

Thursday, January 20, 2011

The Board of County Commissioners met in regular session on **Thursday, January 20, 2011 at 10:13 AM** with the following members present:

Christopher Smeiles

Maureen T. Frederick

Tommie Jo Marsilio

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the January 18, 2011 meeting. All in favor, motion carries

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

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Before the Board of Commissioners convened, Commissioner Frederick met with the Public Defender to discuss the leak in his roof at the Riddle Block Building.

PUBLIC DEFENDER

Present: Dennis Lager, Tim Miller, JoAnn Townend

The Public Defender is attending today to discuss the ongoing leak in the roof over his offices, which was first reported to Maintenance via email on October 9, 2009, then on July 13, 2010 and finally on December 1, 2010. Staff is currently using seven buckets to collect leaking water, mold is now growing, the light fixture has shorted out, a data entry report is directly below the leak, and the wall paint is blistering. The office is aesthetically unpleasing, uncomfortable, and is a safety issue. He reported no visit from Director Miller and no report about the nature of problem and what the plan is to fix the leak.

The Public Defender wants the leak fixed, the ceiling tiles replaced to alleviate cold air blowing on staff, the light shorting out replaced, and the mold cleaned up. He asked why nothing has been done and what the plan of action is.

Commissioner Frederick stated that it is inexcusable that there was neither response nor an update from staff. She added that the building is long overdue for a new roof, windows, tuck pointing etc., which will cost hundreds of thousands of dollars, which are not available. She thought that the leak was repaired already. Director Miller responded that the roofer is on call but cannot access the roof now due to the weather. He has three invoices (July 2010 for \$1,065, September 2010 for \$295 and December 2010 for \$175) from the roofing company in attempts to fix the problem, which has yet to be identified.

9:40 AM Christopher Smeiles attending

The Public Defender stated that he had his Office Manager work with Carol Schofield on this fix until he finally got involved in December 2010. In December, the roofer went to the roof with a roll of duct tape and did not communicate with staff when he left. The Maintenance Department has not

communicated either. Tim Miller stated that he thought that the leak was fixed until his maintenance worker reported mold growing on the carpet.

Commissioner Smeiles asked what roofing company is used? Director Miller responded Portage Roofing – he added that Portage Roofing has been making repairs on the roof but that apparently was not the necessary fix. The area in question is in the high peak with shingles that are blown off in high winds. He would recommend slate as a new surface when the Board gets to the repair.

Commissioner Smeiles stated that this repair must be made ASAP as the weather allows. He apologized to the Public Defender for the lack of communication and reminded Mr. Miller that the Board of Commissioners has asked him to communicate better with departments and elected officials about these kinds of issues. He suggested that Mr. Miller stay with the roofer the next time they are on site until the repair is made.

Commissioner Frederick suggested that the roofer go on site ASAP with Director Miller to trace the leak from the inside to the roof. Director Miller will contact Portage Roofing to get this done immediately. The Board of Commissioners agreed to have staff replace the Visqueen on the windows, which is old, get the mold in the corner taken care of and the carpet cleaned once the fix is made.

The Director agreed to report back to the Board of Commissioners today.

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

1. The Director presented the draft MOU between Neighborhood Development Services and the Portage County Board of Commissioner regarding the Ravenna Training and Logistics Site. Water Resources Department is waiting for project approval and contract signed until after the MOU is finalized/Resolution 11-0061
2. The Director noted that a few departments are presenting purchase orders to join area Chambers of Commerce. The Board of Commissioners agreed that county departments are members under the Board purview. JoAnn Townend to advise departments who present this request.

10:25 AM Commissioner Marsilio attending

3. Portage Development Board – Mr. Colecchi is bringing the agreements for signature today. The Director asked if the Board of Commissioners wants her department to orchestrate an assignment of the existing Enterprise Zone Agreements to the Portage Development Board. The Board of Commissioners agreed that the Clerk should ask PCDED staff to ask Denise Smith if/how the assignment will be made.

Commissioner Marsilio agreed that she would sign the Portage Development Board agreement with the understanding that the Board of Trustees will use a seasoned economic development consultant, staff remains on board, and the required reports and responsibilities continue to be processed.

