

**Tuesday, November 16, 2010**

The Board of County Commissioners met in regular session on **Tuesday, November 16, 2010 at 8:35 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

Commissioner Keiper attending at 8:39 AM

\* \* \* \* \*

It was moved by Maureen T. Frederick, seconded by Christopher Smeiles to approve the meeting minutes of the November 9, 2010 meeting. Commissioner Keiper absent, motion carries

\* \* \* \* \*

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

\* \* \* \* \*

**2011 BUDGET DISCUSSION – Public Defender**

Present: Dennis Lager, Audrey Tillis

9:40 AM Commissioner Smeiles left the meeting.

\* \* \* \* \*

**THE WOODLANDS AT ROBINSON**

Present: Nursing Home Administrator Barb Fleischmann; Cathy Eggleston, Director of Nursing; Human Resources Department Director Karen U’Halie, Department of Budget & Financial Management Director Audrey Tillis

Ms. Fleischmann advised that the Census today is at 70. There is an ongoing Thanksgiving fundraiser that will provide money for the residents’ activity fund.

Ms. Fleischman also advised that she will meet with the Kent State Public Health Masters Program students and continues to meet with Hiram College biomedical ethics students in December.

Staff is still preparing the information for Robinson Memorial Hospital and preparing for the ODOH survey.

The Board of Commissioners agreed to send a correspondence to Cuyahoga County asking that the Administrator be released from Jury Duty until 2011/Barb Fleischmann to draft and get to the Clerk.

The Board of Commissioners agreed to accept Audrey Tillis recommendation that staff pay the invoices greater than 60 days old, excluding Generations and Premier Therapy, for a total of \$10,200. That payment will happen when responsible staff returns to work. Director Tillis also recommended that the two debt

service payments for November and December be waived by the Board of Commissioners and that the indirect cost amount of \$70,000 be held as well.

9:50 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Maureen T. Frederick**, seconded by **Charles W. Keiper II** that the Board of Commissioners move into executive session to consider discipline issues. **Also present:** Nursing Home Administrator Barb Fleischmann; Cathy Eggleston, Director of Nursing; Human Resources Department Director Karen U'Halie. Roll call vote: Christopher Smeiles, Absent; Charles W. Keiper II, Yea; Maureen T. Frederick, Yea.

Commissioner Smeiles attending at 10:05 AM

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 no action.

\* \* \* \* \*

#### **PROSECUTOR**

Present: Denise Smith

#### **Review of Prosecutor's Pending List**

1. Attorney Meduri is still preparing his response to the Board of Commissioners' questions regarding the Airport. Commissioner Smeiles noted that he sent copies of the Board of Commissioners' Journals and deed from the 1960s when the Airport Board of Trustees was created and land donated. Attorney Smith noted that she is looking at the statutes, which may have changed since the 1960s.
2. The Annexation public hearing is to begin on November 18, 2010 at 2:00 PM. The Board of Commissioners should decide how the public hearing will proceed by the end of today to allow Attorney Meduri to contact the Attorneys of Record.
3. Attorney Leigh Prugh has completed her review of the Windham Village sewer and water agreement, which has already been signed by the Village, adding several items, as recommended by Water Resources Department Director Harold Huff, including the number of gallons per day and water curtailment language in case of draught. The final document was sent to Village Attorney Tom Reitz on November 9, 2010.
4. Clerk to resend the CHIP Program Rehab of the Gwin property on Sheldon Road for NDS information to Attorney Dave Brode.
5. The response regarding the request for administrative review to the ODJFS was hand delivered to the state.
6. Attorney Smith noted that the Transfer from Benefit Reserves Fund Hearing is set for November 30, 2010 at 10AM. At least one Commissioner should plan to attend.
7. Commissioner Smeiles asked if Attorney Smith received the deed for the original donation of county land to the Airport Board of Trustees. Attorney Smith replied that she has the information and is still looking at the statutes. She added that, although the land was donated to the Board of

Trustees in the 1960s, the statute may have allowed that at the time. Commissioner Smeiles noted that the Coshocton County Airport is run as a Board of Commissioners' department.

\* \* \* \* \*

## **Prosecutor Correspondence**

November 16, 2010

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/Commissioner Keiper noted that there has been discussion with the Port Authority to pay the \$15,000 to reimburse the county for the General Fund expense. Attorney Smith replied that the Port Authority does not have the authority to make that payment. Commissioner Keiper disagreed, noting that the Port Authority has been advised by an attorney that such payment is authorized and added that the Port Authority can make a donation to the PDB who in turn can reimburse the General Fund. Denise Smith responded that she is the Port Authority's attorney.
2. November 5, 2010 correspondence from Denise Smith regarding review of proposed agreement between the Board of Commissioners and Portage Development Board/The Board of Commissioners agreed to schedule some time for the Board to make the suggested changes to the agreement incorporating Attorney Smith's suggestions. Attorney Smith does still want the agreement to address any hidden costs: who is responsible for supplies and the equipment that is in place, and the employee issue at the Economic Development Office. She added that the Board of Commissioners does have the authority to rent the office to the PDB as an in-kind but she wonders what that includes. Commissioner Keiper stated that he believes that there is a path for the employee issue.

Commissioner Frederick stated that she has received phone calls from two of the original Portage Development Board members with questions regarding what was presented and what evolved. Commissioner Frederick will contact Chairman Steve Colecchi to discuss their concerns.

3. November 10, 2010 email from the County Engineer to Attorney Prugh regarding Wittmer Ditch/Information only noting that there is a process
4. November 16, 2010 email from Attorney Denise Smith regarding Woodlands at Robinson contract/Attorney Smith noted that the Board of Commissioners is not legally bound to pay Omnicare the past amount for goods and services provided to the nursing home. Payment is optional – nonpayment is not a breach of contract. If the Board of Commissioners decides not to pay, there is legal precedent that the courts would agree with that decision. Commissioner Smeiles asked if the Board should be concerned about an audit finding in this matter since there is no Auditor's Certification in place for the past due amount. Attorney Smith responded that payment would be made by purchase order or by a new contract adding that this was a bid originally. Attorney Smith stated again that the Board of Commissioners has the authorization not to pay this past due amount but may pay it if the Board so chooses.

