

Thursday, January 6, 2011

The Board of County Commissioners met in regular session on **Thursday, January 6, 2011 at 9:25 AM** with the following members present:

Christopher Smeiles

Maureen T. Frederick

Tommie Jo Marsilio

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It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick to approve the meeting minutes of the January 4, 2011 meeting. All in favor, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier; Executive Assistant; members of the public

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JOB & FAMILY SERVICES

Present: JFS Director Judee Genetin; JFS Staff Terri Burns, Brian Boykin, Kevin Gowan; Human Resources Department Director Karen U'Halie

9:35 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by Tommie Jo Marsilio seconded by Maureen T. Frederick that the Board of Commissioners move into executive session to consider and staffing issues. **Also present: Judee Genetin, Terri Burns, Brian Boykin, Kevin Gowan, Human Resources Department Director Karen U'Halie, Clerk Deborah Mazanec.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

9:55 AM Upon conclusion of the above referenced discussion, it was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took action by Journal Entry and Resolutions 11-0021 and 11-0022. The JFS Director will meet with the Union first and then employees regarding the layoffs.

The Board of Commissioners commended the Director and staff on a job well done.

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

1. The Director noted that the Board of Elections has asked her to locate space in the Administration Building to allow them to acquire 99 free voting machines from the Diebold settlement. The Board of Elections will stack the machines on any floor in the Administration Building and not require shelving if stored anywhere other than the first floor. The Director

recommends using Jim Manion's former office on the sixth floor and add a second lock. The Board of Commissioners agreed to the use of the office, as suggested.

2. The Director noted that there are two Economic Development contracts which expired 12-31-10. The Board of Commissioners previously asked JoAnn Townend to determine how far along the contracts are.
 - A. JoAnn Townend contacted CBOSS and learned that the company was to develop the webpage internet for the PCDED. CBOSS told JoAnn Townend that PCDED Director Bill Ulik stopped work and are about halfway done. The contract balance is \$6,099.50 out of contract total of \$9,400.00. The contract was signed in January 2010 and the vendor is willing to complete the project once they know how to proceed.
 - B. The Tannery Marketing Communication at Kent State contract was for \$5,000 with a \$2,000 balance. The contract was to develop a logo and marketing literature. JoAnn Townend has not made contact due to staffing changes. The contract was signed December 2009.

Commissioner Marsilio asked why it took a year to design a website. JoAnn Townend responded that the contract gave the year and added that The Tannery contract is for the same one year. Commissioner Frederick confirmed that she did see a logo for the Portage Development Board but nothing for the county. Commissioner Frederick noted that the Board of Commissioners told Bill Ulik to stop the contracts about three months ago. Commissioner Smeiles stated that regardless of what happens, there is a need for the website and marketing materials. Commissioner Frederick agreed. JoAnn Townend noted that both contracts are paid by the PCDED budget. If this is the Portage Development Board end result, how will this move forward. Commissioner Frederick responded that the county will have an economic development effort no matter what and she would like to use the money to move the effort forward. JoAnn Townend noted that this contract is for the Portage Development Board and not the PCDED. Commissioner Frederick asked if the Board of Commissioners can conserve these funds and use them to upgrade the Portage County ED website and not the PCDED website.

The Board of Commissioners will let JoAnn Townend know how to proceed noting that both agreements expired on 12/31/10.

3. Director Townend noted that AMERESCO sent her information about their energy services after meeting Commissioner Smeiles at the CCAO Conference in Columbus. The offer is to look at facilities and old bills to see how to save money.

The Board of Commissioners authorized the Executive Assistant to work with Palmer Conservation Consulting through the CCAO. If the Board of Commissioners thinks it is a good thing for someone to come in and look at county buildings, the consultant cannot bid on the project once it goes to bid. This reminds the Director of the HB 300 program that the county went into in 1999 for ten years where the county retrofitted ballasts and lights and tightened up heating program. Commissioner Frederick has information as to what the county spent and the results of the investigation.

Commissioner Frederick noted that the CCAO program is a free one that the Board of Commissioners asked the Executive Assistant to investigate. Has she contacted the CCAO and/or Palmer?

AMERESCO appears to be interested in performing the work as well as the investigative work.

The Board of Commissioners agreed to meet with both companies to determine how to proceed. Ask the Executive Assistant how far along she is with the program.

