

**Tuesday, November 9, 2010**

The Board of County Commissioners met in regular session on **Tuesday, November 9, 2010 at 8:05 AM** with the following members present:

Charles W. Keiper II

Maureen T. Frederick

Christopher Smeiles

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It was moved by Maureen T. Frederick, seconded by Christopher Smeiles to approve the meeting minutes of the November 4, 2010 meeting. Commissioner Keiper abstaining, motion carries

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

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**2011 BUDGET DISCUSSION** – Clerk of Courts

Present: Linda Fankhauser, Audrey Tillis

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**PUBLIC COMMENT PERIOD**

Present: Kathleen Schulda, Attorney Doug Paul

Hiram Township Trustee Schulda attending to ask several questions about what residents can expect at the upcoming Annexation public hearing. Commissioner Keiper responded that the process is prescribed by law with opposing and supporting comments heard toward the end of the procedure. He added that there are three parties to the annexation: the landowner, the village and the trustees; each party will have the opportunity to present evidence. He suggested that the Township Attorney should be advising the Trustees in this matter. Commissioner Keiper added that he will not attend the hearing on November 18<sup>th</sup> due to another commitment.

Trustee Schulda asked what time will the public hearing will end? The Board of Commissioners responded that the intent is to recess at 5:00 PM or 5:30 PM to another day. When asked when, the Board of Commissioners responded within the next week or two.

Trustee Schulda asked Commissioner Keiper if he will vote on this matter even if he does not listen to the evidence. Commissioner Keiper responded of course; Commissioner Smeiles added that the hearing will be recorded.

Trustee Schulda asked how many residents will be allowed to speak. Commissioner Keiper responded that the Board of Commissioners has not yet discussed that question but the intent is that all opinions will be heard. However, the Board of Commissioners does not need to hear same opinion over and over.

Trustee Schulda asked if the Board of Commissioners plans to follow the annexation hearing guide Chapter 3, approach number one and approach number two. The Board of Commissioners responded that they have not discussed that question yet.

Commissioner Smeiles noted that there will be an agenda for all those attending the public hearing that will be clear and concise. He added that the Board of Commissioners must follow procedures carefully.

Commissioner Keiper noted that the Board of Commissioners is more of a referee than a decider; the decision is evidentiary based.

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**THE WOODLANDS AT ROBINSON**

Present: Nursing Home Administrator Barb Fleischmann; Mike Coury; Allison Box; Cathy Eggleston, Director of Nursing; Human Resources Department Director Karen U’Halie

Ms. Fleischmann advised that the Census today is at 70, noting that the census at Robinson Memorial Hospital is also down. The new Activities Director started work; there was a Trick-or-Treat event held on October 30<sup>th</sup>, a November 2<sup>nd</sup> fundraiser that raised \$300. Ms. Fleischman also advised that she continues to meet with Hiram College on a partnering in field work at the nursing home.

9:40 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider discipline issues. **Also present:** Nursing Home Administrator Barb Fleischmann, Mike Coury, Allison Box, and Human Resources Department Director Karen U’Halie. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

10:07 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, seconded by **Christopher Smeiles** that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners took action by Journal Entry.

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**PROSECUTOR**

Present: Denise Smith

**Prosecutor Correspondence**

1. November 3, 2010 correspondence from Denise Smith, regarding the authority to expend General Fund Money for the formation of a non-profit economic development corporation/No discussion at this time.
2. November 5, 2010 correspondence from Denise Smith regarding review of proposed agreement between the Board of Commissioners and Portage Development Board/No discussion at this time.

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## DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

### Resolutions

1. General Fund Amendments to the Annual Appropriation Resolution:/10-1037
  - a. Commissioners, Supplemental – BOC & EMPG Savings to Security
  - b. Commissioners Other, Supplemental – BOC Savings to Security
  - c. Budget & Financial Management, Supplemental – BOC Savings
  - d. Building Security, Supplemental – Savings from BOC and EMPG
  - e. Microfilm, Transfer – To Cover Negative
  - f. Human Resources, Supplemental – BOC Savings
  - g. Building Regulations, Transfer – Projected Need
  - h. Senior Center, Supplemental - BOC Savings
  - i. Clerk of Courts, Transfer – Projected Need
  - j. Domestic Relations, Transfer - To Balance the Budget
  - k. Juvenile Court, Transfer – Cover Remainder of 2010 Costs
  - l. Sheriff's Department, Transfer - Projected Need
  - m. Engineer's Department, Transfer – Projected Need
  