\* \* \* \* \*

**JOB & FAMILY SERVICES**

Present: Judee Genetin, Terri Burns, Brian Boykin

1. The Director presented the CSEA Performance information for the month of October 2010, noting that staff has a good start in the fiscal year.
2. The Director presented the Food Assistance, OWF and Medicaid statistics for Portage County in October 2010.
3. The Director thanked the Board of Commissioners for the Proclamation for the Veterans Day Commemoration on November 10<sup>th</sup>, noting that it was a nice ceremony.
4. Staff will attend the ODJFS Modernization Meeting on December 6<sup>th</sup> in Columbus in conjunction with the Directors' Association Meeting.
5. The Director attended deep fiscal training at the One-Stop this week.
6. The Board of Commissioners accepted the Director's recommendation that she continue to serve on the Ohio CSEA Directors' Association (OCDA) Executive Board as the 2<sup>nd</sup> Vice-President for the next two to three years. Meetings are held one day per month in Columbus. The Director noted that the Board needs the perspective of a combined department director. The Director will complete the necessary travel forms for Board of Commissioners' approval.
7. Staff is preparing the Director's bonds.
8. The Board of Commissioners discussed the November 4, 2010 correspondence from ODJFS Chief Fiscal Officer Michael Colbert requesting the Final Audit for 2009. Staff is working with ODJFS and has advised that the 2009 audit is not yet completed.

\* \* \* \* \*

**WATER RESOURCES - Cancelled**

\* \* \* \* \*

Commissioner Smeiles noted that he received a telephone call from the owner of one of the sites under consideration for the Kent Court House Project asking for an offer on the property. Commissioner Frederick asked if the costs are in for the site that the county currently owns, which Allan Renzi is compiling.

\* \* \* \* \*

**EMA DIRECTOR**

Present: Jon Barber; John Mason; Suffield Fire Chief Rasnick; David Barnes, Aurora Fire Department; and Robert Keller, Brimfield Fire Department

Commissioner Frederick noted that this is the first time that the Director came to the Board of Commissioners with this information, which is a tremendous amount of money. The Director responded that he would like to get this building and then add on as possible.

Commissioner Frederick stated that she thought there was a need to get the equipment out of local fire departments and into one facility. The Director responded that Mantua and Streetsboro Fire Departments cannot longer house the Hazmat equipment but Kent Rootstown and Suffield continue to store some

equipment. If the Office of Homeland Security and Emergency Management can move equipment out of the Sheriff's storage building, the Sheriff could store more of his equipment there.

Commissioner Frederick asked if there is a firm grant commitment to cover the cost of the building purchase. The Director responded that the grants allow payment for the lease of a building for sustainment but he cannot guarantee future grant dollars. He added that he has been looking for a site to rent but cannot find one with 14' doors. If the county buys this building, he could make it more user friendly but he noted that the building is sound with no need for improvements since the ceiling, heat, sewer etc. are in good shape.

Commissioner Keiper asked Commissioner Frederick if it is her opinion that the county should rent rather than own a building? Commissioner Frederick responded that she fully supports the Department of Homeland Security & Emergency Management but wants to protect the public funds. She asked where the county would get \$250,000 to make this purchase? Do we have the money to make this purchase? How can we advance it even with the \$30-\$50,000 coming from a grant for payment of the debt.

Commissioner Smeiles suggested that the Board of Commissioners talk to the Department of Budget & Financial Management Director and asked what Commissioner Frederick's solution would be? She responded that she would like to move the items to another facility and lease until we find the money.

Commissioner Smeiles suggested borrowing the money and pay the borrowing back though the lease payment. He prefers to own the real estate like the Board of Commissioners did with the purchase of the Columbiana WIC building.

Commissioner Keiper stated that the WIC Program paid rent for many years in Columbiana County. The public should be protected by using federal monies to purchase a piece of property to protect the equipment for a program that is here to stay. Commissioner Keiper stated that he believes that ownership is always more prudent than leasing. Commissioner Frederick disagreed stating that public monies should not be used to make others rich.

Commissioner Smeiles stated that the issue is that the county is about to lose the lease with \$3 million in assets that will need an alternative location. Jon Barber was charged with finding another location and the county missed the opportunity to purchase the Havre Building for less money but lost that facility. Jon Barber says there are no vacant building available for lease or purchase. Commissioner Frederick stated that the business moving into the Havre Building will bring in private sector jobs. Commissioner Keiper noted that the county would have spent less of our dollars for the Havre Building than this purchase will cost.

The Director added that every time the Board of Commissioners discussed this issue or found a facility, he investigated but has found nothing that would suit the purpose. The current facility is centrally located in the county, which makes it easier to respond with the equipment in a timely manner. The Fire Chiefs agreed that this is a good central location. Portage County also partners regionally and responds with assets when called upon.

Commissioner Frederick asked what the appraisal amount is for the current leased building. The Director response that an appraisal was not done but the \$40/square foot is reasonable. Commissioner Smeiles added that the County Auditor lists a \$332,700 value. The asking price is \$270,000 and the owners are open to offers.

DBFM Director Audrey Tillis noted that Jon Barber has talked to her about this issue. The Board of Commissioners does not have the cash in 2010 but could finance the purchase over a long period of time starting in 2011 similar to the process used for the Sheriff's vehicle purchase and a temporary cash advance.

Commissioner Smeiles stated that we can presume that we need to acquire a storage building and land. We could build a building at the Jail. The Director responded that he looked at that site, which is built in a bowl and the location is in a rural township with back roads. The Fire Chiefs have looked at all pros and cons for all sites including the former nursing home.

Commissioner Smeiles noted that the Fire Chiefs endorse this purchase. Commissioner Frederick responded that they may endorse the purchase but have no money to add. The Director stated that the Fire Chiefs have discussed this purchase and understand the county's financial situation.

Commissioner Keiper stated that the Board of Commissioners needs to presume that the grant funds will go away in the future. However, the county will not sell the equipment and move on; we are in this business because it protects lives. The county would find a way to pay for the equipment and the storage. The Board of Commissioners cannot vote to not take care of these assets – we represent the public and are charged with caring for them. Commissioner Frederick responded that she does not want Commissioner Keiper to twist this issue because she has concerns about money.

When asked by Commissioner Smeiles what her solution would be, Commissioner Frederick asked if the Department of Budget & Financial Management Director is saying we can do this? Director Tillis responded that the county does not have the money but must borrow by juggling funds; the county would have to go for a note and restore the money in the budget. The Director is working through the funding sources to determine a dollar amount. She suggested grant and Hazmat monies be used to pay down the note for the building purchase. Commissioner Frederick also noted her concern about the nursing home situation.

Director Barber stated that if the building is sold, the assets would have to moved out into the environment at the worst possible time; they cannot sit out in ice. We would be remiss in not protecting \$3 million in equipment in our care. He added that some of the \$3 million in equipment are housed elsewhere in Kent, Rootstown and Suffield.

John Mason noted that some of the supplies and equipment are stored at the former nursing home but others are stored at this site. He added that private non-profits are falling out of the business because of the economy's financial condition.

Director Barber stated that he was made aware that the lease could continue as long as there is a county offer on the table, adding that he cannot negotiate on the Board's behalf. Commissioner Frederick asked

Audrey Tillis to look at the Hazmat carryover, which is \$40,000 without the 2011 billings. Director Barber noted that the SHSP 2009 grant sets aside \$30,000 for the lease payment.

