor's Highway Safety Office Grant for the Portage County Sheriff's Department for funding in an amount not to exceed \$26,067.11, **with no local match requirement,** for aggressive traffic enforcement by the Portage County Sheriff's Department to reduce the number of fatal crashes in Portage County. The Sheriff will enforce speed, safety belt, DUI and aggressive driving laws by issuing citations vs. warnings; and be it further
- RESOLVED,** that the Board of Commissioners notes that the "authorized to proceed date" for this agreement is October 1, 2010 and the "agreement termination date" is September 30, 2011; and be it further
- RESOLVED,** that a copy of this resolution be forwarded to the Portage County Auditor, the Department of Budget and Financial Management, and to the Portage County Sheriff; 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, Absent; Christopher Smeiles, Yea; Maureen T. Frederick, Yea;

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**RESOLUTION No. 10-1027 - RE: AMEND AND SUPERSEDE RESOLUTION 03-0034, WHICH ESTABLISHED DEPOSIT AND FEE REGULATIONS FOR COSTS INCURRED IN ANNEXATION PROCEEDINGS.**

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

**WHEREAS,** the Board of Commissioners adopted Resolution No. 03-0034 on January 14, 2003 establishing the deposit and fee regulations for costs incurred in Annexation Proceedings; and

**WHEREAS,** the Board of Commissioners agrees to update the regulations to include a section concerning payment by the Petitioner of charges incurred when holding an Annexation Public Hearing at a venue outside of the county offices; now therefore be it

**RESOLVED,** the Board of Commissioners agrees that this resolution will replace and supersede Resolution 03-0034 and shall read in its entirety as follows:

\* \* \* \* \*

**WHEREAS,** Section 709.014(A) of the Ohio Revised Code (ORC) authorizes the Portage County Board of Commissioners to establish a reasonable fee or schedule of fees to cover the costs incurred by the county in any annexation proceeding that takes place under Chapter 709 of the ORC; and

**WHEREAS,** Section 709.014 of the ORC also authorizes the Board to require an initial deposit to be paid at the time a petition for annexation is filed or promptly thereafter; and

**WHEREAS,** Section 709.032(B) of the ORC also provides for the payment of other fees or requires deposits in connection with the processing of an annexation petition; and

**WHEREAS,** the Board desires to implement a deposit and fee schedule for annexation petitions filed with the Board; now therefore be it

**RESOLVED,** by the Portage County Board of Commissioners that the establishment of deposit and fee regulations for cost incurred in annexation proceedings is as follows:

**Section 1.0 Annexation Deposit**

Every annexation petition submitted pursuant to Chapter 709 of the ORC shall be subject to a deposit in the amount of \$225 for costs anticipated to be incurred by the County during the annexation proceedings. The Deposit constitutes an advance paid by the petitioner’s agent for costs, including, but not limited to duplication, copying, postage, advertising, subpoena and witness fees, long distance charges and a fee for reviewing the petition in the manner required by law. The deposit does not include the fee for providing a court reporter for the hearing or a court reporter’s transcript of the hearing.

An Amended Petition which does not rely upon and, as a matter of law, is not governed by different sections of R.C. Chapter 709 than the sections applicable to the pending annexation proceeding need not be accompanied by a new \$225.00 deposit. However, an amended annexation petition which does rely or, as a matter of law, must rely on different R.C. Chapter 709 sections than the sections applicable to pending annexation proceeding must be accompanied by a new deposit.

At the conclusion of the annexation proceeding for each petition, the Clerk shall make a final accounting of expenses incurred in processing the petition and shall render an invoice to the agent for the petitioner(s) if adequate funds have not been received. In the event the funds received are in excess of final expenses, the Clerk shall cause any such excess to be refunded to the agent for the petitioner(s).

### **Section 1.1 Deposit to Accompany Petition**

The deposit required pursuant to Section 1.0 of this resolution shall be paid to the Clerk of the Board when the annexation petition is filed. If the fee is not paid when the petition is filed, the petition will be received, but will not be filed, pending payment of the deposit.

### **Section 1.2 Deposit By Person Requesting Court Reporter**

Any person requesting a court reporter be provided at county expense at an annexation hearing shall, at the time the request is filed with the Clerk, provide a deposit of one hundred dollars (\$100) to cover the appearance fee of the court reporter at the hearing. Any request for a court reporter shall be made at least seven (7) days before the date of the hearing.