2. Other Funds Amendments to the Annual Appropriation Resolution:/10-1038
  - a. Fund 1148, Global Monitoring Intervention – Transfer, To Allow Purchase of Equipment
  - b. Fund 1149, Felony Delinque Care & Custody – Supplemental, Cover 2010 Costs
  - c. Fund 1166, EMPG Homeland Security Grant – Supplemental, Increase Overall Budget
  - d. Fund 1170, Emergency Response LEPC/CERP – Supplemental, Increase Overall Budget
  - e. Fund 1390, Women Infants and Children – Transfer, Balance Project Codes
  - f. Fund 3112, SA PCS Bond 1982 – Supplemental, Adjust to Actual
  - g. Fund 3113, SA PCS Bond 1997 – Supplemental, Adjust to Actual
  - h. Fund 3115, SA PCS Bonds 2004 – Supplemental, Adjust to Actual
  - i. Fund 3140, SA PCW Bond 94REF104 – Supplemental, Adjust to Actual
  - j. Fund 3141, SA PCW Bond 1997 – Supplemental, Adjust to Actual
  - k. Fund 3142, SA PCW Bonds 2007 – Supplemental, Adjust to Actual
  - l. Fund 3170, SA StS Bond 1999 – Supplemental, Adjust to Actual
  - m. Fund 3212, SA PCS OWDA 1994 – Supplemental, Adjust to Actual
  - n. Fund 3213, SA PCS OWDA 1998 – Supplemental, Adjust to Actual
  - o. Fund 3214, SA PCS OWDA 2000 – Supplemental, Adjust to Actual
  - p. Fund 3215, SA PCS OWDA 2001 – Supplemental, Adjust to Actual
  - q. Fund 5507, PCW Cleveland to Aurora – Supplemental, Adjust to Actual
  - r. Fund 5600, StS General Administration – To Move Budget to Where Needed



Commissioner Smeiles replied that the county already works with the Regional Planning Commission on some grants. Commissioner Keiper added that the Neighborhood Development Services gets loan management portion of the grants.

Commissioner Frederick asked if Mr. Smith means outside agencies like the Extension Office. Mr. Smith replied that he is not sure since he is not familiar enough with the budgets. Commissioner Frederick added that if, for example, the Prosecutor applies for grant money, the admin dollars stay with the grant.

Mr. Smith suggested that the Board of Commissioners look hard to find fees that could be sent to Regional Planning Commission and planned on for the budget. It is hard to manage month to month without a budget and there is nothing else to cut.

Director Peetz noted that he and staff are working on grants; the Commission has a good reputation in the processing, and could help other agencies with grant writing. However, he wants to serve different communities more and is frustrated that he could assist communities with a fuller budget.

Commissioner Frederick stated that the Board of Commissioners has asked the Elected Officials to seek grant funds. She suggested that the Director contact the Elected Officials and let them know that Regional Planning Commission staff is available to assist in grant writing.

Director Peetz noted that he has found grants for the Solid Waste Management District and Water Resources Department that his staff could work on.

Commissioner Smeiles noted that the county is part of NEFCO and that organization is also a dues funded organization that struggles every year with the budget. Two counties have dropped out of NEFCO and the discussion is to close the doors due to lack of dues. Staff is so busy writing grants that they cannot work with communities.

Commissioner Frederick wondered if the Regional Planning Commission could perform the same services as NEFCO. The Director responded that they do similar things but NEFCO specializes in clean water and economic development. Planning is tied to economic development but is not the same; there are aspects that the Regional Planning Commission could do but not all.

Commissioner Smeiles stated that budget cuts will be commonplace with the new government regime.

Commissioner Frederick stated that there has been mixed reaction to 2011 budget hearings. She added that the Sheriff's and the Judges' budgets will plan intricately into the Board of Commissioners' budget decisions.

The Director advised that the Regional Planning Commission is losing \$9,000 in Park District rent since they are moving to free rent area. He is looking for an agency to rent/lease space to increase revenue.

Commissioner Smeiles asked if there is any new interest in cities joining the Regional Planning Commission. The Director replied that the City of Ravenna wanted to be an Associate member but has decided just to

hire the Regional Planning Commission to do some work. Kent cannot participate at this point; Streetsboro and Aurora are lukewarm; Aurora is looking at furloughs etc. He is still trying to get the cities interested. Commissioner Keiper asked if the Township Trustees will agree to put more money forward. Or, is the Commission just asking the county for additional funding? Tom Smith replied that he will make a pitch to the Trustees on Saturday night but noted that there was a small increase in the past.