Commissioner Frederick asked what the utility bills are monthly? Director Barber responded that he keeps the building at 50 degrees, which is the lowest temperature suitable for the equipment. The water bill and electric bill are allowable costs covered by the EMPG grant and the SHSP grant.

Commissioner Keiper stated that he is inclined to move forward with this purchase; Commissioner Smeiles agreed and noted that we would need to start negotiations.

Commissioner Smeiles added that this is a suitable location to the center of county and access for first responders is good; we can buy cheaper than we can build. This building is available and meets the current needs.

Commissioner Smeiles suggested that the Board of Commissioners authorize Jon Barber to meet with owner and negotiate a purchase price building a lease until April 2011 into the purchase agreement. The Board of Commissioners asked the Director to work with Denise Smith, JoAnn Townend and Audrey Tillis on the agreement. He also noted that the Board of Commissioners must now make a decision now, which should not come as a surprise.

The Board of Commissioners agreed to Journal Entry this approval

\* \* \* \* \*

**COUNTY ENGINEER**

Present: Mickey Marozzi, Health Commissioner Chip Porter, Soil & Water Conservation District James Bierlair, DBFM Director Audrey Tillis

2011 Storm Water Budget Discussion

The County Engineer presented the Tentative Collective Bargaining Agreement for his office and noted that he will bring the original agreements to the Board of Commissioners for their signatures/Resolution 10-1058

\* \* \* \* \*

12:15 PM Lunch Recess

1:25 PM Board of Commissioners reconvened

\* \* \* \* \*

**DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis, Charlene Badger

**Resolutions**

1. Cash Advance from Fund 0001, General Fund to Fund 3114, SA PCS Bond 2001/10-1059
2. Cash Advance from Fund 0001, General Fund to Fund 3141, SA PCW Bond 1997/10-1060

Other

3. Journal entry approval(s):

- a. Processing Reimbursement from the Area Agency on Aging Grant to the General Fund

\* \* \* \* \*

**EXECUTIVE ASSISTANT**

Present: Charlene Badger

The Executive Assistant attending to advise that she has heard back from the Ohio Ethics Commission about the Airport Conflict of Interest question. The Commission will get back to her with a status report by Friday.

\* \* \*

The ad will be in the Record-Courier advertising the Airport Board of Trustees' vacancy.

\* \* \*

The Board of Commissioners had referred the correspondence from the County Commissioners' Association of Ohio regarding the new CCAO Service Corporation Energy Conservation Program with Palmer Conservation Consulting. The Board of Commissioners agreed to take advantage of the program since this is a no obligation offer.

\* \* \* \* \*

**Annexation Public Hearing**

Commissioner Smeiles advised that he met with Attorney Denise Smith today to discuss his potential conflict of interest in the Hiram Annexation matter. Attorney Smith advised that he cannot vote on the matter and must abstain. Denise Smith advised the Board of Commissioners to open the hearing and recess until a future date. The suggestion is that the Board recess until January until Commissioner Elect Marsilio is in office. The Board of Commissioners agreed that the Clerk should contact Mike Sever and ask that he run a story about this issue tomorrow.

\* \* \* \* \*

**RESOLUTION No. 10-1042 - 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 16, 2010 in the total payment amount of **\$391,545.99 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;

\* \* \* \* \*

**RESOLUTION No. 10-1043**

**The Portage County Auditor’s Office did not notify our office in a timely matter that there were no Journal Vouchers for session today.**

**This is for numbering purposes only.**

\* \* \* \* \*

**RESOLUTION No. 10-1044 - 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 **\$2,856.67** as set forth in Exhibit “A” dated **November 16, 2010** shall be paid; and be it further

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

Voice Vote as Follows:

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

\* \* \* \* \*

**RESOLUTION No. 10-1045 - RE: AUTHORIZE APPLICATION TO CADRE FOUNDATION INC. GRANT PROGRAM**

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

**WHEREAS,** our Portage County Dog Warden is seeking ways to address problems of dog fighting in Portage County; and

**WHEREAS,** the Cadre Foundation Inc. has a grant program providing funds for animal welfare projects to non-profit and government organizations; therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does hereby support the application to the Cadre Foundation Inc.'s Grants Program on behalf of the Portage County Dog Warden's office and the Portage County Animal Shelter in the amount of \$5,000.00 **with no local match** ; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Department of Budget & Financial Management, the Portage County Dog Warden's Office, and the Portage County Auditor's Office; now therefore be it

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

Voice Vote as Follows:

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

\* \* \* \* \*

**RESOLUTION No. 10-1046 - RE: AUTHORIZE APPLICATION TO THE CLARK CHARITABLE TRUST GRANT PROGRAM**

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

**WHEREAS,** our Portage County Dog Warden is seeking ways to address problems of dog fighting in Portage County; and

**WHEREAS,** the Clark Charitable Trust has a grant program providing funds for animal welfare projects to non-profit and government organizations; therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does hereby support the application to the Clark Charitable Trust’s Grant Program on behalf of the Portage County Dog Warden’s office and the Portage County Animal Shelter in the amount of \$5,000.00 **with no local match** ; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Department of Budget & Financial Management, the Portage County Dog Warden’s Office, and the Portage County Auditor’s Office; now therefore be it

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

Voice Vote as Follows:

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

\* \* \* \* \*

**RESOLUTION No. 10-1047 - RE: AUTHORIZE APPLICATION TO THE COMPASSION FOR ANIMALS FOUNDATION, INC. GRANT PROGRAM**

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

**WHEREAS,** our Portage County Dog Warden is seeking ways to address problems of dog fighting in Portage County; and

**WHEREAS,** the Compassion for Animals Foundation, Inc. has a grant program providing funds for animal welfare projects to non-profit and government organizations; therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does hereby support the application to the Compassion for Animals Charity Inc.'s Grants Program on behalf of the Portage County Dog Warden's office and the Portage County Animal Shelter in the amount of \$5,000.00 **with no local match** ; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Department of Budget & Financial Management, the Portage County Dog Warden's Office, and the Portage County Auditor's Office; now therefore be it

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

Voice Vote as Follows:

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

\* \* \* \* \*  
**RESOLUTION No. 10-1048 - RE: AUTHORIZE APPLICATION TO THE DORIS DAY ANIMAL LEAGUE'S GRANT PROGRAM**

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

**WHEREAS,** our Portage County Dog Warden is seeking ways to address problems of dog fighting in Portage County; and

**WHEREAS,** the Doris Day Animal League has a grant program providing funds for animal welfare projects to non-profit and government organizations; therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does hereby support the application to the Doris Day Animal League's Grant Program on behalf of the Portage County Dog Warden's office and the Portage County Animal Shelter in the amount of \$5,000.00 **with no local match** ; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Department of Budget & Financial Management, the Portage County Dog Warden's Office, and the Portage County Auditor's Office; now therefore be it