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RESOLUTIONS

1. Enter into amendment no. 3 with Coleman Professional Services for Child & Adult Emergency Reporting Services for JFS in the amount of \$207.63 to pay off the final invoice for the contract period 11/1/09 to 10/31/10./11-0059
2. Enter into amendment no. 1 with Qualcare LLC dba Home Instead Senior Care for title XX home based services for JFS 12/1/10 to 11/30/11./11-0060
3. Enter a memorandum of understanding with Neighborhood Development Services, inc. regarding the Ravenna Training and Logistics Site Project. /11-0061
3. Amend resolution 11-0018 authorizing payment of a claim on the release and settlement for Claudia and Joseph Koharchik./11-0062
4. Amend resolution 10-1150 entering into an agreement between the Portage County Board of Commissioners and the Portage Development Board./11-0063
5. Resolution to authorize rebid of the cooling tower for the Sheriff's facility/11-0064

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10:40 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** that the Board of Commissioners move into executive session to consider a compensation issue. **Also present:** Internal Services Director JoAnn Townend and Human Resources Department Karen U'Halie. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

11:00 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** 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

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HUMAN RESOURCES

Present: Karen U'Halie

The Director presented the revisions to Position Description for the Department of Budget & Financial Management Budget and Financial Analyst noting that Director of the DBFM has approved the draft/Journal Entry approval

Commissioner Marsilio gave the Director information that may be of interest to county employees regarding Healthy Eating and Parenting that she obtained at the Family and Children's First Council Meeting this morning. The Director will place a link to the information on the HR Outlook. Commissioner Marsilio also noted that the Brain Injury Association of Ohio now has a Portage County representative housed in Kent.

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NEIGHBORHOOD DEVELOPMENT SERVICES

Present: Jen King, Jim Shank, Mike Bogo

1. Mr. Shank noted that he met with the Board of Commissioners last month regarding Dacon Industries Inc. who has signed a purchase agreement for the former Custom Rubber Building located on Washington Street in Ravenna. The LLC has been formed and the borrowing will be Brandy Properties, LLC. The company has \$1 million in sales committed and six guaranteed jobs. An invoice is being submitted prior to the Release of Funds since the deal must be completed by the end of January. Department of Budget & Financial Management Director Tillis recommended that the Board of Commissioners pre-approve the invoice and then hold it until the Release of Funds is approved by the state to speed up process/Journal Entry.
2. The Ohio Department of Development has advised of the upcoming 2008 CHIP Monitoring Visit. Ms. King noted that Portage County was found to not be in compliance with the terms and conditions of the grant agreement and program guidelines due to the issues with the Habitat houses. The state has confirmed that this will not be an issue.
3. The FY 2011 CHIP application deadline is April 1, 2011 with a \$500,000 maximum. The 2011 Housing Advisory Committee (HAC) must be convened at least one time to evaluate housing needs in Portage County/11-0065 approves the changes to the HAC, as recommended by the Neighborhood Development Services, Inc.
4. Ms. King noted that the first CDBG Public Hearing will be held on March 3, 2011 and will serve as the first 2011 CHIP Public Hearing as well. The Commissioners' Clerk will schedule the second CHIP Public Hearing.

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11:30 AM Recessed to Solid Waste
12:30 PM – Lunch recess
2:30 PM Board of Commissioners reconvened

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ROBINSON MEMORIAL HOSPITAL

Present: Steve Colecchi, Carl Ebner, Attorney Denise Smith, DBFM Director Audrey Tillis

Robinson Memorial Bond Financing

The hospital proposes a 2011 bond issue and has been working with Squire Sanders and Dempsey as well as the County Auditor. Mr. Ebner noted that the hospital did a \$7.7 million bond issuance on December 30, 2011 and is looking to do a re-financing in 2011 of a 2005 bond issue – not additional debt. If the county needs to do additional financing the hospital offers to make the county whole. Squire Sanders has prepared a resolution allowing a re-finance up to \$9.4 million. Mr. Colecchi noted that there was hope that Congress would increase the limit to \$30 million but they did not – it is set at \$10 million. In previous years the Board of Commissioners and hospital have agreed to approach the matter in this way.

Commissioner Smeiles noted that there may be slight difference in the interest rate should the county have a borrowing; the hospital would pay that difference. Department of Budget & Finance Director Audrey Tillis noted that the Board of Commissioners may have a large financing for the Kent Courthouse and the \$235,000 for the Department of Homeland Security & Emergency Management building/11-0066 approves the request

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The Woodlands at Robinson

Mr. Colecchi stated that discussions about a possible takeover began last summer and noted that only Portage County and Cuyahoga County have a county owned hospital and a nursing home. Cuyahoga County transferred control of their county-owned nursing home to Metro Health in the mid 1990s. Although there is no authorization for the county to sell the nursing home to the county hospital under state law, the law allows a lease arrangement. Mr. Colecchi noted that he is suggesting a five-year term lease for the Woodlands with unlimited renewal options. The hospital would pay the county an annual lease payment equal to the county's debt service payment. Mr. Colecchi noted that the hospital has completed their investigation as to the possible takeover of the management of The Woodlands at Robinson. ORC 5155.011 (B)(1) details how the transfer of the operational control of the county home to the Robinson Memorial Hospital Board of Trustees can be accomplished. In transferring operational control, the Board of Commissioners cannot and does not transfer ownership of any real or personal property of the county to the Board of Trustees.