Commissioner Frederick asked if dues been collected in a timely manner? The Director responded yes adding that the 2010 budget had planned on Streetsboro joining the Commission.

Mr. Derreberry stated that the more the Regional Planning Commission is used the more people appreciate what staff does. There is a great value there; there should be no opposition to an increase because of that value. If Townships are willing to put more money in, it would be easier if the county also agreed to increase their contribution.

Commissioner Frederick asked the Director if the Regional Planning Commission is getting any storm water money. The Director replied no. Commissioner Frederick responded that the County Engineer is meeting with the Board of Commissioners for an update on the storm water program. Perhaps the Engineer could look at what services are needed and then look at Regional Planning Commission to see what they could help with. The Director agreed that there may be a connection in storm water.

Commissioner Smeiles stated that when the transfer tax increases, he would agree to discuss an increase for the Regional Planning Commission and the Park District. He also wondered if the Regional Planning Commission has thought about selling the building and finding space here in the Administration Building. The Director replied that there is a \$360,000 loan balance and he is not sure if the building is worth that. He and staff are thinking about different ways to use the vacant space. Commissioner Frederick asked the Director to contact David Dix to determine if the Record-Courier would be interested in renting space for staff. The Director agreed to do so.

Susan White asked who owns the building; the Director replied that the Board of Commissioners owns the building but Regional Planning Commission pays the debt service. Commissioner Keiper reminded the group that he did not support the purchase of that building but the Regional Planning Commission decided to move forward, which was a bad choice. The Board of Commissioners does not want to be held responsible for a bad choice but there is a fiscal obligation to pay the debt service annually.

The Director added that three full time renters cover the debt service but now all three of those areas are vacant. The decision to purchase the building made sense on paper at the time. The Regional Planning Commission must find a way to rent the space.

Commissioner Smeiles stated that we need to work these issues through and will share in revenue where possible but the county is in tough times right now. He is open for ideas and discussion.

Ms. White stated that what we need is jobs or all else is a waste of time. She asked where the storm water money goes and added that she believes that the program is unconstitutional and that the EPA is out of control. She asked how the Townships can fight the EPA?

Commissioner Keiper responded that there are more Republican EPA Directors appointed in the past by Republican Governors. The county must comply with the Clean Water Act and the Clean Air Act.

The Commissioners thanked those attending for sharing their thoughts and comments.

The Director noted that there will be a short Regional Planning Commission meeting tomorrow and asked that the Board of Commissioners contact him with suggestions.

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**WATER RESOURCES** - Cancelled

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**2011 BUDGET DISCUSSION** – County Auditor

Present: County Auditor, Rebecca Ritterbeck and Brian Kelley

**2011 BUDGET DISCUSSION** – Judge Giulitto

Present: Judge Giulitto, Bev Lowe

**2011 BUDGET DISCUSSION** – Municipal Court Judges

Present: Judges Fankhauser, Oswick and Poland; Nicole Jones

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**RESOLUTION No. 10-1031** - **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 9, 2010 in the total payment amount of **\$436,125.57 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;



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 \$17,625.39 as set forth in Exhibit “A” dated **November 9, 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. 10-1034 - RE: COUNTY HOLIDAY OBSERVATION SCHEDULE FOR THE YEAR 2011**

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

**RESOLVED,** that the following holiday schedule be and hereby is adopted for the 2011 calendar year:

HOLIDAY	DATE OBSERVED
New Year's Day	Friday, December 31, 2010
Martin Luther King Day	Monday, January 17, 2011
President's Day	Monday, February 21, 2011
Memorial Day	Monday, May 30, 2011



**WHEREAS,** it is within the discretion of and has been mutually determined by the CBCF's member counties that the Facility Governing Board should be comprised of nine members which requires that boards of county commissions of the member counties shall appoint three of the members; and

**RESOLVED,** that the Portage County Board of Commissioners in agreement with the other member counties appoints the following to serve on the Facility Governing Board for a three year term:

<u>Name</u>	<u>Term Expires</u>	
Marna Drum	Nov. 9, 2013	and be it further

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

Voice Vote as Follows:

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

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**RESOLUTION No. 10-1036 - RE: AUTHORIZING OWNER'S SIGNATORY REPRESENTATIVES FOR THE PORTAGE COUNTY BOARD OF COMMISSIONERS FOR THE AURORA MEADOWS SANITARY SEWER IMPROVEMENTS, PROJECT NO. M-1 (06-190), MANTUA TOWNSHIP.**