At the conclusion of the annexation proceeding for each petition, the Clerk shall make a final accounting of expenses incurred in processing the petition and shall render an invoice to the agent for the petitioner(s) if adequate funds have not been received. In the event the funds received are in excess of final expenses, the Clerk shall cause any such excess to be refunded to the agent for the petitioner(s).

### **Section 1.3 Deposit By Person Requesting A Transcript of Hearing**

A request that a court reporter's transcription of the hearing be prepared, in accordance with Section 709.032(B) of the ORC, shall be accompanied by a deposit of one hundred dollars (\$100), and the transcript shall be held as security for any balance due on the transcript and any unpaid appearance fee before the transcript will be released to the requesting party.

At the conclusion of the annexation proceeding for each petition, the Clerk shall make a final accounting of expenses incurred in processing the petition and shall render an invoice to the agent for the petitioner(s) if adequate funds have not been received. In the event the funds received are in excess of final expenses, the Clerk shall cause any such excess to be refunded to the agent for the petitioner(s).

### **Section 2.0 Fees For Subpoenas Requested By Necessary Party**

If a necessary party to an annexation proceeding, as defined in Section 709.32(A) of the ORC, requests the Board to issue a subpoena for witnesses for books, papers, correspondence, memoranda, agreements, or other documents or records relevant or material to the petition, the party requesting the subpoena shall pay in advance the fees and mileage expenses necessary to serve the subpoenas.

### **Section 2.1 Fees For Subpoenas Issued by a Board Without a Request From a Necessary Party**

If the Board issues a subpoena on its own initiative for witnesses or documents specified in Section 2.0, all costs shall be paid out of fees charged by the Board pursuant to Section 709.014 of the ORC.

### **Section 2.2 Amount of Fees Associated With Subpoenas**

The fees and mileage expenses for the Sheriff(s) and witnesses shall be the same as those allowed by the court of common pleas in criminal cases pursuant to ORC 311.17(A)(8) and ORC 311.17(B)(1).

### **Section 2.3 Fee for Service Provided by County Engineer As Required by Law**

The County Engineer may submit a statement for reimbursement equal to the actual cost of services which will be calculated by the time devoted at the hourly rate of the assigned employee with respect to the legal description, map and/or plat and verification of ownership.

### **Section 2.4 Other Fees**

Fees not otherwise provided for in this resolution shall be recovered from the agent for the petitioner(s) by being recovered from the deposit paid upon the filing of the Petition. In addition to the fees provided for in sections 1.2, 1.3, 2.0, 2.1, 2.2 and 2.3 of this resolution, fees shall be paid by the agent for the petitioner for other costs incurred by the Board relating to an annexation petition.

These fees include but are not limited to: 1) all costs incurred in preparing and providing copies of notices and documents to the agent for the petitioner, other parties to the proceeding, the County Engineer, the County Prosecutor or other county officials and departments, including the petition and all papers that accompany the petition; 2) certified resolutions of the Board related to the proceeding; 3) duplicate electronic records of the proceeding; 4) any other papers on file that constitute the record of the proceeding; 5) materials, postage, paper and other supplies, long distance telephone charges, and other related costs; 6) costs incurred when leasing a venue outside of the county offices for a Public Hearing. In the event the Board of Commissioners determines that there is no available county owned venue for the hearing.

These fees shall be recovered from the cost deposit paid by the agent for the petitioner(s) based on the rates hereby established in the Schedule of Fees For Annexation Petitions Filed Pursuant to ORC Chapter 709, attached hereto as Exhibit A.

**Section 3.0 Deposit of Fee Revenue**

The Clerk shall deposit all funds received from deposits or fees for processing annexation petitions into a revenue account created within the general fund for that purpose.

**Section 3.1 Payment of Expenses**

All funds deposited in the revenue fund created under Section 3.0 shall be certified to the general fund and appropriated to a budget account specifically created within the general fund from which all expenses incurred in the processing of an annexation shall be paid.

**Section 3.2 Maintenance of Records and Final Accounting Fees Paid**

The Clerk shall maintain an accurate and detailed account of all funds received and expended in processing each annexation petition filed pursuant to Chapter 709 of the ORC. The Clerk may issue invoices to the agent for the petitioner(s) whenever it appears that adequate funds are not on deposit to pay expenses in accordance with the deposit and fee schedule contained in this resolution.