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

those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

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

\* \* \* \* \*  
**RESOLUTION No. 10-1049 - RE: AUTHORIZE APPLICATION TO THE E.D. FOUNDATION GRANT PROGRAM**

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

**WHEREAS,** our Portage County Dog Warden is seeking ways to address problems of dog fighting in Portage County; and

**WHEREAS,** the E.D. Foundation Inc. has a grant program providing funds for animal welfare projects to non-profit and government organizations; therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does hereby support the application to the E.D. Foundation Grants Program on behalf of the Portage County Dog Warden's office and the Portage County Animal Shelter in the amount of \$5,000.00 **with no local match** ; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Department of Budget & Financial Management, the Portage County Dog Warden's Office, and the Portage County Auditor's Office; now therefore be it

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

Voice Vote as Follows:

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

\* \* \* \* \*  
**RESOLUTION No. 10-1050 - RE: AUTHORIZE APPLICATION FOR THE FY2010 NORTHEAST CENTRAL OHIO REGIONAL DISASTER PLANNING CONSORTIUM GRANT AND AUTHORIZE THE DIRECTOR OF PORTAGE COUNTY OFFICE OF HOMELAND**

**SECURITY AND EMERGENCY MANAGEMENT TO SIGN  
GRANT APPLICATION**

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

- WHEREAS,** Portage County Office of Homeland Security and Emergency Management is eligible to apply to the Ohio Department of Health for the FY2010 Regional Disaster Planning Grant in the amount not to exceed twenty thousand five hundred Dollars (\$20,500.00); and
- WHEREAS,** Portage County desires to utilize these available monies to provide a study identifying the most effective ways to serve and protect the county's disabled populations during and after disasters that require evacuation and sheltering services, and also obtain specialized equipment that will enable the county to do this successfully; now therefore be it
- RESOLVED,** the Portage County Board of Commissioners authorizes the submission of the FY2010 Regional Disaster Planning Grant application in the amount not to exceed twenty thousand five hundred Dollars (\$20,500.00) **with no local match obligation** with a grant period ending June 30, 2011; and be it further
- RESOLVED,** that the Portage County Board of Commissioners authorizes Jon Barber, Director of the Office of Homeland Security and Emergency Management to sign the necessary application documents upon the successful review of the grant program and applications by the Department of Budget and Finance Management, and be it further
- RESOLVED,** that a copy of this resolution be filed with the Portage County Auditor, the Department of Budget & Financial Management, and the Office of Homeland Security & Emergency Management Agency Director; and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

\*

\*

\*

\*

\*

**RESOLUTION No. 10-1051**

-

**RE: APPOINTMENT OF PORTAGE COUNTY  
REPRESENTATIVES TO THE NORTHEAST OHIO FOUR  
COUNTY REGIONAL PLANNING AND DEVELOPMENT  
ORGANIZATION (NEFCO).**

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

**WHEREAS,** NEFCO was formed in 1974 as a council of governments by the elected officials within Portage, Stark, Summit and Wayne Counties; and

**WHEREAS,** The organization is directed by a general Policy board which meets monthly, serves as the decision- making body, and is comprised of representatives from each of the four counties; and

**WHEREAS,** Portage County is entitled to seven representatives, one of which is appointed by the City of Kent and the Board of Commissioners appoints the remaining six representatives; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners does appoint, for calendar year 2011, the following:

1. Christopher Smeiles, County Commissioner  
(Alternate: Charlene Badger)
2. Bill Steiner, Director, Solid Waste Management District
3. Harold Huff, Director, Water Resources and Sanitary Engineering  
(Alternate: Jeff Lonzrick)
4. Todd Peetz, Director, Portage County Regional Planning Commission  
(Alternate: Claudia James)
5. DuWayne Porter, Health Commissioner
6. William Ulik, Director, Portage County Department of Economic Development

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 was as follows:

Charles W. Keiper II, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

\* \* \* \* \*

**RESOLUTION No. 10-1052 - RE: PUBLIC ANNOUNCEMENT OF AVAILABLE CONTRACTS**

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

**WHEREAS,** R.C. 153.67 requires that a public authority planning to contract for professional services publicly announce all contracts available from it for such services; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners, by unanimous vote thereto, authorizes the announcement of the request for proposals for professional services for the Portage County Engineer for the projects known as **Hudson Road (TH 146) Rehabilitation** and **Gilbert Road (TH 188) Rehabilitation**; and be it further

**RESOLVED,** that such notice shall comply with all terms and requirements of Substitute House Bill 231 (Eff. 11/24/95) an specifically R.C. 153.67; and be it further

**RESOLVED,** that the announcement requesting proposals will be published in the Record Courier on **November 19, 2010**, and be it further

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

Voice vote was as follows:

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

\* \* \* \* \*

**RESOLUTION No. 10-1053 - RE: AMEND RESOLUTION 09-0576 TO CHANGE END DATES IN THE 2009 NEIGHBORHOOD STABILIZATION PROGRAM (NSP) HOME GRANT.**

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

**WHEREAS,** the Portage County Board of Commissioners adopted Resolution No. 09-0576, which accepted the Ohio Department of Development for the 2009 Neighborhood Stabilization Program (NSP) (known to the Ohio Department of Development as B-Z-08-1CJH-1) in an amount not to exceed One Million Two Hundred Fifty Three Thousand One Hundred and Thirty Seven Dollars (\$1,253,137) with a projected

program income of One Hundred Thousand Dollars (\$100,000.00) for a project total of One Million Three Hundred Fifty Three Thousand One Hundred and Thirty Seven Dollars (\$1,353,137) and a grant period beginning April 1, 2009 and ending May 30, 2013; and

**WHEREAS,** the United States Department of Housing and Urban Development notified the Ohio Office of Housing and Community Partnerships that the grant period on every FY 2008 Neighborhood Stabilization Program Grant Agreement must be revised to reflect a shorter grant period; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners agrees to change the end dates for the B-Z-08-1CJ-1 NSP Grant Agreement as follows:

	<u>Original Date</u>	<u>Revised Date</u>
<b>Project Completion</b>	March 31, 2013	January 31, 2013
<b>Payment Requests</b>	April 30, 2013	February 28, 2013
<b>Final Performance Report</b>	May 31, 2013	March 30, 2013

; and be it further

**RESOLVED,** that the Board of Commissioners authorizes the President or Vice-President of the Board to sign the necessary Grant Agreement Contraction No. 1; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, Department of Budget and Financial Management, the Neighborhood Development Services, the Regional Planning Commission, the City of Kent and the City of Ravenna; 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;                      Maureen T. Frederick, Yea;                      Christopher Smeiles, Yea;