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RESOLUTIONS

1. Enter into lease amendment 5 with Planned Parenthood for rental of suite 203 at 209 S. Chestnut St./11-0009
2. Enter into amendment 1 with Community Action Council for Title XX home repairs and energy efficiency services 12/1/10 to 11/30/11./11-0010
3. Enter into amendment 1 with Community Action Council for Title XX senior emergency utility assistance services 12/1/10 to 11/30/11./11-0011
4. Enter into an agreement CompManagement Inc. for workers' compensation third party administrator services for 2011./11-0012
5. Enter into an agreement with Bentley Systems for sewer and water autocad software for the Water Resources Department 3/2/11 to 3/1/13./11-0013
6. Enter into an agreement with Oak Group Inc. for back-up plans examiner and back-up building official services for 2011.

Commissioner Marsilio stated that it is not an appropriate time to add this when budgets are being cut. Commissioner Smeiles noted that the County has offered to partner, regionalize and streamline duties with both the Ravenna and Streetsboro Building Departments with no interest.

CBO Wrentmore attending to give the Board of Commissioners the history. The state requires that there be a back up person on staff. Kohei Ishikawa has been the back-up plans examiner for the past several years, as needed, and the CBO would like to change to the Oak Group, Inc. for Back-Up Plans Examiner services and Back-Up Building Official Services. Mr. Ishikawa is a part-time contract employee as the backup plans examiner at \$75/hour for plan review. Commissioner Marsilio asked if the Oak Group Inc. is to receive \$200/month even if not called and/or used. The CBO responded yes and noted that Mr. Ishikawa's contract does not have that stipulation.

Commissioner Frederick asked how often the CBO would use the back-up. The CBO responded once a year or so and added that the charge for the backup person is passed directly to the applicant. Commissioner Frederick asked if Building Department employee Randy Roberts is

Building Official certified. The CBO responded no and advised that Mr. Roberts is residentially certified but not commercially certified. The new firm's cost would not exceed \$10,000 for 2011 no matter how much work is done for the county; if the company is never used, it would still receive \$2400 per year/11-0014

7. Enter into a memorandum of understanding with Jeff Lonzrick as interim director for the Water Resources Department./11-0015

Commissioner Smeiles reminded the Board of Commissioners that the County Engineer could take on the Director's duties or the Board of Commissioners could form a Board to oversee operations. Commissioner Marsilio stated that she would like to investigate a sharing of the Water Resources Department duties with the Solid Waste Management District.

8. Enter into a memorandum of agreement with the Auditor of State and James G. Zupka, CPA, Inc. for audit of Portage County for the fiscal periods January 1, 2010 through December 31, 2014./11-0016
9. Enter into an agreement with Wage Works to provide administrative services for the Section 125 flexible spending account plan for Portage County employees./11-0017
10. Authorize payment of claim on release and settlement for Claudia and Joseph Koharchik./11-0018
11. Accept, award the bid and enter into an agreement for the general contractor for office renovations at the bus garage for Happy Day School of the Portage County Board of Developmental Disabilities./11-0019

The Director advised the Board of Commissioners that the video streaming project is before the Data Processing Board next week. Once approved, JoAnn Townend will circulate the agreement for signatures.

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HUMAN RESOURCES

Present: Karen U'Halie

The Director advised the Board of Commissioners that CORSA is offering a 101 Overview for elected officials, department heads and supervisors to assist in the understanding of coverage they provide under their agreement with Portage County. The presentation is planned for about three hours. CORSA is also offering Sexual Harassment Training that could dovetail into the CORSA 101 Overview as a full day seminar. The Board of Commissioners agreed to schedule both trainings with the Director checking with CORSA to determine if the two can be offered separately/Journal Entry

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The Director presented the two resolutions authorizing the layoffs in the Portage County Department of Job & Family Services/11-0021 and 11-0022

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10:55 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by Tommie Jo Marsilio seconded by Maureen T. Frederick that the Board of Commissioners move into executive session to consider employment, staffing and discipline issues. **Also present:** Human Resources Department Director Karen U’Halie and Clerk Deborah Mazanec. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

11:55 AM Upon conclusion of the above referenced discussion, it was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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11:55 AM The Board of Commissioners recessed to Solid Waste Management District

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12:10 AM Lunch Recess

1:00 PM Board of Commissioners Reconvened

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DISCUSSION – COORDINATED EFFORTS

Present: Human Resources Department Director Karen U’Halie, Department of Budget & Finance Director Audrey Tillis, Solid Waste Management District Director Bill Steiner, Water Resources Department Interim Director Jeff Lonzrick, Lynn Kline

The Board of Commissioners agreed to discuss the possibility of a coordinated effort for financial management of both Solid Waste and Water Resources, since both departments use the same software already.

Director Steiner is in favor of the effort and would like to see the department located in the Administration building since the Treasurer and Auditor are both located there.