The hospital would keep all revenue, assume all contracts, pay all bills with the annual lease payment equaling the amount of the annual debt services. The last debt payment on the construction bonds would be made in late 2027 at which time the county would sell the facility to the Robinson Memorial Hospital for \$1.00. He added that the county does not fund depreciation accounts so there is no set aside and a review of the building structure has yet to be completed as a condition of the transfer. The Ohio Department of Health, Ohio Department of Job & Family Services, Medicare and final approval of the Board of Commissioners and the Board of Trustees are also conditions. The start date is tentative at July 1, 2011. If the county decides to sell the facility in the future, Robinson Memorial Hospital asks for the right of first refusal. Mr. Colecchi stated that this is an exciting opportunity for both the Robinson Memorial Hospital and The Woodlands. At this time, the county is dipping into the General Fund for operations and the facility is struggling with its census; this agreement would guarantee that the hospital would take over that operation.

Mr. Colecchi noted that the new Health Care Bill will require that hospitals have a nursing home or a contract with a nursing home in place; there is concern about the upcoming state budget. He added that there are enough synergies that it will be worth moving forward, enough economies of scale by

moving some contracts to the hospital vendors, and being a member of the SUMMA Health System is important. A closer relationship with the hospital will increase the census.

Commissioner Marsilio asked what happens to employees in operational control. Mr. Colecchi responded that Robinson Memorial Hospital would become responsible for the employees – the county owns the building and leases it to the Robinson Memorial Hospital; the hospital runs the facility. There is a collective bargaining agreement in place that would continue until renewal. Other agreements like pharmacy etc. must be managed as well. Mr. Colecchi noted that the employees may have a higher comfort level with working for the hospital; it should be a positive move for the employees including added benefits within the hospital statute.

Commissioner Smeiles asked if the termination clause verbiage could be mutually available and not just available to the hospital. Attorney Denise Smith asked if bad debt is purchased by the hospital? Steve Colecchi responded no. Denise Smith would like language added to the contract that any debt collected comes to the county.

The Board of Commissioners agreed that the Board is comfortable moving forward. When asked what action is necessary to move forward, Mr. Colecchi replied that the Board of Commissioners and the Robinson Memorial Hospital Board of Trustees should commit to the term sheet and move forward. The Board of Commissioners agreed to look at the term sheet and let him know as soon as possible of any changes. Mr. Colecchi noted that the July 1, 2011 start date is simply one that will give the hospital time to inspect the building and get the necessary paperwork in place. If the paperwork is completed, an earlier date could be implemented.

Denise Smith noted that the term sheet does require the Board of Commissioners to accept the terms by 4:00 PM on February 1, 2011. Mr. Colecchi noted that the date could be changed. He agreed to forward the electronic version of the term sheet to the Board of Commissioners for final review and comment.

Commissioner Smeiles suggested that the Press Release prepared by Steve Colecchi be released ASAP and forwarded to the Human Resources Department and the Nursing Home Administrator for immediate posting and circulation to staff.

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Commissioner Smeiles agreed to talk to the County Engineer again about an arrangement with the Motor Pool for work on larger vehicles.

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Maintenance Director attending to discuss the issue with the floor surface on the second floor of the Ravenna Courthouse. Commissioner Marsilio advised that she went to the Courthouse today and observed for herself that there is a serious issue with the slippery surface. Director Miller responded that he is sending staff to the site first thing in the morning to try to remove the finish, which appears to be a polish of some sort. The Board of Commissioners directed Mr. Miller to meet with the contractor ASAP to see what they are doing in that area to cause the problem and report back to them.

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RESOLUTION No. 11-0059

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- RE:

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ENTER INTO AMENDMENT NO. 3 BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND COLEMAN PROFESSIONAL SERVICES FOR CHILD AND ADULT EMERGENCY REPORTING SERVICES.
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It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the following resolution be adopted:

WHEREAS, an agreement between the parties was entered into and known as Portage County Contract No. 20090248 (the "Original Contract") by Resolution No. 09-0241 to provide emergency response in situations where child and adult abuse and neglect may be occurring, stabilize a family and prevent removal of children from their homes and link families to other community services; and

WHEREAS, an Amendment No. 1 was entered into on October 20, 2009 through Resolution No. 09-0938; and

WHEREAS, an Amendment No. 2 was entered into on February 9, 2010 through Resolution No. 10-0092; and

WHEREAS, the parties desire to amend the Original Contract to continue such services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby enter into Amendment No. 3 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services ("PCDJFS") and Coleman Professional Services ("PROVIDER") for the period November 1, 2009 through October 31, 2010; and be it further

RESOLVED, that PCDJFS and PROVIDER mutually agree to increase the units by thirty-nine and one quarter (39.25) units, or Two hundred seven and 63/100 dollars (\$207.63), for a total of six thousand four hundred ninety-two and one quarter (6,492.25) units, where a unit is defined as an hour of telephone line coverage, at a unit rate of Five and 29/100 dollars (\$5.29) per unit; and be if further