\*    \*    \*    \*    \*

**RESOLUTION No. 10-1054                      -                      RE:      DECLARE OBSOLETE AND AUTHORIZE THE TRADE-IN OF PORTAGE COUNTY PERSONAL PROPERTY.**

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

**WHEREAS,** the Portage County personal property titled to the Portage County Board of Developmental Disabilities, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, declared as such and is for sale; and

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

**WHEREAS,** pursuant to the Ohio Revised Code Section 307.12 the Board of County Commissioners authorize the discarding or trade-in of personal property valued under \$2,500.00 without advertisement or public notification; now therefore be it

**RESOLVED,** that, in accordance with the Ohio Revised Code Section 307.12, the Board of County Commissioners authorizes the trade-in of the following personal property at the Portage County Board of Developmental Disabilities:

One (1) Advance Scrubber  
PCBDD Identification: 004120; and be it further

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

Voice vote as follows:

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

\* \* \* \* \*  
**RESOLUTION No. 10-1055 - RE: AGREEMENT FOR SANITARY SEWER IMPROVEMENTS FOR THE MEADOW VIEW SUBDIVISION PHASE 3 SEWER PROJECT, PORTAGE COUNTY WATER RESOURCES DEPARTMENT PROJECT NO. ST-4 08-170.**

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

**WHEREAS,** Streetsboro Land Group LLC, (OWNER) has constructed an 8 inch sanitary sewer main and all necessary appurtenances (SANITARY SEWER) for the Meadow View Subdivision Phase 3 Sewer Project, (Portage County Water Resources Project Number ST-4 08-170).

This project provides sanitary sewer service to Phase 3 of the Meadow View Subdivision located in the City of Streetsboro, Original Township Lot 66, Portage County, Ohio; and

**WHEREAS,** the OWNER has acknowledged that all labor and material for the construction of the SANITARY SEWER has been paid in full; and

**WHEREAS,** the OWNER now wishes to convey the SANITARY SEWER as a gift to Portage County to own, maintain, and operate, now therefore be it

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

Section 1. That the COMMISSIONERS agree to enter into an Agreement with the OWNER who have constructed the SANITARY SEWER that provides sanitary sewer service to Phase 3 of the Meadow View Subdivision located in the City of Streetsboro, Original Township Lot 66, Portage County, Ohio.

Section 2. That after the COMMISSIONERS sign the letter of acceptance (as prepared by the Director of the Portage County Water Resources Department) the COMMISSIONERS will accept the SANITARY SEWER to own, maintain, and operate.

Section 3. That the COMMISSIONERS find and determine that all formal actions at this meeting concerning and relating to the adoption of this resolution were taken in an open meeting by the COMMISSIONERS and that all deliberations of the COMMISSIONERS that resulted in those formal actions were in a meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

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

\* \* \* \* \*

**RESOLUTION No. 10-1056 - RE: AGREEMENT FOR SANITARY SEWER IMPROVEMENTS FOR THE MEADOW VIEW SUBDIVISION PHASE 1 SEWER PROJECT, PORTAGE COUNTY WATER RESOURCES DEPARTMENT PROJECT NO. ST-4 07-040.**

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

**WHEREAS,** Streetsboro Land Group LLC, (OWNER) has constructed an 8 inch sanitary sewer main and all necessary appurtenances (SANITARY SEWER) for the Meadow View Subdivision Phase 1 Sewer Project, (Portage County Water Resources Project Number ST-4 07-040). This project provides sanitary sewer service to Phase 1A and 1B of the Meadow View

Subdivision located in the City of Streetsboro, Original Township Lot 66, Portage County, Ohio; and

**WHEREAS,** the OWNER has acknowledged that all labor and material for the construction of the SANITARY SEWER has been paid in full; and

**WHEREAS,** the OWNER now wishes to convey the SANITARY SEWER as a gift to Portage County to own, maintain, and operate, now therefore be it

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

Section 1. That the COMMISSIONERS agree to enter into an Agreement with the OWNER who have constructed the SANITARY SEWER that provides sanitary sewer service to Phase 1A and 1B of the Meadow View Subdivision located in the City of Streetsboro, Original Township Lot 66, Portage County, Ohio.

Section 2. That after the COMMISSIONERS sign the letter of acceptance (as prepared by the Director of the Portage County Water Resources Department) the COMMISSIONERS will accept the SANITARY SEWER to own, maintain, and operate.

Section 3. That the COMMISSIONERS find and determine that all formal actions at this meeting concerning and relating to the adoption of this resolution were taken in an open meeting by the COMMISSIONERS and that all deliberations of the COMMISSIONERS that resulted in those formal actions were in a meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

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

\* \* \* \* \*

**RESOLUTION No. 10-1057 - RE: AGREEMENT FOR SANITARY SEWER IMPROVEMENTS FOR THE MEADOW VIEW SUBDIVISION - OFF SITE IMPROVEMENTS SEWER PROJECT, PORTAGE COUNTY WATER RESOURCES DEPARTMENT PROJECT NO. ST-4 07-050.**

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

**WHEREAS,** Streetsboro Land Group LLC, (OWNER) has constructed an 8 and 10 inch, gravity sanitary sewer, an 8 inch sanitary sewer force main, a sewage pump station and all necessary appurtenances (SANITARY SEWER) for the Meadow View Subdivision – Off Site Improvements Sewer Project, (Portage County Water Resources Project Number

ST-4 07-050). This project will provide sanitary sewer service to Phase 1A, Phase 1B and future phases of the Meadow View Subdivision to be located in the City of Streetsboro, Original Township Lot 66, Portage County, Ohio; and

**WHEREAS,** the OWNER has acknowledged that all labor and material for the construction of the SANITARY SEWER has been paid in full; and

**WHEREAS,** the OWNER now wishes to convey the SANITARY SEWER as a gift to Portage County to own, maintain, and operate, now therefore be it

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

Section 1. That the COMMISSIONERS agree to enter into an Agreement with the OWNER who have constructed the SANITARY SEWER that provides sanitary sewer service to Phase 1A, Phase 1B and future phases of the Meadow View Subdivision to be located in the City of Streetsboro, Original Township Lot 66, Portage County, Ohio.

Section 2. That after the COMMISSIONERS sign the letter of acceptance (as prepared by the Director of the Portage County Water Resources Department) the COMMISSIONERS will accept the SANITARY SEWER to own, maintain, and operate.