Lynn Kline would be in favor of the merging as long as it is well thought out and the accounting staff is capable, well qualified and knowledgeable. Staff would need to be diligent in processing paperwork. Late fees and insufficient check charges should be the same both departments. Control over accounting and the hierarchy are important. Union issues, physical space would have to be worked out. She agreed that it would be better to stay in the Administration Building.

Audrey Tillis asked if there will be a duplication in staff. Ms. Kline responded that she would hope not – with the right staff there should not be any issues once the structure is defined.

Commissioner Smeiles asked how the combination would save the taxpayers money. Ms. Kline responded that the Solid Waste Management District carried over \$100,000 because the Director was not paying financial staff. Depending on however the salaries are divided each department would have a savings. It would depend on what other duties, besides accounting, would have to be accomplished like stuffing envelopes etc. Commissioner Frederick stated that the notion is to take all of the financial

transactions and combine them for both departments. That may mean that some positions would be eliminated while others are created.

Audrey Tillis stated that there was prior discussion of setting up a county department to take over all financial/accounting transactions. Ms. Kline stated that an employee in that office would have to know what is happening at each department by attending staff meetings etc.

Bill Steiner advised that his department already performs mechanical work on Water Resources Department vehicles. He agreed that this could work well with the correct structure. Audrey Tillis added that this new department could provide support to other departments in need of those services. Commissioner Smeiles noted that the software issues, staffing with qualifications in a new department, what are current employees doing and how can we streamline the effort are issues to be addressed. Lynn Kline stated that the Water Resources Department has \$50,000 in software costs, which must be paid for if used by another department.

Commissioner Frederick stated that since the county has a Department of Budget & Finance, perhaps that department could take over the combined department. Audrey Tillis suggested that the Board of Commissioners look at various models before a decision is made. Her office provides a follow up and in-sight for the Board of Commissioners.

Commissioner Smeiles asked if each department is on solid ground so that this decision can be made. Audrey Tillis responded that the Water Resources Department is functioning fine; Lynn Kline added that Harold Huff's leaving did not affect that department. Lynn Kline is working in both places without compensation from the Solid Waste Management District.

Commissioner Smeiles suggested giving the Directors 30 days to bring back a structure and recommendations. Then in another 30 days, the Board could make a decision.

Commissioner Marsilio stated that the Board of Commissioners wants the Directors and Ms. Kline to get together to make a recommendation. Commissioner Frederick suggested that staff not be territorial but to look at how to streamline the financial/accounting processes with Board of Commissioners' oversight and control. The Directors are to look at both short term and long term goals.

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The County Engineer called the Board of Commissioners to discuss the ongoing repair to the Freedom Secondary Track at Day Street in Ravenna. The County Engineer advised that the repair is more extensive than first believed and he will need to cut and move the track to replace a broken pipe. He advised the Board of Commissioners that the cost estimate for the repair will be at least \$20,000. He noted that there is a 6"-8" hole in the pipe as well as a repaired area that has failed. The line will need to be closed for longer than the original two to three days. The Engineer will need to hire an outside contractor with large machinery to remove sections of the rail since he does not have the equipment necessary to do this job. He will have a contractor's estimate to the Board of Commissioners by noon tomorrow. Commissioner Frederick asked if Smurfit Stone is still being services by the rail; the Engineer was unsure. Commissioner Smeiles suggested that if the rail is not being used, perhaps the county could simply shut it down.

The Board of Commissioners contacted Les Ashley, General Manager of the Akron Barberton Cluster Railroad, to discuss the situation. Mr. Ashley advised that the rail is used and must be repaired. He suggested that the county contact Wintrow Construction, the company that the ABCR uses for repairs. Mr. Ashton agreed to contact Smurfit Stone to make certain that they are aware of the necessary repair and the time frame for the repair. The Board of Commissioners asked that the Clerk forward the contact information for Wintrow Construction to the County Engineer.

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PORTAGE DEVELOPMENT BOARD

Present: Portage Development Board members Steve Colecchi, Lisa Barry, Joe Bica, John Ryan, Sabrina Bennett and Todd Peetz; Executive Assistant; members of the public and press

Commissioner Marsilio stated that her concern in general is entering into a contract for \$200,000 with a brand new entity that, without Portage County money has no assets, no employees or Director, no business plan and no experience as an entity. Historically, that is not the type of entity she would prefer that the county does business with. However, she is in favor of a public/private partnership and she would like to move forward by discussing ideas. She is not certain that the agreement can move forward by February 1st.