RESOLVED, that the total amount of this Agreement is not to exceed Thirty-four thousand three hundred forty-four and 00/100 dollars (\$34,344.00); and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings 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. 11-0060

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RE: ENTER INTO AMENDMENT NO. 1 BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND QUALCARE, LLC DBA HOME INSTEAD SENIOR CARE TO PROVIDE HOME BASED SERVICES.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the following resolution be adopted:

WHEREAS, an agreement between the parties was entered into and known as Portage County Contract No. 20100141 (the "Original Contract") on January 26, 2010 by Resolution No. 09-1131 to provide Home Based Services to prevent and/or reduce neglect, abuse or exploitation to eligible Portage County disabled adults or senior citizens (age 60 and over) under Adult Protective Services; and

WHEREAS, the parties desire to amend the Original Contract to continue such services; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby agree to enter into Amendment No. 1 between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and QualCare, LLC doing business as Home Instead Senior Care to extend the agreement one (1) additional year from December 1, 2010 to November 30, 2011; and be it further

RESOLVED, that the parties agree that Home Based Services are to be rendered at a rate of no more than Nineteen and 00/100 dollars (\$19.00) per hour not to exceed seven hundred eighty-nine (789) units; and be it further

RESOLVED, that annual services under this agreement shall not exceed Fourteen thousand nine hundred ninety-one and 00/100 dollars (\$14,991.00); and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings 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. 11-0061

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RE:

ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND NEIGHBORHOOD DEVELOPMENT SERVICES, INC REGARDING THE RAVENNA TRAINING AND LOGISTICS SITE PROJECT.

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

WHEREAS, Neighborhood Development Services, Inc. has received funding provided by the State of Ohio, Adjutant General’s Department to pay for sewer design and construction of water and sanitary sewer services at the Ravenna training and Logistics Site on behalf of the Ohio Army National Guard; and

WHEREAS, Neighborhood Development Services, Inc. will pay Portage County for the sewer design and construction project in the amount of Eight hundred, eighty-seven thousand, seven hundred ninety-seven and 00/100 dollars (\$887,797.00); and

WHEREAS, Neighborhood Development Services, Inc. will pay Portage County for sewer tap-in fees in the amount of Four hundred, seventy thousand, one hundred one and 33/100 dollars (\$470,101.33); now therefore be it

RESOLVED, that the Board of Commissioners agrees to enter into a Memorandum of Understanding between the Board of Commissioners and Neighborhood Development Services Inc. that includes the details of the above payments, the funding for the design construction of the water system and the ownership rights to the water and sewer systems; 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. 11-0062

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RE:

AMEND RESOLUTION 11-0018 AUTHORIZING PAYMENT OF CLAIM ON RELEASE AND SETTLEMENT FOR CLAUDIA AND JOSEPH KOHARCHIK.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the following resolution be adopted:

WHEREAS, Resolution 11-0018 was adopted January 6, 2011 to authorize payment of a claim on the release and settlement for Claudia and Joseph Koharchik; and

WHEREAS, the original resolution makes no mention of Sandra Koharchik as a claimant in the release and settlement; now therefore be it

RESOLVED, that the Board of Commissioners agrees to amend the resolution to reflect the addition of Sandra Koharchik as an additional claimant; and be it further

RESOLVED, that the Board of Commissioners agrees that this resolution shall read in its entirety as follows:

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WHEREAS, Claudia, Sandra and Joseph Koharchik are the owners of real property located at 994/996 Fronck Drive, Streetsboro, Ohio and

WHEREAS, Claudia, Sandra and Joseph Koharchik claim damages from a sewage back-up that occurred at the residences located at 994/996 Fronck Drive, Streetsboro on August 12, 2010; now therefore be it

RESOLVED, that the Portage County Board of Commissioners authorizes payment of the claim on the release and settlement for Claudia, Sandra and Joseph Koharchik, 994/996 Fronck Drive, Streetsboro, Ohio in the amount of Seven thousand, five hundred and 00/100 Dollars (\$7,500.00); and be it further

RESOLVED, that reimbursement/payment to the State Farm Insurance Company is the sole responsibility of the insured's, the Koharchiks; 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 an meeting open to the public in compliance with the law including Section 121.22 of the Ohio

Voice vote as follows:

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

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RESOLUTION No. 11-0063 - RE: AMEND RESOLUTION 10-1150 ENTERING INTO AN AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD

**OF COMMISSIONERS AND THE PORTAGE
DEVELOPMENT BOARD.**

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the following resolution be adopted:

WHEREAS, Resolution 10-1150 was adopted December 16, 2010 to enter into an agreement between the Portage County Board of Commissioners and the Portage Development Board; and