Section 3. That the COMMISSIONERS find and determine that all formal actions at this meeting concerning and relating to the adoption of this resolution were taken in an open meeting by the COMMISSIONERS and that all deliberations of the COMMISSIONERS that resulted in those formal actions were in a meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

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

\* \* \* \* \*

**RESOLUTION No. 10-1058 - RE: ACCEPT AND ENTER INTO A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS, THE PORTAGE COUNTY ENGINEER, AND TEAMSTERS' LOCAL UNION NO. 436**

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

**WHEREAS,** the Collective Bargaining Agreement between the Portage County Commissioners, the Portage County Engineer, and the Teamsters' Local Union No. 436 will expire on November 12, 2010; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby accept and agree to enter into a Successor Collective Bargaining Agreement between the Portage County Commissioners, the Portage County Engineer, and the Teamsters' Local Union No. 436 as negotiated and accepted by vote of the Bargaining Unit; and be it further

**RESOLVED,** that this agreement shall be effective November 13, 2010 and shall continue in full force and effect for 36 months until October 31, 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;

\*

\*

\*

\*

\*

**RESOLUTION No. 10-1059**

-

**RE:**

**CASH ADVANCE - FROM FUND 0001, GENERAL FUND TO FUND 3114, SA PCS BOND 2001**

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

**WHEREAS,** fund 3114 has not collected sufficient funds through special assessments in order to meet its debt obligation that is due in December, 2010, and

**WHEREAS,** interim financing is needed until Fund 3114 can collect sufficient funds through the collection of assessments to meet its debt obligations, and

**WHEREAS,** according to the Auditor's Office, accounting regulations require that the General Fund be responsible to fund special assessment shortfalls; now therefore be it

**RESOLVED,** that the following cash advance be made in the amount of \$ 12,061.79:

**FROM:**

FUND 0001, GENERAL FUND

ORGCODE - 00100009

Debit Expense Account

Object 920000 - Advances-Out \$ 12,061.79

**TO:**

FUND 3114, SA PCS BOND 2001

ORGCODE – 31140102

Credit Revenue Account

Revenue Source 290000 - Advances-In \$ 12,061.79

and be it further

**RESOLVED,** the advance will be repaid when assessments exceed required debt payments in any given year, and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Water Resources Department, 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. 10-1060**

-

**RE:**

**CASH ADVANCE - FROM FUND 0001, GENERAL FUND TO FUND 3141, SA PCW BOND 1997**

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

**WHEREAS,** fund 3141 has not collected sufficient funds through special assessments in order to meet its debt obligation that is due in December, 2010, and

**WHEREAS,** interim financing is needed until Fund 3141 can collect sufficient funds through the collection of assessments to meet its debt obligations, and

**WHEREAS,** according to the Auditor's Office, accounting regulations require that the General Fund be responsible to fund special assessment shortfalls; now therefore be it

**RESOLVED,** that the following cash advance be made in the amount of \$ 572.03:

**FROM:**

FUND 0001, GENERAL FUND

ORGCODE - 00100009

Debit Expense Account

Object 920000 - Advances-Out \$ 572.03

**TO:**

FUND 3141, SA PCW BOND 1997

ORGCODE – 31410102

Credit Revenue Account

Revenue Source 290000 - Advances-In \$ 572.03

and be it further

**RESOLVED,** the advance will be repaid when assessments exceed required debt payments in any given year, and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said cash advance by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Water Resource Department, 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 16, 2010

1. Approval of Meeting Minutes from the November 9, 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/10-1042
3. Approve the Journal Vouchers as presented by the County Auditor/10-None

4. Approve Then & Now as presented by the County Auditor/10-1044.
5. Authorize the application to Cadre Foundation Inc. Grant Program (Dog Warden) /10-1045.
6. Authorize the Application to the Clark Chartable Trust Grant Program (Dog Warden) /10-1046.
7. Authorize the application to the Compassion for Animals Charity inc. Grant Program (Dog Warden) /10-1047.
8. Authorize the application to the Doris Day Animal League's Grant Program (Dog Warden) /10-1048.
9. Authorize the application to the E.D. Foundation Grant Program (Dog Warden) /10-1049.
10. Authorize the filing of an application for the FY2010 Northeast Central Ohio Regional Disaster Planning Consortium Grant (Office of Homeland Security and Emergency Management)/10-1050
11. Appointment of Portage County representatives to the Northeast Ohio Four County Regional Planning and Development Organization (NEFCO) (Executive Assistant) /10-1051.
12. Public Announcement of Available Contracts (County Engineer) /10-1052.
13. Resolution to amend Resolution 09-0576 to change the end dates on the 2009 NSP Grant, as recommended by the Department of Budget & Financial Management/10-1053.
14. Resolution to declare obsolete and authorize the trade-in of Portage County personal property, as presented by the Portage County Board of Developmental Disabilities/10-1054.
15. The Water Resources Department presents three resolutions for Board of Commissioners' consideration. JoAnn Townend will prepare the agreements for Board signature:
  - A. Agreement for sanitary sewer improvements for the Meadow View Subdivision Phase 3 sewer project, Portage County Water Resources Department Project No. ST-4 08-170/10-1055.
  - B. Agreement for sanitary sewer improvements for the Meadow View Subdivision Phase 1 sewer project, Portage County Water Resources Department Project No. ST-4 07-040/10-1056.
  - C. Agreement for sanitary sewer improvements for the Meadow View Subdivision – Off Site Improvements Sewer Project, Portage County Water Resources Department Project No. ST-4 07-050/10-1057.

\*

\*

\*

\*

\*

## **INVITATIONS/MEETING NOTICES**

November 16, 2010

1. Invitation from Job & Family Services for the Holiday Party on Wednesday, December 8, 2010, 11:30 AM-1:00 PM, Elks Lodge, Ravenna.
2. Invitation from First Merit Akron Region for the Annual Holiday Reception on Monday, December 6, 2010, 5:00-8:00 PM, First Merit Bank, Akron.
3. Invitation from the City of Ravenna for the Open House/Ribbon Cutting Ceremony for the new Ravenna Dispatch Center on Wednesday, November 17, 2010. 3:00-6:00 PM, 220 S. Park Way, Ravenna.
4. Invitation from the Home Builders Association for the 67<sup>th</sup> Annual Inauguration Ceremonies of President Richard Bancroft and the 2011 Board of Trustees on Saturday, December 4, 2010, 6:00 PM, Grestone Hall (former Masonic Temple), Akron.
5. Invitation from Kent State University for a Farewell Reception honoring State Representative Kathleen Chandler on Monday, November 22, 2010, 4:30-6:30 PM, Room 204 Kent Student Center.
6. Invitation from M.A.D.D. for the Annual Candlelight Vigil of Remembrance and Home on Sunday, December 12, 2010, 5:30 PM, Maplewood Christian Church.
7. Invitation from the Neighborhood Development Services to the Maplewood Village Ribbon Cutting on December 8<sup>th</sup> at 11:00 AM in Streetsboro.
8. Invitation to the Tree City Awards & Annual Dinner on Thursday, November 18<sup>th</sup> at 6:00 PM in the KSU Ballroom, as presented by the Kent Area Chamber of Commerce.