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

**WHEREAS,** USDA has requested that a designee from the Portage County Board of Commissioners be appointed to serve as the Authorized Representative for signing the Contract Books for the Aurora Meadows Sanitary Sewer Improvements, Project No. M-1 (06-190), hereinafter referred to as the PROJECT; and

**WHEREAS,** USDA has requested that a designee from the Portage County Water Resources Department be appointed to serve as Signatory Representative for signing contractors certificates of payments for the PROJECT; and

**WHEREAS,** it is a USDA requirement that said Portage County Water Resources Authorized Representative also be in attendance at all monthly job meetings at which the Contractors' certificates of payment will be submitted; and

**WHEREAS,** it is also a USDA requirement that the Consulting Engineer also be in attendance at all monthly job meetings to sign off on the Contractors' certificates of payment; now therefore be it

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

Section 1. That the President of the Portage County Board of Commissioners is hereby authorized by this Board to sign the Contract Books on behalf of the entire Board, with the Vice President of this Board as an alternate.

Section 2. That Harold G. Huff, Portage County Water Resources Department is hereby authorized by the Portage County Board of Commissioners to sign Contractors' certificates of payment as the Owner's Signatory Representative, with Jeff S. Lonzrick as an alternate as required by the USDA Rural Development funding application.

Section 3. That David A. Sloan, Portage County Water Resources Department is hereby authorized by the Portage County Board of Commissioners to sign Contractors' certificates of payment as the Consulting Engineer, with Jeff S. Lonzrick as an alternate as required by the USDA Rural Development.

Section 4. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees on or after November 28, 1975, that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 10-1037

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

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

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

		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 0001</b>	<b>General Fund</b>		
<b>001</b>	<b>Commissioners</b>		
00013	Commissioners Fringes	0	9,232
0001D	Commissioners Full Time	0	1,701
0001O	Commissioners Payoff/Retiremen	0	17,991
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 28,924</u>

Note: BOC Savings to Security                      EPMG Savings to Security

<b>010</b>	<b>Commissioners Other</b>		
00109	Commissioner Other ME	0	9,000
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 9,000</u>

Note: BOC Savings to Security

<b>011</b>	<b>Budget &amp; Financial Management</b>		
00113	DBFM Fringes	0	437
0011D	DBFM Full Time	1,470	0
	<b>MEMO TOTAL</b>	<u>\$ 1,470</u>	<u>\$ 437</u>

Note: BOC Savings

<b>015</b>	<b>Building Security</b>		
00153	Building Security Fringes	1,891	0
0015D	Building Security Full Time	0	190
0015E	Building Security Part Time	13,000	0
	<b>MEMO TOTAL</b>	<u>\$ 14,891</u>	<u>\$ 190</u>

Note: EPMG Saving to Security                      BOC Savings to Security

		<u>Increase</u>	<u>Decrease</u>
<b>017 Microfilm</b>			
00173	Microfilm Fringes	0	775
00174	Microfilm CS	565	0
0017D	Microfilm Full Time	210	0
	<b>MEMO TOTAL</b>	<u>\$ 775</u>	<u>\$ 775</u>

Note: Transfer to Cover Negatives

<b>018 Human Resources</b>			
0018D	Human Resources Full Time	290	0
	<b>MEMO TOTAL</b>	<u>\$ 290</u>	<u>\$ -</u>

Note: BOC Savings

<b>020 Building Regulation Inspection</b>			
00203	Building Regulation In Fringes	0	4,170
0020D	Building Regulation Full Time	0	7,200
0020E	Building Regulation Part Time	11,370	0
	<b>MEMO TOTAL</b>	<u>\$ 11,370</u>	<u>\$ 11,370</u>

Note: Projected Need

<b>055 Senior Center</b>			
0055D	Senior Center Full Time	1,900	0
0055O	Senior Center Payoff/Retiremen	20,000	0
	<b>MEMO TOTAL</b>	<u>\$ 21,900</u>	<u>\$ -</u>

Note: BOC Savings

		<u>Increase</u>	<u>Decrease</u>
<b>500 Clerk of Courts</b>			
05003	Clerk Common Pleas Ct Fringes	0	300
05005	Clerk Common Pleas Ct MS	500	0
0500M	Clerk Common Pleas C Overtime	300	0
05024	Clerk-Civil/Criminal CS	0	3,900
05025	Clerk-Civil/Criminal MS	2,200	0
0502D	Clerk-Civil/Criminal Full Time	0	2,000
0502M	Clerk-Civil/Criminal Overtime	3,200	0
	<b>MEMO TOTAL</b>	<b>\$ 6,200</b>	<b>\$ 6,200</b>