The group is attending today to discuss how the Portage Development Board contract will move forward. Portage Development Board Chairman Colecchi introduced the Portage Development Board members present and gave the history of the development of the board. He noted that the development of the Portage Development Board has taken several years. The Board of Commissioners retained Roetzel & Andress to begin the process in June 2009. Commissioner Frederick noted that the Board of Commissioners took no formal action to form this board. Steve Colecchi responded that the Commissioners authorized the Roetzel & Andress piece, the Commissioners actively contacted individuals to ask if they would consider serving on the board, and the first draft of the contract was presented to the Board of Commissioners on September 7, 2010 as the first formal action of the Portage Development Board. After the Prosecutor’s Office reviewed the draft and changes were made, it was December.

Steve Colecchi acknowledged that the strategic business plan and structure of the organization are not in place. The board was structured as a public/private entity and the Board of Directors is not interested in moving forward without county participation. Businesses interested in locating to Portage County want to deal with one entity that can address all issues in a one-stop shopping. If the county is not a committed partner, funds will not be expended to move forward. All 34 of the members have made a commitment to join and pay dues. Fees have not been collected yet until the county is in place as a participating member. The fee structure is being finalized but will range from \$300 for an individual membership to \$10,000/year based on the size of the organization. Mr. Colecchi stated that the goal is to generate 150,000/year in dues. Commissioner Marsilio added that, unless you are the county and then the fee is \$200,000.

Mr. Colecchi stated that NEOUCOM, KSU, Hiram College and the Portage County Port Authority have committed between \$50,000—\$60,000 as of today; he is not sure of the exact amount; he is confident that the Portage Development Board will meet or exceed the goal of \$150,000.

In response to Commissioner Marsilio's concern that the Portage Development Board has no economic development experience, Mr. Colecchi noted that the list of individuals on the board has more experience collectively than any collection of individuals in Portage County. There is also experience in implementation and the achievement of business goals. The proposed model is recognized by the Ohio Revised Code and he recommended that the Board of Commissioners look at Stark, Medina and Lorain Counties – they are true public/private partnerships that require county support.

Commissioner Frederick noted her concern about the Portage Development Board making all economic development decisions for Portage County. She asked if the Mayor of Ravenna would agree to relinquish that kind of authority; she would not agree to do that. Mr. Colecchi noted that Attorney Denise Smith raised the same concern and language was added to the agreement that the Portage Development Board cannot bind the county without the Commissioners approval.

Commissioner Frederick recalled that the Board of Commissioners was in the decision making process at the PPIC when economic development was under that organization. Will Portage Development Board actions come back to the Board of Commissioners for ratification? She also noted that the Board of Commissioners has already authorized payment of \$20,000 to NEOTEC and she wants to protect that investment. Add the cost for the county paying for those sort of things to the \$200,000 or are those things included? Steve Colecchi replied that the Portage Development Board will have a variety of committees as described in the Code of Regulations. Commissioner Smeiles noted an article explaining that the new Ohio Governor is in favor of these private/public partnerships and has appointed a 12 member committee to look at possibly replacing the Ohio Department of Development with another entity. The state would retain control of the funding decisions. Steve Colecchi replied that the Governor-Elect is looking at the Indiana model which has a similar structure. He continued that one of the Designate Members of the Portage Development Board is a County Commissioner. Perhaps that Commissioner could be the appointment to the organizations that the county pays dues to.

Commissioner Marsilio asked if this will be a working board – these CEOs are going to personally implement the items listed in Exhibit A. Mr. Colecchi responded that the language in Exhibit A is modeled from the ORC and the Board plans to call community members in who are not on the board but want to participate in some way. Someone must be in control on a day-to-day basis but the decision has not been made as to whether or not to hire its own Director or to find a current organization that could be hired to run the day-to-day operations. Perhaps a partnership with Team NEO? Commissioner Marsilio asked when those decisions will be made. Steve Colecchi responded that the transitional plan will be in place in the next several weeks and will include the answers to those questions. Perhaps the city of Kent and/or Ravenna would assist in covering the day-to-day functions until decisions could be made. Commissioner Frederick asked if the Portage Development Board has decided not to use the space where the PCDED is located. Steve Colecchi responded that it is part of the contract with the county to use that space.

Commissioner Smeiles read from the contract, which calls for a quarterly report to the Board of Commissioners and a business plan in place by April 1, 2011. Steve Colecchi responded that in many cases, businesses interested in moving to a new community may not want to share that information.

Commissioner Frederick suggested that the Neighborhood Development Services have a place on the Portage Development Board since they are great relationships with area banks and have access to the

county RFLs. Coordination of all assets is important. Lisa Barry stated that they all signed on because this is important to Portage County. Once it gets successful, it should feed off itself and people will want to come here to start a business.