At the conclusion of the annexation proceeding for each petition, the Clerk shall make a final accounting of expenses incurred in processing the petition and shall render an invoice to the agent for the petitioner(s) if adequate funds have not been received. In the event the funds received are in excess of final expenses, the Clerk shall cause any such excess to be refunded to the agent for the petitioner(s).

; 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, Absent;

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Christopher Smeiles, Yea;

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Maureen T. Frederick, Yea;

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**SCHEDULE OF FEES  
FOR ANNEXATION PETITIONS FILED  
PURSUANT TO ORC CHAPTER 709**

Section 1.2 Deposit By Person Requesting Court Reporter: **A deposit of \$100 is to accompany each request for a Court Reporter. Fee recovered to be actual cost**

**Section 1.3 Deposit By Person Requesting A Transcript of Hearing:** A deposit of \$100 is to accompany each request for a Hearing Transcript. **Fee recovered to be actual cost**

*A deposit in the amount of \$225 is to accompany each Annexation Petition. This deposit constitutes an advance paid by the petitioner's agent to reimburse expenses incurred by Portage County on behalf of and at the behest of petitioners in considering the petition. These expenses may include, but are not limited to the following:*

Sections 2.0 and 2.2 Subpoena Fee & Mileage Paid in Advance: **Fee charged same as those allowed by the Court of Common Pleas in criminal cases.** ORC 311.17(A)(8) Subpoena - \$1.00 and ORC 311.17(B)(1) Mileage - \$0.50 for first mile and \$0.20 for each additional mile

**Section 2.3 Services of County Engineer:** Fee determined by the hourly rate of the County Engineer or staff member associated with legal description, map and/or plat and for verification of ownership of petitioners. **Fee recovered to be actual cost**

**Section 2.4 Other Fees:**

- Providing copies of notices and documents to the Agent, other parties to the proceedings, County Engineer, County Auditor or other county offices (Dept. of Development, Plat Room, Board of Elections, etc.). Charge of \$0.05 per copied page, except for first five copies on any one occasion, which shall be complimentary and provided at no charge. Double-sided copying considered one copy for each face of page.
- Materials, paper and other supplies (First 100 pages of copying and all materials) \$8.00
- Preparation of notices & documents: \$x per item
  - \$15.00 per document (i.e. notice, resolution)
  - \$40.00 to maintain account ledger
- First Class Postage and/ or Certified Mail: Fee recovered to be actual cost
- Certification of Resolution: \$1.00 per copy
- Duplicate electronic records of proceeding: \$ cost of media
- Long Distance Telephone Charges (If agent for petitioner or attorney for petitioner is long distance from county): \$3.00 per call
- Costs incurred when leasing a venue outside of the county offices for a Public Hearing in the event that the Board of Commissioners determines that there is no available county owned venue for the hearing.

At the conclusion of the annexation proceeding for each petition, the Clerk shall make a final accounting of expenses incurred in processing the petition and shall render an invoice to the agent for the petitioner(s) if adequate funds have not been received. In the event the funds received are in excess of final expenses, the Clerk shall cause any such excess to be refunded to the agent for the petitioner(s).

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**RESOLUTION No. 10-1028 - RE: APPROVE SPECIFICATIONS AND SET BID DATE FOR QUARTERLY AND ANNUAL METER CALIBRATION/MAINTENANCE SERVICES AND EMERGENCY METER REPAIR SERVICES FOR THE PORTAGE COUNTY WATER RESOURCES DEPARTMENT**

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

- RESOLVED,** that the bid specifications for quarterly and annual meter calibration/maintenance services and emergency meter repair services for the Portage County Water Resources Department are hereby approved; and be it further
  
- RESOLVED,** that sealed bids, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 3:00 p.m., E.S.T. on December 1, 2010; and be it further
  
- RESOLVED,** that the notice of receiving bids shall be published in the Record Courier on November 12, 2010; on Portage County’s website 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 as follows:

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

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**RESOLUTION No. 10-1029 - RE: APPROVE SPECIFICATIONS AND SET BID DATE FOR FURNISHING THE NECESSARY LABOR AND MATERIALS, TOOLS, MACHINERY AND APPLIANCES REQUIRED FOR CLEANING SERVICES FOR THE PORTAGE COUNTY KENT MUNICIPAL COURT, JUVENILE COURT AND PORTAGE COUNTY COURTHOUSE**