\*

\*

\*

\*

\*

## **INCOMING CORRESPONDENCE**

### **DISCUSSION**

November 16, 2010

1. November 3, 2010 correspondence from Keith Koralewski, Department of the Army Buffalo District, New York, including the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the proposed Federal reimbursement of funds for the design and construction of replacement water and sewer pipes – Streetsboro Sanitary Sewer Improvement Project. Comments are requested no later than 30 days from receipt of this letter/Forward to the Water Resources Department for comment.
2. The Board of Commissioners received its official ballot for voting in the County Farm Service Agency (FSA) Committee election for a farmer or rancher of choice to represent Portage County on the County Farm Service Agency Committee. Election date December 6, 2010. (November 2004 – Jay Goodell;

November 2007 Jeanne Harkai)/Forward to the Executive Assistant for review and comment to the Board of Commissioners.

3. November 4, 2010 correspondence from Michael Colbert, Ohio Department of Job & Family Services, regarding Portage County Single Audit (A-133 Audit) (January 1, 2009-December 31, 2009)/Forwarded to the JFS Director for review and comment today when she meets with the Board of Commissioners.
4. November 9, 2010 e-mail from Dawn Pechman, regarding a vacancy on the Airport Board/Forward to the Executive Assistant.
5. Discussion: Government Day Thursday, December 2, 2010 – Board of Commissioners to speak from 8:45 AM-9:20 AM/The Board of Commissioners will participate.
6. Discussion: Board of Commissioners to approve appointments to the Interoperability & Communications Committee charter/Information only.
7. Discussion: Does the Board of Commissioners authorize the Clerk and Executive Assistant at the PCDED to serve as the Secretary-Treasurer and Assistant Secretary for the Portage County Port Authority in 2011. (Next meeting of the PA is December 7, 2010)/Journal Entry
8. Discussion: Does the Board wish have security present, waive insurance and the dollar fee for use of the Nursing Clinic next to WIC on Thursday, November 18, 2010 from 4:00-7:00 PM for an Open Flu Clinic for Portage County residents/Journal Entry
9. November 12, 2010 email from Sheriff Doak regarding the 911 system. Forwarded to the Office of Homeland Security and Emergency Management Director for comment to the Board of Commissioners/The Homeland Security and Emergency Management Office Director advised the Board of Commissioners that the issue was with the recent time change and has been corrected.
10. November 8, 2010 memo from the County Auditor regarding the fixed asset departmental report/Clerk to complete and return.
11. November 10, 2010 letter of support from the Portage County Fire Chiefs Association for the purchase of a building for the stager of special response vehicles and equipment/Hold for discussion with the Homeland Security and Emergency Management Office Director today.
12. Christley, Herington & Pierce invoice 35340 for \$603.75 for services rendered for the Building Department Collective Bargaining Agreement. Please note the \$218.75 previously paid by the Board of Commissioners. Does the Board of Commissioners want to charge back \$848.75 to the Building Department/Journal Entry
13. The Regional Planning Commission presents the Comprehensive Economic Development Strategy (CEDS) update for Board of Commissioners' consideration by resolution/Hold for Commissioner Smeiles to contact Director Peetz to add the Shalersville Industrial Park project to the list.

\*

\*

\*

\*

\*

## JOURNAL ENTRY

November 16, 2010

1. Board of Commissioners' authorization requested to pay Invoice No. 170077 S, dated October 29, 2010 from Norlson Inc. for the repair of the software download program for the Commissioners' Olympus DS2000 hand held recorder \$90.00.
2. The Board of Commissioners received the Weekly Report of Kennel population for the week ending November 7, 2010 as presented by Dave McIntyre, Dog Warden. The Board of Commissioners acknowledged receipt of \$100.00 in Court donations, \$480.00 in License Sales and \$843 for Impound fees.
3. The Board of Commissioners received proof of publication for Legal Notice in the Record Courier from October 29, 2010-November 3, 2010 of the petition to annex 139.3981 acres from Hiram Township to Hiram Village as presented by Agent Attorney Douglas Paul, Christley, Herington & Pierce.
4. Board of Commissioners' authorization requested to pay Neighborhood Development Services for the 2008 Portage County CHIP Administration for the Countywide Project for \$4,620.00 as requested by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
5. On June 29, 2010, the Board of Commissioners adopted Resolution No. 10-0602 to accept and sign the Ohio Environmental Protection Agency's (EPA) FFY10 Cuyahoga County GLRI/SWIF Grant Agreement, Grant No. 10-SWIF-111 as presented by the Regional Planning Commission.

In order to comply with the Ohio EPA's Executive Order No. 2010-09S (Banning the Expenditure of Public Funds for Offshore Services), Board of Commissioners' authorization is requested to have a Commissioner sign Department of Administrative Services Standard Terms and Condition and Standard Affirmation and Disclosure dated September 3, 2010 for the OEPA SWIF Grant No. 10-SWIF-111 (Bio-retention cell construction) as requested by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

6. November 10, 2010 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2010 as presented by the Portage County Auditor's Office.
7. Board of Commissioners' signature requested on the payment authorization form for contractor Woodford Excavating for demolition of 3254 Hommon Road (\$3,299.00), 6738 Terrill Avenue (\$1,998.00) and 6615 Fairfield (\$2,198.00), Ravenna for \$7,495.00 as requested by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Demolition Activity is funding this expense.

8. Board of Commissioners' signature requested on the payment authorization for Ravenna City for contractor Woodford Excavating for demolition of 455 West Main Street, Ravenna for \$7,498.00 as requested by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Demolition Activity is funding this expense.
9. Board of Commissioners' signature requested on the payment authorization for Ravenna City for Evelyn Beeman for travel reimbursement to attend the 2010 Community Development Conference November 3-5, 2010 for \$113.60 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #08 is funding this expense.
10. Board of Commissioners' signature requested on the purchase requisition for Mail Finance Inc. of Carol Stream, IL for postage to administer the CDBG Grants for \$120.00. The B-F-09-1CJ-1 Formula Grant Activity #8 Administration is funding this expense. No Department of Budget & Financial Management review required.
11. Board of Commissioners' signature requested on the Journal Entry for payment of \$707.37 for administrative fees for the 2008 NSP Grant Program, as presented by the Regional Planning Commission. (B-Z-08-1CJ-1) Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
12. Board of Commissioners' signature requested on the Journal Entry for payment of \$41.40 for project costs incurred by the Regional Planning Commission for rehab projects on the B-F-09 Formula Grant (CAC Roof Replacement), as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
13. Board of Commissioners' signature requested on the Journal Entry for payment of \$859.33 for administrative fees from the CDBG B-F-09-1CJ-1 Formula Grant Program, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

\* \* \* \* \*

**REFERRED**

November 16, 2010

1. November 4, 2010 correspondence from Joseph Hadley Jr., NEFCO, regarding the CY2011 General Policy Board appointments/Referred to the Executive Assistant.