Commissioner Marsilio stated that she continues to hear that the Portage Development Board is modeled after other successful private/non-profits. All other economic development groups that she is familiar with do not come with initial funding in full by the county. She is pleased to hear that there is some commitment. She is concerned that the county is putting so much money in with no other partners. Why isn't the private sector standing in line to give the dues? Steve Colecchi responded that the private sector is there and will pay their dues once the county confirms. The municipalities will pay \$3,000 and the largest institutions will pay \$10,000; medium sized businesses will be at \$5,000 level. The private money will be a part of this within the first 30-45 days to get started. Something has to happen first – the agreement must be in place.

Commissioner Frederick stated that the contract covers the monetary commitment but what is the cost of the in-kind for the current economic development offices? Steve Colecchi responded that the office is listed as in-kind in the contract. Commissioner Smeiles offered to investigate how much other counties are contributing to this type of effort. Steve Colecchi responded that he is asking for support and seed money. In two, three or four years, the Portage Development Board will not need county support. We have got to get started somehow – do something transformational with a county commitment at the current level to a group of individuals with a well established track record. Steve Colecchi presented a fact sheet of the Portage Development Board.

Commissioner Smeiles added that the Board of Commissioners took flak from the creation of the Port Authority, which just received \$38,000 from the state in fees from a financing for NEOUCOM.

Commissioner Marsilio stated that she believes in public/private partnership and wants this to work. The Portage Development Board is saying give us the money and they will come because of the esteemed membership list. There is not a permanent nor a temporary plan. She is confident that this can work because of the membership. However, before a public board gives money, it needs to see specific plans with details. How will this be accomplished?

Commissioner Smeiles noted that the Board of Commissioners could do a draw down methodology and not pay the entire \$200,000 at once. Steve Colecchi responded that it is not practical to put together a business plan without money in place to pay. Commissioner Smeiles stated that Portage County is already a partner by resolution unless this Board of Commissioners changes that. Commissioner Frederick noted that were changes to the contract that have yet to be addressed. Commissioner Smeiles asked if the Portage Development Board anticipates paying dues to NEOTEC.

Commissioner Frederick stated that the Board of Commissioners needs to factor in the in-kind in addition to the \$200,000, adding that the Board of Commissioners has already paid various dues to a number of organizations. The finite detail must be included in the agreement.

Steve Colecchi responded that the intent was that the NEOTEC dues is not to be an offset to the \$200,000. Is it more appropriate for the Portage Development Board to be the NEOTEC member?

Commissioner Smeiles replied that the JOED runs the NEOTEC and that is strictly a Commissioner body. Commissioner Marsilio and Commissioner Frederick have agreed that they want to meet with all entities that the Board of Commissioners pays dues to.

Commissioner Marsilio asked the Portage Development Board members present if they agree that the board is currently not where they need to be. John Ryan responded that it would be difficult to ask private sector to donate money to an organization until they were sure that the body was formed correctly. Steve Colecchi added that there is a transition period for any entity in start up.

Commissioner Marsilio asked if the Portage Development Board would consider working with a consultant on getting the business plan and startup plan together. Joe Mayernick, formerly of the Growth Partnership for Ashtabula County, is someone who Commissioner Marsilio trusts and who does not want a job, is putting together a group of people who are economic development experts and may be able to assist the Portage Development Board. She would prefer to extend the date from the January 1, 2011 start date and not cancel the contract. Commissioner Smeiles pointed out that the plan is in place and the Board would have to take action to stop it. Commissioner Marsilio responded that she would like to take that action.

Steve Colecchi stated that to avoid taking a vote to cancel the entire project, why not choose a different effective date to allow the Portage Development Board time to get written commitments. Lisa Barry suggested a March 1, 2011 start date.

Commissioner Smeiles noted that the Board of Commissioners has already voted to abolish the Economic Development Office on January 31st. Commissioner Frederick asked if the Portage Development Board plans to use the current economic development staff? Steve Colecchi responded that the discussion is on the agenda tomorrow; a transitional arrangement for office coverage. For example Mayor Bica has offered to have his Economic Development Coordinator involved. The permanent solution has not yet been determined; the Portage Development Board could contract with a larger organization or hire a full-time Director. Experts say there should be a four person staff at a \$400,000-500,000 budget. Mayor Bica stated that the approach must be seamless.

Commissioner Marsilio does not care what consultant is used, but wants to bring in a consultant who does not want a job and has no interest in coming to Portage County. Pick any consultant who makes the Portage Development Board happy.