Note: Projected Need

<b>550 Domestic Relations</b>			
05504	Domestic Relations CS	0	2,000
05505	Domestic Relations MS	2,000	0
	<b>MEMO TOTAL</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>

Note: To Balance Budget

<b>570 Juvenile Court</b>			
05704	Juvenile Court CS	0	210
05705	Juvenile Court MS	210	0
	<b>MEMO TOTAL</b>	<b>\$ 210</b>	<b>\$ 210</b>

Note: COVER REMAINDER 2010 COSTS

<b>700 Sheriff's Department</b>			
07004	Sheriff-General Admin CS	0	5,000
07005	Sheriff-General Admin MS	4,500	0
07104	Sheriff-Corrections CS	0	500
07105	Sheriff-Corrections MS	1,000	0
	<b>MEMO TOTAL</b>	<b>\$ 5,500</b>	<b>\$ 5,500</b>

Note: Projected Need

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		<u>Increase</u>	<u>Decrease</u>
<b>800 Engineer's Department</b>			
08303	Engineer-Tax Map Fringes	461	0
08305	Engineer-Tax Map MS	0	2,640
0830D	Engineer-Tax Map Full Time	2,179	0
<b>MEMO TOTAL</b>		<u><u>\$ 2,640</u></u>	<u><u>\$ 2,640</u></u>

Note: Projected Need

<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<u><u>\$ 67,246</u></u>	<u><u>\$ 67,246</u></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. 10-1038

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

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

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

		<u>Increase</u>	<u>Decrease</u>
<b>Fund: 1148</b>	<b>Global Monitoring Intervention</b>		
570	Juvenile Court		
11484	Global Monitoring Intervent CS	0	1,000
11485	Global Monitoring Intervent MS	1,000	0
	<b>MEMO TOTAL</b>	<u><u>\$ 1,000</u></u>	<u><u>\$ 1,000</u></u>

Note: To Allow Purchase of Equipment

<b>Fund: 1149</b>	<b>Felony Delinque Care &amp; Custody</b>		
570	Juvenile Court		
11493	Juv Feny Delnq Care Fringes	4,107	0
	<b>MEMO TOTAL</b>	<u><u>\$ 4,107</u></u>	<u><u>\$ -</u></u>

Note: Cover 2010 Costs

<b>Fund: 1166</b>	<b>EMPG Homeland Security Grant</b>		
930	Emergency Management Agency		
11664	EMPG Homeland Security CS	6,385	0
	<b>MEMO TOTAL</b>	<u><u>\$ 6,385</u></u>	<u><u>\$ -</u></u>

Note: Increase overall budget

<b>Fund: 1170</b>	<b>Emergency Response LEPC/CERP</b>		
931	Local Emergency Planning Commi		
11704	LEPC / CERP CS	800	0
	<b>MEMO TOTAL</b>	<u><u>\$ 800</u></u>	<u><u>\$ -</u></u>

Note: Increase overall budget

		<u>Increase</u>	<u>Decrease</u>
<b>Fund:</b>	<b>1390 Women Infants And Children</b>		
	<b>053 Women, Infants &amp; Children</b>		
	13903 Women Infant Children Fringes	39	992
	1390E Women Infant Childrn Part Time	953	0
	<b>MEMO TOTAL</b>	<u>\$ 992</u>	<u>\$ 992</u>

Note: Balance project codes

<b>Fund:</b>	<b>3112 SA PCS Bond 1982</b>		
	<b>010 Commissioners Other</b>		
	31128 SA PCS Bonds 1982 DS	0	888
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 888</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3113 SA PCS Bond 1997</b>		
	<b>010 Commissioners Other</b>		
	31138 SA PCS Bonds 1997 DS	0	100
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 100</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3115 SA PCS Bonds 2004</b>		
	<b>010 Commissioners Other</b>		
	31158 SA PCS Bonds 2004 DS	0	90
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 90</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3140 SA PCW Bond 94REFI04</b>		
	<b>010 Commissioners Other</b>		
	31408 SA PCW Bonds 94REFI04 DS	0	50
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 50</u>