WHEREAS, the original resolution states that the effective dates shall be January 1, 2011 through December 31, 2013; now therefore be it

RESOLVED, that the Board of Commissioners agrees to amend the resolution to reflect the correct effective dates as February 1, 2011 through December 31, 2013; and be it further

RESOLVED, that the Board of Commissioners agrees that this resolution shall read in its entirety as follows:

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WHEREAS, the Portage Development Board is a private, not-for-profit corporation which provides economic development programs for the business community of Portage County, Ohio; and

WHEREAS, the Portage County Board of Commissioners has the authority pursuant to Section 307.07 of the Ohio Revised Code to appropriate general funds for the operation of a program of economic development; and

WHEREAS, the Portage County Board of Commissioners has determined that it is in the best interest of the residents of the County of Portage, Ohio that it implement programming for economic development by and through the Portage Development Board; now therefore be it

RESOLVED, that the Portage County Board of Commissioners agrees to enter into an agreement for services with the Portage Development Board; and be it further

RESOLVED, that this agreement shall be effective February 1, 2011 through December 31, 2013 at an annual cost not to exceed Two Hundred Thousand Dollars and No Cents (\$200,000.00); and be it further

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

RESOLUTION No. 11-0066

- RE: A RESOLUTION CONCERNING THE USE BY PORTAGE COUNTY ISSUING AUTHORITIES IN 2011 OF THE QUALIFIED TAX-EXEMPT OBLIGATION DESIGNATION UNDER THE INTERNAL REVENUE CODE.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the following resolution be adopted:

WHEREAS, tax-exempt obligations issued in 2011 may be designated as “qualified tax-exempt obligations” (“Qualified Tax-Exempt Obligations”) within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), under existing laws if entities issuing the obligation within the meaning of the Code do not issue in excess of \$10,000,000 of tax-exempt obligations in calendar year 2011; and

WHEREAS, tax-exempt obligations issued by County and any other entities that issue obligations on behalf of the County, including the Board of County Hospital Trustees of Portage County (the “Hospital Trustees”), count toward determining whether the County has exceeded the \$10,000,000 threshold amount for issuing tax-exempt obligations as Qualified Tax-Exempt Obligations; and

WHEREAS, when applicable, the Hospital Trustees and this Board coordinate their actions in connection with the issuance of tax-exempt obligations to insure that tax-exempt obligations issued by the County (whether issued by the County or by the Hospital Trustees) as Qualified Tax-Exempt Obligations maintain such status; and

WHEREAS, the Hospital Trustees intend to issue in calendar year 2011 tax-exempt hospital revenue refunding bonds (“Series 2011 Bonds”) in an aggregate estimated amount (including both principal and any original issue premium) not to exceed \$9.4 million for the purpose of refunding outstanding hospital revenue bonds issued by the Hospital Trustees and intend to issue the Series 2011 Bonds as Qualified Tax-Exempt Obligations; now therefore be it

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

Section 1. This Board acknowledges and agrees that the County has not and will not issue tax-exempt obligations from the date of the adoption of this Resolution through and including December 31, 2011 in an amount (including both principal and any original issue premium) in excess of \$600,000; provided that, if this Board determines that it is necessary that the County issue debt obligations in excess of that amount, (i) the County shall issue those debt obligations as short-term taxable obligations maturing no later than 12 months from their date of issuance and (ii) the Hospital Trustees shall reimburse the County for the amount of interest resulting from the difference between the taxable interest rate actually borne by the taxable obligations issued by the County and the tax-exempt interest rate offered for a tax-exempt obligation of the same maturity issued on the same date as the taxable obligations, as determined by an independent financial advisor.

Section 2. This Board (i) will take, or require to be taken, all actions that may be required of it for the Series 2011 Bonds to maintain their status as Qualified Tax-Exempt Obligations, and (ii) will not take or authorize to be taken any actions that would adversely affect the status of the Series 2011 Bonds as Qualified Tax-Exempt Obligations. The members of this Board, the Auditor (as fiscal officer) and the Clerk of this Board and any other appropriate officers are hereby authorized and directed to take any and all actions and make or give such reports and certifications, as may be appropriate for the Series 2011 Bonds to maintain such status as Qualified Tax-Exempt Obligations.

Section 3. The members of this Board, the Auditor (as fiscal officer) and the Clerk of this Board and any other appropriate officer of the County, alone or in conjunction with any of the foregoing, are authorized and directed to execute, deliver and, if applicable, file, for and in the name and on behalf of the County, any certifications and other instruments and documents which are necessary or appropriate for inclusion in the transcript of proceedings of the Series 2011 Bonds or which are necessary or advisable under the Code.

Section 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board, and of any of its committees that resulted in those formal actions, were in meetings open to the public in compliance with the law.