Mayor Bica noted that there will be a lot of discussion and decisions made tomorrow. Steve Colecchi invited the Board of Commissioners to attend the meeting at noon tomorrow.

Resident Dawn Pechman noted that she would hate to see the Portage Development Board in situation similar to the GAPP situation now down the road. She is concerned with the makeup of the Board, which does not take into account local businesses.

Jeff Pritchard, Economic Development Director for the City of Streetsboro and alternate to Mayor Scott on the Portage Development Board, is concerned with the transition of the efforts. He has an agreement in the works with the current PCDED and asked how will that work? He did not hear any

discussion regarding the matter of transition. What if the agreement falls apart? What happen to the existing PCDED? We need working partners at the county level.

Steve Colecchi responded that if the March 1st becomes the new start date the Board of Commissioners needs to reconsider the abolishment of the PCDED on January 31, 2011. There may also be a concern with the NEOUCOM bond issue as well. Since the Prosecutor has advised the Board of Commissioners about the agreement, he has distanced himself from Director Bill Ulik. Commissioner Marsilio suggested that perhaps the transitional plan could contain a communication contingency about who to contact.

The Board of Commissioners thanked those in attendance today.

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Commissioner Smeiles noted that the deed for the donation of land has been prepared, signed and is being held for clarification in writing from the FAA. He is emailing Attorney Denise Smith regarding her use of the word “in perpetuity” when discussing the land donation she met with the Board of Commissioners on January 4th.

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RESOLUTION No. 11-0006 - RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE AMENDMENT TO LOCAL PUBLIC AGENCY (LPA) AGREEMENT #23323 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PROJECT KNOWN AS CABLELINE ROAD RESURFACING (SECTIONS E, F & G) IN PARIS AND PALMYRA TOWNSHIPS, PORTAGE COUNTY.

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the following resolution be adopted:

WHEREAS, resolution 10-0069 authorized the Portage County Engineer to execute the Local Public Agency (LPA) Agreement with the Director of the Ohio Department of Transportation for the project known as Cableline Road Resurfacing (Sections E, F & G) in Paris and Palmyra Townships, Portage County , and

WHEREAS, the Director of the Ohio Department of Transportation has amended said LPA agreement increasing the maximum of Federal CEAO STP funds from \$330,000 to \$468,000; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to execute amendment to LPA Agreement #23323 with the Director of the Ohio Department of Transportation for the project known as Cableline Road Resurfacing (Sections E, F & G) in Paris and Palmyra Townships, Portage County, and be it further

RESOLUTION No. 11-0008

**RE: APPOINTMENT TO THE PORTAGE COUNTY
TERRORISM ADVISORY TEAM.**

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the following Resolution be adopted:

WHEREAS, that the Board of Commissioners agrees to appoint members to serve on the Portage County Terrorism Advisory Team for funding year 2010 (FY10) for the State Homeland Security Grant (SHSP); now therefore be it

RESOLVED, by the Board of Commissioners that the appointee terms commence immediately; and be it further

RESOLVED, that the Board of Commissioners appoints the following to serve on the Portage County Terrorism Advisory Team:

Discipline	Name	Title	Community/Department
Fire Services	James Williams	Chief	Kent Fire Department
EMS Service	Robert Rasnick	Chief	Suffield Fire Dept
Police Department	Dean Tondiglia	Assistant Chief	KSU Police Department
County Sheriff	Dave Doak	Sheriff	Portage County
Emergency Management Agency	Jon Barber	Director	Portage County OHS/EMA
Public Works	Bryan Ford	General Superintendent	Portage County Engineer's Office
Transportation	Jim Smith	Security Officer	PARTA
Public Health	DuWayne Porter	Health Commissioner	Portage County Health Dept.
Public Health	Robert Walker	EMS Coordinator	Robinson Memorial Hospital
Township Trustee	Victor Grimm	Trustee	Mantua Township
Mayor's Office	Joe Bica	Mayor	City of Ravenna
County Commissioners' Office	Maureen T. Frederick	Commissioner	Portage County
County Commissioners' Office	Christopher Smeiles	Commissioner	Portage County
County Commissioners' Office	Tommie Jo Marsilio	Commissioner	Portage County

WHEREAS, the Director of the Portage County Department of Water Resources is appointed by the Portage County Board of Commissioners in accordance with R.C.6117; and

WHEREAS, the current Director of Water Resources retired on December 31, 2010; and

WHEREAS, the Board of Commissioners is in the process of hiring a new Director; and

WHEREAS, the Board of Commissioners intends to appoint an Interim Director immediately who may serve until a permanent Director is hired; now therefore be it

RESOLVED, that the Board of Commissioners agrees to enter into a Memorandum of Understanding between the Board of Commissioners and Jeff Lonzrick that includes the details of the temporary assignment; 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:

Christopher Smeiles, Yea; Maureen T. Frederick, Yea; Tommie Jo Marsilio, Yea;

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RESOLUTION No. 11-0016	-	RE:	ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN PORTAGE COUNTY, THE AUDITOR OF STATE AND JAMES G. ZUPKA, CPA, INC. FOR AUDIT OF PORTAGE COUNTY FOR THE FISCAL PERIODS JANUARY 1, 2010 THROUGH DECEMBER 31, 2014.	