Note: ADJUST TO ACTUAL

		<u>Increase</u>	<u>Decrease</u>
<b>Fund:</b>	<b>3141 SA PCW Bond 1997</b>		
	<b>010 Commissioners Other</b>		
	31418 SA PCW Bonds 1997 DE	0	44
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 44</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3142 SA PCW Bonds 2007</b>		
	<b>010 Commissioners Other</b>		
	31428 SA PCW Bonds 2007 DE	0	113
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 113</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3170 SA StS Bond 1999</b>		
	<b>010 Commissioners Other</b>		
	31708 SA StS Bonds 1999 DS	0	90
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 90</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3212 SA PCS OWDA 1994</b>		
	<b>010 Commissioners Other</b>		
	32128 SA PCS OWDA 1994 DS	0	50
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 50</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3213 SA PCS OWDA 1998</b>		
	<b>010 Commissioners Other</b>		
	32138 SA PCS OWDA 1998 DS	0	300
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 300</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>3214 SA PCS OWDA 2000</b>		
	<b>010 Commissioners Other</b>		
	32148 SA PCS OWDA 2000 DE	0	50
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 50</u>

Note: ADJUST TO ACTUAL

		<u>Increase</u>	<u>Decrease</u>
<b>Fund:</b>	<b>3215 SA PCS OWDA 2001</b>		
	<b>010 Commissioners Other</b>		
	32158 SA PCS OWDA 2001 DS	0	194
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 194</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>5507 PCW Cleveland to Aurora</b>		
	<b>060 Water Resources</b>		
	55074 PCW Cleveland to Aurora CS	0	272
	55076 PCW Cleveland to Aurora CO	0	27,550
	55078 PCW Cleveland to Aurora DE	0	64
	<b>MEMO TOTAL</b>	<u>\$ -</u>	<u>\$ 27,886</u>

Note: ADJUST TO ACTUAL

<b>Fund:</b>	<b>5600 StS General Administration</b>		
	<b>060 Water Resources</b>		
	56004 Streetsboro Sewer CS	3,700	0
	56005 Streetsboro Sewer MS	1,000	0
	56006 Streetsboro Sewer CO	9,000	0
	56009 Streetsboro Sewer ME	0	13,700
	<b>MEMO TOTAL</b>	<u>\$ 13,700</u>	<u>\$ 13,700</u>

Note: To move budget to where needed

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<u>\$ 26,984</u>	<u>\$ 45,547</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. 10-1039 - RE: CASH ADVANCE REPAYMENT - FROM FUND 1460,  
ENFORCEMENT PROTECTION ORDERS  
TO FUND 0001, GENERAL FUND

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

**WHEREAS,** Resolution No. 10-0301, adopted on March 30, 2010 authorized a cash advance in the amount of \$ 11,000.00 from Fund 0001 to Fund 1460 until grant revenues were received; and

**WHEREAS,** Fund 1460 has received grant revenues; now therefore be it

**RESOLVED,** that the following cash advance repayment be made in the amount of \$ 11,000.00:

**FROM:**  
FUND 1460, ENFORCEMENT PROTECTION ORDERS  
ORGCODE - 14600102  
Debit Revenue Account  
Revenue Source 290000 - Advances-In \$ 11,000.00

**TO:**  
FUND 0001, GENERAL FUND  
ORGCODE- 00100009  
Credit Expense Account  
Object 920000 - Advances-Out \$ 11,000.00

and be it further

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

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

Roll call vote as follows:

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



\* \* \* \* \*

**RESOLUTION No. 10-1041 - 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 9, 2010 in the total payment amount as follows:

1. \$152,656.32 for Medical Mutual Claims-Fund 7101; and
2. \$ 740.00 for 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, November 12, 2010	\$ 152,656.32
Wire Transfer on Friday, November 12, 2010	\$ 740.00

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 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;

\* \* \* \* \*

**RESOLUTIONS**  
November 9, 2010

1. Approval of Meeting Minutes from the November 4, 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./10-1031

3. Approve the Journal Vouchers as presented by the County Auditor./10-1032
4. Approve Then & Now as presented by the County Auditor./10-1033
5. County holiday observation schedule for the year 2011./10-1034
6. Confirm appointment to the Northeast Ohio Community Alternative Program (NEOCAP) facility governing board – Marna Drum./10-1035
7. Authorizing owner’s signature representatives for the Portage County Board of Commissioners for the Aurora Meadows Sanitary Sewer Improvements, Project No. M-1 (06-190) Mantua Township (Water Resources)./10-1036
8. Approve the wire transfer, as presented by the County Auditor./10-1041

\* \* \* \* \*

**INVITATIONS/MEETING NOTICES**

November 9, 2010

1. Invitation from Big Lots for the Grand Opening of the new store on Friday, November 12, 2010, 8:30 AM, Marketplace at Four Corners, Aurora.
2. Meeting notice for the OPWC District Seven Committee on Wednesday, November 17, 2010, 9:30 AM, the Executive Committee meeting at 10:00 AM and the Integrating Committee meeting at 10:15 AM, Geauga County Highway Garage, Chardon.