Section 5. This Resolution shall take effect and be in force immediately upon its adoption.

Roll call vote was as follows:

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

January 20, 2011

1. Approval of Meeting Minutes from the January 18, 2011 regular Board Meeting
2. Approve the Bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management./11-0055
3. Approve the wire transfer, as presented by the County Auditor./11-0056
4. Approve the Journal Vouchers as presented by the County Auditor./11-0057
5. Approve Then & Now as presented by the County Auditor./11-0058

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INVITATIONS/MEETING NOTICES

January 20, 2011

1. Invitation from Main Street Kent for the Annual Dinner and Awards ceremony on Tuesday, February 8, 2011, Pufferbelly, 5:30 PM.
2. Meeting notice from Judge Enlow to Commissioner Frederick regarding the Community Corrections Board meeting on Thursday, January 27, 2011 at 8:00 AM in Judge Enlow's Jury Room.
3. Invitation from CCAO for the Commissioners' Training Seminar for New and Veteran County Commissioners, Sunday, February 27-Tuesday, March 1, 2011, Mt. Sterling, Ohio.

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INCOMING CORRESPONDENCE

DISCUSSION

January 20, 2011

1. The Board of Commissioners received the January 17, 2011 Report of Dog Warden's Investigation of Animal(s), Fowl or poultry killed or injured by dogs for owner of livestock, Brian Smith, 8494 Slagle Road, Freedom Township, for the loss of one (1) lamb with a fair market value of \$90.00 from a dog attack, as presented by Dave McIntyre, Portage County Dog Warden. Note: Dog Warden McIntyre did not forward this report to (Portage County) ODNR Wildlife Officer Jared Roof since the owners witnessed the attack/Bring back on January 25, 2011 after the Dog Warden clarifies where in the ORC it says that the owner of the killed livestock must have valid licenses for their dogs or reimbursement is denied.
2. January 18, 2011 correspondence from Louie Munoz, regarding retire/rehire/Journal Entry.
3. The Board of Commissioners received The Woodlands At Robinson Accounts Payable listing as of December 31, 2010 for Board review as presented by Robert Nedrich, Generations/Information only.
4. Does the Board intend to continue to insure the Park District when they move from Regional Planning Commission to 705 Oakwood effective February 1, 2011/Human Resources Department to investigate and report to the Board of Commissioners
5. January 18, 2011 correspondence from Attorney Douglas Paul, Christley, Herington & Pierce, regarding the petition for annexation of Hiram Township/Journal Entry.
6. January 14, 2011 memo from Larry Long, CCAO, including a draft resolution to designate the official representative and alternate for the purpose of voting at the annual meeting of the County Commissioners Association of Ohio in 2011/Christopher Smeiles and Tommie Jo Marsilio are the Portage County representatives.

7. January 18, 2011 e-mail from Delbert Stewart, regarding alternative form of County (ORC Chapter 302)/Information only
8. The Board of Commissioners received the January 14, 2011 correspondence from the Portage County Township Association urging the Board of Commissioners to vote against the proposed annexation of any portion of Hiram Township.

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JOURNAL ENTRY

January 20, 2011

1. The Board of Commissioners acknowledged the receipt of the January 7, 2011 correspondence from Robert Park, Director/Service Officer of the Portage County Veterans Service Commission, including the 4th quarter Departmental Activity Report and Annual Report for 2010 for the Veterans Service Office as presented by Director Robert Park.
2. Board of Commissioners' authorization requested to have Director Jon Barber sign the Fiscal Year 2010 Emergency Management Performance Grant (EMPG) Financial Reimbursement Report for the period October 1, 2010 through December 24, 2010 as presented by the Office of Homeland Security and Emergency Management. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
3. Board of Commissioners' signature requested on the January 12, 2011 correspondence to Mark Epstein, Ohio Historical Preservation Office (OHPO), regarding activities determined to be exempt from OHPO review of the 2010 CDBG Formula Grant as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
4. January 10, 2011 Notice from the Ohio Division of Liquor Control of a request for transfer of liquor license from Jeffrey Hamilton to Robs West Branch Bait & Tackle LLC, dba Rons West Branch Bait & Tackle & Drive Thru Window, Ravenna Township. Does the Board of Commissioners wish to request a hearing? The Ravenna Township Trustees were notified and have no objections, they are not requesting a hearing. Board of Commissioners' authorization also requested to have the Clerk sign and return the Notice.
5. Board of Commissioners' signature requested on the Satisfaction of Mortgage for Kevin and Vicki Pellini as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
6. Board of Commissioners' signature requested on the Satisfaction of Mortgage for Tammie Dialesandro as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