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

**RESOLVED,** that the bid specifications for receiving bids for furnishing the necessary labor and materials, tools, machinery and appliances required for cleaning services for the Portage County Kent Municipal Court, Juvenile Court and Portage County Courthouse be and hereby are approved; and be it further

**RESOLVED,** that sealed bids, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 2:00 p.m. on December 1, 2010; and be it further

**RESOLVED,** that the notice of receiving bids shall be published in the Record Courier on November 12, 2010, posted on the County's website 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 as follows:

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

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**RESOLUTION No. 10-1030 - RE: ESTABLISH COBRA RATES FOR PORTAGE COUNTY HEALTH BENEFIT PLAN EFFECTIVE JANUARY 1, 2011.**

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

**RESOLVED,** that the Board of Portage County Commissioners does hereby accept the revised COBRA rates to be effective January 1, 2011 for the Portage County Health Benefit Plan as calculated by Medical Mutual of Ohio as follows:

<u>PPO A</u>	<u>FROM</u>	<u>TO</u>
Single Rate:	\$ 434.02	\$ 443.79



1. Approval of Meeting Minutes from the November 2, 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./10-1022
3. Approve the wire transfer, as presented by the County Auditor./10-1023
4. Approve the Journal Vouchers as presented by the County Auditor./10-1024
5. Approve Then & Now as presented by the County Auditor./10-1025
6. Accept the Ohio Department of Public Safety High Visibility Enforcement Overtime 2011 grant on behalf of the Sheriff's Department./10-1026
7. Authorize the application for the FY10 Northeast Central Ohio Regional Disaster Planning grant (Tier 2) for \$20,500.00 as requested by Office of Homeland Security and Emergency Management./10-HOLD
8. Resolution to amend Resolution 03-0034 to add charges for cost of venue to be paid by Petitioner/10-1027

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**INVITATIONS/MEETING NOTICES**

November 4, 2010

1. Invitation from Family & Community Services for a Ribbon Cutting event for The Veteran's White House of Ravenna on Tuesday, November 9, 2010, 10:30 AM, 642 W. Main St., Ravenna.

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**INCOMING CORRESPONDENCE**

**DISCUSSION**

November 4, 2010

1. The Commissioners received a signed notarized affidavit regarding the Hiram Township annexation from the following:
  - A. John Cymanski
  - B. Roberta Zuver
  - C. Mark Phillips
  - D. Martha Phillips
  - E. Rebecca Moore
  - F. Evelyn Bixler
  - G. Sam Bixler
  - H. Stanley Carlisle II
  - I. Lynn Genovesi

- J. Tammy Cozzone
- K. Nicole Cozzone
- L. Michael Cozzone
- M. Judy Wilson
- N. Chris Sitko
- O. Steven Sitko

2. October 21, 2010 correspondence from Corey Thompson, Neighborhood Development Services, regarding a Rehab Mortgage Loan No. SWVRR008/Journal Entry.
3. The Board of Commissioners received the 2010 Community Survey as presented by the Portage County Board of Developmental Disabilities/Referred to the Interim JFS Director Terri Burns for completion.

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**PLEASE ADD TO THE AGENDA**  
**November 4, 2010**

1. November 3, 2010 request from Water Resources Department Director Harold Huff for authorization to send the proposed agreement for water and sewer utilities between the Board of Commissioners and the Village of Windham to the Prosecutor for review and comment/Approved.
2. November 2, 2010 correspondence from the Department of Community Development with the City of Kent regarding code violations at 121 West College Street in Kent. Referred to the Internal Services Director and the Director of Maintenance/Clerk to draft a response to the City

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**JOURNAL ENTRY**  
 November 4, 2010

1. The Board of Commissioners received the Weekly Report of Kennel population for the week ending October 31, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged receipt of \$594.00 in License Sales and \$962.00 for Impound fees.
2. The Board of Commissioners signed the satisfaction of mortgage for The Business Works as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
3. October 29, 2010 Notice from Ohio Division of Liquor Control of a request for a *Change of Corporate Stock Ownership* for the liquor license for Oak Knolls Golf Club Inc., 6700 State Route 43 1<sup>st</sup> Floor and Patio, Franklin Township, Kent, Ohio. Does the Board of Commissioners wish to request a hearing? The Franklin Township Trustees have no objections and are not requesting a hearing. The Board of Commissioners authorized the Clerk to sign and return the Notice.