\* \* \* \* \*

**INCOMING CORRESPONDENCE**

**DISCUSSION**

November 9, 2010

1. The Commissioners received a signed notarized affidavit regarding the Hiram Township annexation from the following: The Board of Commissioners agreed to send notice to these residents that, in accordance with the Ohio Revised Code, their comments are too late to be considered as evidence and that they must attend the public hearing to make comment.
  - A. Carl Molnar
  - B. Anna Louise Molnar
  - C. Tom Franek
2. November 1, 2010 correspondence from Matthew Dietrich, Ohio Rail Development Commission, regarding Crossbuck Assembly/Yield Program/The County Engineer advised the Board of Commissioners that the ORDC is looking for partners/financial contributors for this program. Since the crossbucks are not the road maintenance agency’s responsibility, he will not contribute from the MVGT

funds. The Board of Commissioners is not available to attend the November 18<sup>th</sup> meeting in Columbus regarding this program.

3. November 4, 2010 e-mail from Mickey Marozzi, County Engineer, in response to the Board's request for review and comment on the Ohio Rail Development Commission's Crossbuck Assembly/Yield Program.
4. Discussion: Auditor of State Mary Taylor's IPA Proposal Evaluation Form. Who should prepare correspondence back to the state? Correspondence must be returned today/ The Board of Commissioners invited the County Auditor to participate in a meeting to discuss the evaluations. The Auditor deferred to her Chief Deputy who met with the Commissioners' staff. It was decided that only the Board of Commissioners' evaluation form would be presented to the State Auditor.

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### **JOURNAL ENTRY**

November 9, 2010

1. Board of Commissioners' authorization requested to allow payment to Neighborhood Development Services for 2008 Portage County CHIP Administration for Countywide project for \$17,460.00 as requested by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
2. Board of Commissioners' authorization requested to pay the Portage County Regional Airport Authority Invoice No. 2010-64 dated November 2, 2010 for \$784.33 (September & October 2010) for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight not to exceed \$6,000 annually.
3. The Board of Commissioners received the November 4, 2010 correspondence from the Portage County Sheriff's Department including the Monthly Record of Proceedings and Transactions for October 2010, in accordance with Ohio Revised Code Section 325.07. (cc: Department of Budget & Financial Management).
4. The Board of Commissioners received the October 2010 Portfolio Report as presented by the County Treasurer.
5. Board of Commissioners' authorization requested to pay the October 31, 2010 Order No. 11006039 for the Legal Notice for the transfer of Two Million from the excess unencumbered reserve in the Health Benefit Fund to the General Fund for \$19.70 as presented by Record Courier.
6. Board of Commissioners' authorization requested to have Commissioner Keiper sign the Ohio Water Pollution Control Loan Fund Payment Request for \$288,000.00 for Sub Fund WPCLF ARRA Fund Disbursement Request No. 1 for Loan CS390067-0018 for the Portage County Garage, O&M Center as requested by Department of Budget & Financial Management.

7. Board of Commissioners' authorization requested to have Commissioner Keiper sign the Ohio Water Pollution Control Loan Fund Payment Request for \$120,000.00 for Sub Fund WPCLF ARRA Fund Disbursement Request No. 1 for Loan CS390067-0013 for the West Branch Mobile Home Park WWTP Project as requested by Department of Budget & Financial Management.
8. Board of Commissioners' signature requested on the Request for Application and Certificate for Payment (No. 2 Final) allowing payment of \$2,297.84 to EFB Construction Inc., 726 S. Cleveland Ave., Mogadore, Ohio 44260 for the Portage Pointe Pump Station Elimination, Project No. ST-4 (09-040) as requested by the Water Resources Department. (560040S6-684000-09040).
9. The Board of Commissioners received the November 5, 2010 letter of resignation from Gayle Poots, Portage County Regional Airport Authority Board Member, effective immediately.