\* \* \* \* \*

**INFORMATION ONLY**

November 16, 2010

1. November 11, 2010 memo from Chanel Mason, Department of Budget & Financial Management, including a drawdown request for OVW Grant 2007-WE-AX-0048 as authorized by Commissioners' Journal Entry on November 5, 2010.

2. The Portage County Regional Airport presents the October 13, 2010 meeting minutes and General Fund Financial Report for January 1, 2010 – October 31, 2010.

\* \* \* \* \*

**Journal Entry**

November 16, 2010

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

1. The Board of Commissioners authorized payment of Invoice No. 170077 S, dated October 29, 2010 from Norlson Inc. of Akron for the repair of the software download program for the Commissioners' Olympus DS2000 hand held recorder for \$90.00.
2. The Board of Commissioners acknowledged the receipt of the Weekly Report of Kennel population for the week ending November 7, 2010 as presented by Dog Warden Dave McIntyre. The Board of Commissioners also acknowledged the receipt of \$100.00 in Court donations, \$480.00 in License Sales and \$843 for Impound fees.
3. The Board of Commissioners acknowledged the receipt of the proof of publication of the Legal Notice in the Record Courier from October 29, 2010-November 3, 2010 of the petition to annex 139.3981 acres from Hiram Township to Hiram Village, as presented by Agent for the Petitioner Attorney Douglas Paul, Christley, Herington & Pierce.
4. The Board of Commissioners authorized payment to Neighborhood Development Services for the 2008 Portage County CHIP Administration for the Countywide Project for \$4,620.00, as presented by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
5. On June 29, 2010, the Board of Commissioners adopted Resolution No. 10-0602 to accept and sign the Ohio Environmental Protection Agency's (EPA) FFY10 Cuyahoga County GLRI/SWIF Grant Agreement, Grant No. 10-SWIF-111, as presented by the Regional Planning Commission.

In order to comply with the Ohio EPA's Executive Order No. 2010-09S (Banning the Expenditure of Public Funds for Offshore Services), the Board of Commissioners authorized Commissioner Keiper to sign the Department of Administrative Services Standard Terms and Condition and Standard Affirmation and Disclosure dated September 3, 2010 for the OEPA SWIF Grant No. 10-SWIF-111 (Bio-retention cell construction), as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

6. The Board of Commissioners acknowledged the receipt of the November 10, 2010 Certificate of the County Auditor that the Annual Appropriations from each fund does not exceed the Amended Official Certificate of Estimate Resources for the fiscal year beginning January 1, 2010, as presented by the Portage County Auditor.

7. The Board of Commissioners signed the payment authorization form for contractor Woodford Excavating of Southington, Ohio for demolition of 3254 Hommon Road (\$3,299.00), 6738 Terrill Avenue (\$1,998.00) and 6615 Fairfield (\$2,198.00), Ravenna for \$7,495.00, as presented by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Demolition Activity is funding this expense.
8. The Board of Commissioners signed the payment authorization for Ravenna City for contractor Woodford Excavating for demolition of 455 West Main Street, Ravenna for \$7,498.00, as presented by the Regional Planning Commission. The B-Z-08-1CJ-1 Neighborhood Stabilization Program Demolition Activity is funding this expense.
9. The Board of Commissioners signed the payment authorization for Ravenna City for Evelyn Beeman for travel reimbursement to attend the 2010 Community Development Conference November 3-5, 2010 for \$113.60, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #08 is funding this expense.
10. The Board of Commissioners signed the purchase requisition for Mail Finance Inc. of Carol Stream, IL for postage to administer the CDBG Grants for \$120.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #8 Administration is funding this expense. No Department of Budget & Financial Management review required.
11. The Board of Commissioners signed the Journal Entry for payment of \$707.37 for administrative fees for the 2008 NSP Grant Program, as presented by the Regional Planning Commission. (B-Z-08-1CJ-1) Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
12. The Board of Commissioners signed the Journal Entry for payment of \$41.40 for project costs incurred by the Regional Planning Commission for rehab projects on the B-F-09 Formula Grant (CAC Roof Replacement), as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
13. The Board of Commissioners signed the Journal Entry for payment of \$859.33 for administrative fees from the CDBG B-F-09-1CJ-1 Formula Grant Program, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
14. The Board of Commissioners acknowledged the receipt of the November 11, 2010 memo from Chanel Mason, Department of Budget & Financial Management, including a drawdown request of \$13,992.29 for OVW Grant 2007-WE-AX-0048.
15. The Board of Commissioners approved the Portage County Health Department use of their Nursing Clinic next to the WIC Clinic in the Portage County Administration Building on Thursday, November 18, 2010 from 4:00 PM-7:00 PM for an Open Flu Clinic for Portage County residents. The Board of Commissioners also agreed that it is not necessary for security staff to be present and agreed to waive insurance and the dollar fee.

16. The Board of Commissioners authorized payment of the Christley, Herington & Pierce invoice 35340 dated October 31, 2010 for \$603.75 for services rendered for the Building Department Collective Bargaining Agreement, and reviewed by the Human Resources Department Director. The Board of Commissioners agreed to pay that invoice amount with the Department of Budget & Finance charging back a total of \$848.75 (\$603.75 plus previous payment of \$245.00 approved by Journal Entry on October 14, 2010) to the Building Department.

17. The Board of Commissioners signed the November 11, 2010 correspondence to Portage County Auditor Janet Esposito requesting that staff debit the Area Agency on Aging Fund 1470 and credit the General Fund, as presented by the Department of Budget & Financial Management as follows:

<u>Org</u>	<u>Object</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
<b>Debit:</b> 00550001	180000	9B03S	\$1,932.31	Contract Services
<b>Credit:</b> 14700557	710000	9A044	\$1,932.31	Contract Services

18. The Board of Commissioners authorized the Department of Homeland Security & Emergency Management Director to work with the Internal Services Director and/or the Prosecutor’s Office to negotiate a purchase price and agreement for Portage County real estate for the safe storage of first responder procured equipment. Director Barber to bring the negotiated agreement to the Board of Commissioners for final approval.

19. The Board of Commissioners authorized their Clerk and the Economic Development Department Executive Assistant to serve as the Secretary-Treasurer and Assistant Secretary for the Portage County Port Authority in 2011.

All in favor, motion carries.

\* \* \* \* \*

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners’ meeting on **November 16, 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 2:00 PM. All in favor, motion carries.

Charles W. Keiper II, President

Maureen T. Frederick, Board Member

Christopher Smeiles, Vice President

Deborah Mazanec, Clerk

\* \* \* \* \*