4. Board of Commissioners' authorization requested to pay Barrel Run Crossing Winery and Vineyard, Inc. for Economic Development Loan CDBG ED RLF for Barrel Run Crossing Winery and Vineyard, Inc. for \$12,554.32 as presented by Neighborhood Development Services.
5. Board of Commissioners' authorization requested to authorize payment of a Journal Entry to reimburse the Regional Planning Commission from Grant No. B-Z-08 Neighborhood Stabilization Program for costs not previously billed August 23, 2010 through October 17, 2010 \$2,252.22 as requested by the Regional Planning Commission.
6. Board of Commissioners' authorization requested to have Commissioner Frederick sign the State of Ohio Office of Housing and Community Partnership Request for Payment and Status of Funds Report Draw No. 450 as requested by the Regional Planning Commission as follows:

Grant No.	Activity Name	Activity No.	Site Address	Amt Requested
B-F-09-1CJ-1	General Administration	8		\$12,000.00
B-F-09-1CJ-1	Neighb. Fac/Comm Ctr	3		43,400.00
B-F-09-1CJ-1	Clearance Activity	1		100.00
B-F-09-1CJ-1	Private Rental Rehab	4	164 E Spruce St. Ravenna, OH	21,000.00
Total				\$76,500.00

Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

7. Board of Commissioners' authorization requested to have Commissioner Smeiles sign the Quarterly Subgrant Report period ending September 30, 2010 for \$12,268.45 to the Ohio Office of Criminal Justice Services for the Domestic Violence Intervention Project for the VAWA grant as presented by Carole Beaty, Family & Community Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
8. Board of Commissioners' authorization requested to allow Director Jon Barber, Office of Homeland Security and Emergency Management, to sign the 4<sup>th</sup> Quarter EMPG Grant reimbursement for time period of July 1, 2010 through September 30, 2010. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
9. Board of Commissioners' authorization requested to pay Invoice No. 71512 dated October 28, 2010 for \$48.00 for a Legal Notice for a petition to transfer funds with a run date of November 1, 2010 as presented by the Portage County Legal News.

10. November 3, 2010 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2010 as presented by the Portage County Auditor's Office.
11. Acknowledge receipt of the Third Quarter Reports of the Portage County Health Department representing activities of the department ion the county, as presented by Health Commission Porter in accordance with House Bill #355.

\* \* \* \* \*

**REFERRED**

November 4, 2010

1. October 20, 2010 correspondence from John Saunders, Ohio Department of Development, regarding a monitoring notice for Grant No. B-C-08-1CJ-1 and B-C-08-1CJ-2. Referred to Department of Budget & Financial Management and Neighborhood Development Services.

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**INFORMATION ONLY**

November 4, 2010

1. October 31, 2010 correspondence form Kerry Macomber, City of Ravenna, including the Ravenna Historic District overview/forwarded to JoAnn Townend and Tim Miller for their files and information
2. The Board of Commissioners received the Kent Area Chamber of Commerce Centennial Celebration advertisement opportunity with a deadline of Friday, November 5, 2010.

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**Journal Entry**

November 4, 2010

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

1. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending October 31, 2010 as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$594.00 in License Sales and \$962.00 for Impound fees.
2. The Board of Commissioners signed the Satisfaction of Mortgage for The Business Works Inc., as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
3. In response to the October 29, 2010 Notice from the Ohio Division of Liquor Control of a *Change of Corporate Stock Ownership* for the liquor license for Oak Knolls Golf Club Inc., 6700 State Route 43 1<sup>st</sup> Floor and Patio, Franklin Township, Kent, Ohio, the Board of Commissioners agreed not to request a

hearing noting that the Franklin Township Trustees were notified and have no objections; they are not requesting a hearing. The Board of Commissioners authorized the Clerk to sign and return the Notice.

4. The Board of Commissioners authorized payment to Barrel Run Crossing Winery and Vineyard, Inc. of Rootstown for an Economic Development Loan CDBG ED RLF for Barrel Run Crossing Winery and Vineyard, Inc. in the amount of \$12,554.32, as presented by Neighborhood Development Services.
5. The Board of Commissioners authorized payment of a Journal Entry to reimburse the Regional Planning Commission from Grant No. B-Z-08 Neighborhood Stabilization Program for costs not previously billed for the time period August 23, 2010 through October 17, 2010 in the amount of \$2,252.22, as presented by the Regional Planning Commission as follows. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted

<b>Grant No.</b>	<b>Activity Name</b>	<b>Activity No.</b>	<b>Site Address</b>	<b>Amt Requested</b>
B-F-09-1CJ-1	General Administration	8		\$12,000.00
B-F-09-1CJ-1	Neighb. Fac/Comm Ctr	3		43,400.00
B-F-09-1CJ-1	Clearance Activity	1		100.00
B-F-09-1CJ-1	Private Rental Rehab	4	164 East Spruce Street Ravenna	21,000.00
<b>Total</b>				<b>\$76,500.00</b>

6. The Board of Commissioners authorized Commissioner Frederick to sign the State of Ohio Office of Housing and Community Partnership Request for Payment and Status of Funds Report Draw No. 450, as presented by the Regional Planning Commission.
7. The Board of Commissioners authorized Commissioner Smeiles to sign the Quarterly Subgrant Report for the time period July 1, 2010 through September 30, 2010 for \$12,268.45 to the Ohio Office of Criminal Justice Services for the Domestic Violence Intervention Project for the VAWA grant, as presented by Carole Beaty, Family & Community Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
8. The Board of Commissioners authorized Director Jon Barber, Office of Homeland Security and Emergency Management, to sign the 4<sup>th</sup> Quarter EMPG Grant reimbursement document for time period of July 1, 2010 through September 30, 2010. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
9. The Board of Commissioners authorized payment the October 28, 2010 Invoice No. 71512 for \$48.00 for a Legal Notice of the Petition to Transfer Funds with a run date of November 1, 2010, as presented by Portage County Assistant Chief Prosecuting Attorney Denise Smith.

10. The Board of Commissioners acknowledged the receipt of the November 3, 2010 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2010, as presented by the Portage County Auditor.
11. The Board of Commissioners acknowledged the receipt of the letter of resignation from Danielle Wilson as a Social Service Worker 3 in the PSCS Division of the Portage County Department of Job & Family Services, effective November 12, 2010, as presented by Interim JFS Director Terri Burns.
12. The Board of Commissioners accepted the recommendation of the Neighborhood Development Services, Inc. and approved the resetting of a rehab loan (SWVRR008) after the death of the loan client, as presented by Corey Thompson, Neighborhood Development Services.
13. The Board of Commissioners accepted the recommendation of WIC Program Coordinator Nancy Dailey and authorized the posting of the part-time Breast Feeding Peer Helper position, noting that grant funds are available to pay for this position, as presented by Internal Services Director JoAnn Townend.
14. The Board of Commissioners acknowledged the receipt of the Third Quarter Reports of the Portage County Health Department representing activities of the department in the county, as presented by Health Commission Porter in accordance with House Bill #355.
15. After meeting today in an Executive Session with Human Resources Department Director Karen U'Halie, Employee Benefits Specialist Vickie Steiner; Doug Brown and Brian Muldoon of the Willis Group, the Board of Commissioners took the following actions:
  - A. After a thorough evaluation, the Board of Commissioners is pleased to authorize no increase, either to the Employee or the Employer contributions for the Portage County Health Plan for the 2011 plan year.
  - B. After an exhaustive review of proposals and analysis from four different health insurance third party administrators and three pharmacy management providers the Board of Commissioners accepted recommendations and authorized Human Resources Department to move forward and contract with Medical Mutual of Ohio (MMO) that includes a cost effective 3-year commitment beginning January 1, 2011. In addition, the Board agreed to continue the pharmacy management program under Medical Mutual, administered by MEDCO.
  - C. To receive an additional 8% discount through network utilization under the Portage County Health Plan's HMO Plan, the Commissioners agreed to contract with Medical Mutual to use Medical Mutual's SuperMed HMO network, instead of the HMO Health Ohio network for the County's HMO Plan. The PPO Plans will remain as a network and non-network plan; with network benefits paid under the SuperMed Plus network.
  - D. The Board of Commissioners agreed that the stop loss coverage on the Portage County Health Plan would remain at \$150,000.

E. The Board of Commissioners acknowledged and agreed to the Portage County Health Plan changes that are required, under a grandfathered plan status, to comply with federal Health Care Reform and Ohio law regulations effective January 1, 2011.

16. The Board of Commissioners authorized the posting for a part-time temporary (six months) Water Resources Department Treatment Plant Operator II, as recommended by Director Harold Huff.

Commissioner Keiper absent, 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 **November 4, 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 3:28 PM. Commissioner Keiper absent, motion carries.

ABSENT

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Deborah Mazanec, Clerk

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