\* \* \* \* \*

**REFERRED**

November 9, 2010

1. November 1, 2010 correspondence from Christine Brock, Ohio EPA, regarding the Capability Assurance Plan (CAP) for administering the operation of the lines to serve the Ravenna Training and Logistics Site (RTL5). Referred to Water Resources Department.
2. November 3, 2010 e-mail from Brian Kelley, ITS, requesting a proclamation to declare November 17, 2010 GIS Day in Portage County. Referred to the Executive Assistant.
3. October 15, 2010 e-mail from Diana Fierle, regarding the Portage Development Board and the Commissioners Agreement September 2010 Revised No. 2 document. Referred to Prosecutor's Office for review.

\* \* \* \* \*

**Journal Entry**

November 9, 2010

Motion by Christopher Smeiles, seconded by Charles W. Keiper II to approve the following actions:

1. The Board of Commissioners authorized payment to the Neighborhood Development Services for the 2008 Portage County CHIP Administration for Countywide project for \$17,460.00, as presented by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
2. The Board of Commissioners authorized payment to the Portage County Regional Airport Authority of Invoice No. 2010-64 dated November 2, 2010 for \$784.33 (September & October 2010) for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight not to exceed \$6,000 annually.

3. The Board of Commissioners acknowledged the receipt of the November 4, 2010 correspondence from the Portage County Sheriff including the Monthly Record of Proceedings and Transactions for October 2010, in accordance with Ohio Revised Code Section 325.07.
4. The Board of Commissioners acknowledged the receipt of the October 2010 Portfolio Report, as presented by the County Treasurer.
5. The Board of Commissioners authorized payment of the October 31, 2010 Order No. 11006039 for the Legal Notice for the transfer of Two Million Dollars from the excess unencumbered reserve in the Health Benefit Fund to the General Fund for \$19.70, as presented by the Record Publishing Company of Ravenna.
6. The Board of Commissioners authorized Commissioner Keiper to sign the Ohio Water Pollution Control Loan Fund Payment Request for \$288,000.00 for the Sub Fund WPCLF ARRA Fund Disbursement Request No. 1 for Loan CS390067-0018 for the Portage County Garage, O&M Center, as presented by the Department of Budget & Financial Management.
7. The Board of Commissioners authorized Commissioner Keiper to sign the Ohio Water Pollution Control Loan Fund Payment Request for \$120,000.00 for the Sub Fund WPCLF ARRA Fund Disbursement Request No. 1 for Loan CS390067-0013 for the West Branch Mobile Home Park WWTP Project, as presented by the Department of Budget & Financial Management.
8. The Board of Commissioners signed the Request for Application and Certificate for Payment (No. 2 Final) allowing payment of \$2,297.84 to EFB Construction Inc., 726 S. Cleveland Ave., Mogadore, Ohio 44260 for the Portage Pointe Pump Station Elimination, Project No. ST-4 (09-040), as presented by the Water Resources Department. (560040S6-684000-09040).
9. The Board of Commissioners acknowledged the receipt of the November 5, 2010 letter of resignation from Gayle Poots from the Portage County Regional Airport Authority, effective immediately. The Commissioners agreed that the Executive Assistant should prepare a letter of thanks to Ms. Poots and advertise the vacancy.
10. After meeting in an Executive Session today with The Woodlands at Robinson Nursing Home Administrator Barb Fleischmann, DON Cathy Eggleston, Michael Coury, Allison Box, and Human Resources Department Director Karen U'Halie, the Board of Commissioners accepted staff recommendation and approved the following:
  - A. The Board of Commissioners authorized a three day suspension of a Receptionist for job performance (November 15, 16, and 17, 2010).
  - B. The Board of Commissioners authorized the termination of an STNA for an unsatisfactory probation period effective November 10, 2010.

C. The Board of Commissioners authorized the termination of an STNA for job performance effective November 10, 2010.

11. The Board of Commissioners acknowledged the receipt of the Cost Allocation Plan, as prepared by Maximus Inc., and authorized Commissioner Keiper to sign the Certificate for the Plan for use in 2011, as presented by Department of Budget & Financial Management Director Audrey Tillis.

12. The Board of Commissioners signed the November 9, 2010 correspondence to County Auditor Janet Esposito requesting that staff debit Fund 1493, Collaborative Advocates Grant, and credit Fund 1481, Prosecutor's State Grant, as presented by the Department of Budget and Financial Management:

	ORG	OBJECT	PROJECT	AMOUNT	DESCRIPTION
Debit	14930014	400000	9B03S	\$1,135.01	Contract Services
Credit	14812001	152000	9A75S	\$1,135.01	Contract Services

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 **November 9, 2010**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Charles W. Keiper II to adjourn the official meeting at 11:10 AM. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Deborah Mazanec, Clerk

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