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the following resolution be adopted:

WHEREAS, the Auditor of State prepared and released a request for proposals for audit of Portage County for the fiscal periods January 1, 2010 through December 21, 2014; and

WHEREAS, a pre-proposal conference was held on October 14, 2010 and was attended by eight (8) Independent Public Accounting Firms; and

WHEREAS, seven (7) IPA firms responded; and

WHEREAS, the proposals were evaluated by both Portage County and the Auditor of State; and

WHEREAS, the Auditor of State chose the firm of James G. Zupka, CPA, Inc. as the IPA firm to

RESOLUTION No. 11-0020 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the following resolution be adopted:

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on January 6, 2011 in the total payment amount of **\$72,211.64 for Funds 0001-1201** 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:

Christopher Smeiles, Yea; Maureen T. Frederick, Yea; Tommie Jo Marsilio, Yea;

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RESOLUTION No. 11-0021 - RE: APPROVE LAYOFFS OF POSITION IN THE PORTAGE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES.

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the following resolution be adopted:

WHEREAS, the Portage County Job and Family Services, Child Support Enforcement Agency (CSEA) has suffered a significant funding reduction as of October, 2010 as the federal government failed to restore a major revenue source for the national child support program; and

WHEREAS, the Portage County Board of Commissioners has reviewed the current and projected revenues for the Portage County Department of Job and Family Services (PCDJFS) and has determined that said lack of funds requires a reduction of current staff; and

WHEREAS, the Director of Job and Family Services has recommended that three (3) Bargaining Unit positions in the Job and Family Services Department be laid off; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby approve the following position layoffs:
- CSEA Case Manager (2)

public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice vote as follows:

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

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RESOLUTIONS

January 6, 2011

1. Approval of Meeting Minutes from the January 4, 2010 regular Board Meeting as presented.
2. Authorize the Portage County Engineer to execute amendment to Local Public Agency (LPA) agreement #23323 with Director of the Ohio Department of Transportation for the project known as Cableline Road Resurfacing (Sections E,F,&G) in Paris and Palmyra Townships, Portage County (County Engineer)/11-0006
3. Appointment to the Portage County Board of Building Appeals – Audrey Kessler with a term expiring December 31, 2013/Commissioner Marsilio asked what the Board of Commissioners practice is to generate new board members. Commissioner Smeiles replied that the Board routinely advertises openings. The Executive Assistant added that the Board of Commissioners can change that process, noting that the Board stopped the advertisement in the Record-Courier thanking members for serving and requesting letters of interest in serving years ago due to budget concerns. Commissioner Marsilio asked that going forward, the Executive Assistant get the information to her so she can review prior to considering appointment. The Executive Assistant will get the list of all board appointments and board member listings to Commissioner Marsilio/11-0007
4. Appointment to the Portage County Terrorism Advisory Team./11-0008
5. Approve the Bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management/11-0020

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INCOMING CORRESPONDENCE

DISCUSSION

January 6, 2011

1. In compliance with the Ohio Agricultural Easement Purchase Program dated March 18, 2003, the Board of Commissioners received the December 13, 2010 certified correspondence from Ralph Knippenberg, regarding an oil and gas lease between Knippenberg and Reserve Energy Exploration Company (Records Instrument #200314680 & 201001027).
2. December 29, 2010 correspondence from Judge Joseph Giulitto, regarding Commissioner Smeiles' request about the number of cases sent to mediation, the subject matter and results.

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JOURNAL ENTRY

January 6, 2011

1. In accordance with ORC 311.20, the Portage County Sheriff presents the monthly jail reports for the year 2010.
2. The Board of Commissioners received the Kennel Disposition Report for December 20, 2010 through January 2, 2011 as presented by Dave McIntyre, Dog Warden.
3. The Board of Commissioners acknowledged receipt of the Equipment/Furniture inventory as of December 31, 2010 as presented by the Portage County Recorder's Office.