7. Board of Commissioners' signature requested on the Satisfaction of Mortgage for Naomi Wilmington as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
8. Board of Commissioners' signature requested on the Satisfaction of Mortgage for Family & Community Services of Portage County as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
9. Board of Commissioners' signature requested on the January 18, 2011 correspondence to Streetsboro Land Group Ltd., advising that the Portage County Water Resources Department records indicate that Project No. ST-4 (07-050), Meadow View Subdivision Off Site Improvement has been completed, including construction of all sewers, testing, pump station and adjustment of manholes to final grade and restoration. All conditions of the General Sewer Agreement have been met and the project is accepted by Portage County subject to the usual one year guarantee of workmanship and material.
10. Board of Commissioners' signature requested on the January 18, 2011 correspondence to Streetsboro Land Group Ltd., advising that the Portage County Water Resources Department records indicate that Project No. ST-4 (08-170), Meadow View Subdivision Phase 3 has been completed, including construction of all sewers, testing, pump station and adjustment of manholes to final grade and restoration. All conditions of the General Sewer Agreement have been met and the project is accepted by Portage County subject to the usual one year guarantee of workmanship and material.
11. Board of Commissioners' signature requested on the January 18, 2011 correspondence to Streetsboro Land Group Ltd., advising that the Portage County Water Resources Department records indicate that Project No. ST-4 (07-040), Meadow View Subdivision Phase I has been completed, including construction of all sewers, testing, pump station and adjustment of manholes to final grade and restoration. All conditions of the General Sewer Agreement have been met and the project is accepted by Portage County subject to the usual one year guarantee of workmanship and material.
12. Board of Commissioners' signature requested on the payment authorization form for R2K Contracting for Townhall II exterior renovations located at 155 North Water Street, Kent for \$5,691.54 as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #6 Neighborhood Fac/Community Center is funding this expense.
13. Board of Commissioners' signature requested on the payment authorization form for David Sommers AIA for architectural services to prepare specifications and drawings for the proposed facility improvements for Townhall II for \$995.00 as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #06 is funding this expense.
14. Board of Commissioners' signature requested on the payment authorization form for Emerald Environmental for final asbestos inspection and clearance for the former Hiram Elementary School for \$1,275.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #01 Clearance is finding this expense.

15. Board of Commissioners' signature requested on the payment authorization for Staples Plumbing Inc. for sewer line installation for homeowner Kathleen Valenti, 9303 Page Road, Streetsboro, for \$4,200.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #05 is funding this expense.
16. Board of Commissioners' signature requested on the purchase requisition for Record Publishing Company for advertising services for \$400.00 as requested by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #08 General Administration is funding this expense.
17. Board of Commissioners' authorization requested to have Commissioner Frederick and Commissioner Marsilio sign the State of Ohio Office of Housing and Community Partnerships Request for Payment and Status of Funds Report Draw No. 453 as presented by the Regional Planning Commission as follows:

Grant No.	Activity Name	Site Address	Amt Requested
B-F-09-1CJ-1	Private Rental Rehab	164 E Spruce St, Ravenna	\$13,659.00
B-F-09-1CJ-1	Home Building Repair	793 Diane Drive, Streetsboro	\$30.00
B-F-09-1CJ-1	Home Building Repair	2155 Summers Ave., Streetsboro	\$6,000.00
B-F-09-1CJ-1	Home Building Repair	9799 SR 43, Streetsboro	\$6,000.00
B-F-09-1CJ-1	Neighb Fac/Community Ctr.		\$5009.00
B-F-09-1CJ-1	General Administration		\$2300.00
Total Draw			\$32,998.00

18. Board of Commissioners' signature requested on the Personnel Action form acknowledging the resignation of Judy Sheaffer as Clerical Specialist for the Portage County Department of Job and Family Services effective January 21, 2011 as approved by the Department of Job and Family Services Director Judee Genetin.
19. Board of Commissioners' signature requested on the Personnel Action form acknowledging the layoff of Karen Osborne as Case Manager for the Portage County Department of Job and Family Services effective January 21, 2011 as approved by the Department of Job and Family Services Director Judee Genetin.
20. Board of Commissioners' signature requested on the Personnel Action form acknowledging the resignation of Latasha Moore as Social Service Worker 3 for the Portage County Department of Job and Family Services effective January 21, 2011 as approved by the Department of Job and Family Services Director Judee Genetin

21. Board of Commissioners' signature requested on the following Personnel Requisitions, as approved by Department of Job & Family Services Director Judee Genetin:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Job & Family Services	Social Service Worker 3 (replacing Latasha Moore)	JFS J	Post Internally and Externally