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REFERRED

January 6, 2011

1. January 5, 2011 memo from Jack Crews, Kent Regional Business Alliance, requesting payment of \$6,000.00 for the Microloan made payable to Ryan Brannon. Referred to Department of Budget & Financial Management.
2. December 22, 2010 correspondence from Michael Hiler, Ohio Department of Development, regarding FY2010 New Horizons Fair Housing Program application. Referred to Regional Planning Commission.
3. The Board of Commissioners received a Notice of Hearing at the US Bankruptcy court regarding Twin Lakes Country Club. Referred to Prosecutor's Office.

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PLEASE ADD TO THE AGENDA

January 6, 2011

1. January 6, 2011 memo from Department of Budget & Financial Management, indicating a draw down request for the OVE Enforcement of Protection Orders Grant No. 2007-WE-AX-0048 was requested online to reimburse December expenses for \$22,485.09/Journal Entry.
2. January 4, 2011 e-mail from Interim Director Jeff Lonzrick, Water Resources Department, regarding the Sheriff's water bill/Information only at this time.
3. January 4, 2011 memo from Bill Ulik, Economic Development, regarding overtime for enterprise zone monitoring/Referred to the Human Resources Department to investigate.
4. January 5, 2011 memo from Brian Kelly, ITS, regarding Commissioner Keiper's e-mail account/The Board of Commissioners agreed that Mr. Keiper's email address will accept emails for 30 days with an Out of Office message directing senders to his new office and county inquiries to the Clerk.

5. January 5, 2011 e-mail from John Hoornbeek, requesting a response by Monday, January 10, 2011 regarding feedback on the collaboration network initiated in October and November/Information Only.
6. January 5, 2011 memo from Larry Long, County Commissioners Association of Ohio, regarding regional meetings with legislators/Bring back.
7. January 3, 2011 correspondence from Sam Abell, Franklin Township, regarding funding to demolish structures which are economically beyond repair/Forward to Denise Smith to determine how to proceed.

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PROSECUTOR CORRESPONDENCE

January 6, 2011

1. December 30, 2010 correspondence from Denise Smith to Tom Merriman Landskroner, Grieco, Madden LLC, regarding Portage County Justice Center (Amanda Michael)/Information only.

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Journal Entry

January 6, 2011

Motion by Tommie Jo Marsilio, seconded by Maureen T. Frederick to approve the following actions:

1. In accordance with ORC 311.20, the Board of Commissioners acknowledged the receipt of the Portage County Sheriff's Monthly Jail Reports for food costs for prisoners for the year 2010.
2. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for December 20, 2010 through January 2, 2011, as presented by Dog Warden Dave McIntyre.
3. The Board of Commissioners authorized the on-line submittal of the draw down request for the OVE Enforcement of Protection Orders Grant No. 2007-WE-AX-0048 to reimburse December 2010 expenses in the amount of \$22,485.09, as submitted by the Department of Budget & Financial Management.
4. The Board of Commissioners acknowledged the receipt of the December 13, 2010 certified correspondence from Ralph Knippenberg, advising of an oil and gas lease between Knippenberg and Reserve Energy Exploration Company (Records Instrument #200314680 & 20100102 on the property in the Ohio Agricultural Easement Purchase Program. The Board of Commissioners agreed to forward the correspondence to the Regional Planning Commission and the Soil & Water Conservation District to make certain that this lease does not violate the terms of the agricultural easement.
5. The Board of Commissioners accepted the recommendation of Human Resources Department Director Karen U'Halie and agreed to offer a CORSA 101 Overview for elected officials, department heads and supervisors to assist in the understanding of coverage they provide under their

agreement with Portage County. The Board of Commissioners also agreed that the Director should investigate hosting the CORSA Sexual Harassment Training that could dovetail into the CORSA 101 Overview as a full day seminar or as a half day seminar. The Board of Commissioners noted that this CORSA training is offered free of charge.

6. After meeting in an Executive Session today with Department of Job & Family Services Director Genetin and staff, the Board of Commissioners accepted the staff recommendation and approved the revisions to the following seven (7) job descriptions:

- A. Training Officer 2
- B. Income Maintenance Aide 2, Direct Services
- C. Income Maintenance Aide 2, Special Services
- D. Lead Custodial Worker
- E. Custodial Worker
- F. Vehicle Operator

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 **January 6, 2011**. There being no further business to come before the Board, it was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick to adjourn the official meeting at 3:32 PM. All in favor, motion carries.

Christopher Smeiles, Interim President

Maureen T. Frederick, Vice President

Tommie Jo Marsilio, Board Member

Deborah Mazanec, Clerk

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