22. Board of Commissioners' signature requested on the Personnel Action Form authorizing displacement rights per the Collective Bargaining Agreement, Article 15.04 for Margie Bryte from Account Clerk 3 to Clerical Specialist 4 effective January 25, 2011, as approved by Department of Job & Family Services Director Judee Genetin.
23. Board of Commissioners' signature requested on the Personnel Action Form authorizing displacement rights per the Collective Bargaining Agreement, Article 15.04 for Theresa Reed from Clerical Specialist 4 to Clerical Specialist effective January 25, 2011, as approved by Department of Job & Family Services Director Judee Genetin.
24. Board of Commissioners' signature requested on the Personnel Action Form for the layoff of Ronald Evans, Hearing Officer, due to lack of funds in the Agency effective January 21, 2011, as approved by Department of Job & Family Services Director Judee Genetin.
25. Board of Commissioners' authorization requested to pay the January 11, 2011 Invoice for Professional Services rendered during January 2011 for \$175.00, as requested by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.
26. Board of Commissioners' authorization requested to have Commissioner Frederick sign three United States Bankruptcy Court, Northern District of Ohio Proof of Claims, as presented by the Portage County Water Resources Department for unpaid water and/or sewer bills as follows:

Name	Address	Amount	Account Number
Everett & Beth Scott	3624 Elmhurst Ct, Kent	\$ 588.44	203-01710-00
Monica Brown	9284 June Dr., Streetsboro	\$273.85	402-03420-01
Adam & Nicole Yax	9015 Patriot Dr., Streetsboro	\$170.05	402-18900-00

27. The Board of Commissioners received the Kennel Disposition Report for January 10, 2011 through January 16, 2011 as presented by Dave McIntyre, Dog Warden.

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INFORMATION ONLY

January 20, 2011

1. January 14, 2011 correspondence from Charlene Badger, Commissioner Executive Assistant to Ed and Libby Frato-Sweeney, regarding NEFCO.

2. January 10, 2011 correspondence from Shelley Wilson, Ohio Department of Taxation to County Auditors, regarding general reappraisal and triennial update for real property.

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PROSECUTOR CORRESPONDENCE

January 20, 2011

1. January 18, 2011 e-mail from Leigh Prugh, regarding Windham Water and Sewer Agreement/Hold for a recommendation from the Water Resources Department.

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JOURNAL ENTRY I

January 20, 2011

Motion by Christopher Smeiles, seconded by Tommie Jo Marsilio to approve the following actions:

1. The Board of Commissioners acknowledged the receipt of the January 7, 2011 correspondence from Robert Park, Director/Service Officer of the Portage County Veterans Service Commission, including the 4th quarter Departmental Activity Report and Annual Report for 2010 for the Veterans Service Office, as presented by Director Robert Park.
2. The Board of Commissioners authorized Director Jon Barber to sign the Fiscal Year 2010 Emergency Management Performance Grant (EMPG) Financial Reimbursement Report for the period October 1, 2010 through December 24, 2010, as presented by the Office of Homeland Security and Emergency Management. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
3. The Board of Commissioners signed the January 12, 2011 correspondence to Mark Epstein, Ohio Historical Preservation Office (OHPO), regarding activities determined to be exempt from OHPO review of the 2010 CDBG Formula Grant, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
4. In response to the January 10, 2011 Notice from the Ohio Division of Liquor Control of a request for transfer of liquor license from Jeffrey Hamilton to Robs West Branch Bait & Tackle LLC, dba Rons West Branch Bait & Tackle & Drive Thu Window, 5353 SR 14, Ravenna Township, the Board of Commissioners agreed not to request a hearing noting the Ravenna Township Trustees were notified and have no objections and are not requesting a hearing. The Board of Commissioners authorized the Clerk sign and return the Notice.
5. The Board of Commissioners signed the Satisfaction of Mortgage for Kevin and Vicki Pellini, 8094 Main Street, Garrettsville, as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

6. The Board of Commissioners signed the Satisfaction of Mortgage for Tammie Dialesandro, 2135 Gates Drive, Streetsboro, as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
7. The Board of Commissioners signed the Satisfaction of Mortgage for Naomi Wilmington, 351 Ohio Avenue in Ravenna, as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
8. The Board of Commissioners signed the Satisfaction of Mortgage for Family & Community Services of Portage County, as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
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12. The Board of Commissioners signed the payment authorization form for R2K Contracting of Rootstown for the Townhall II exterior renovations at 155 North Water Street, Kent for \$5,691.54, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #6 Neighborhood Fac/Community Center is funding this expense.
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B-F-09-1CJ-1	General Administration		\$2300.00
Total Draw			\$32,998.00

18. The Board of Commissioners acknowledged the receipt of the January 18, 2011 correspondence from Louis Munoz, Portage County Water Resources, announcing his retirement on March 31, 2011 with a proposed rehire date to the same position as Customer Service Specialist II on April 1, 2011. The Board of Commissioners agreed to set the required public meeting for Tuesday, March 8, 2011 at 11:00 AM in the Commissioners' Board Room to hear public comment on this proposed rehire.
19. The Board of Commissioners signed the Personnel Action form acknowledging the resignation of Judy Sheaffer as a Clerical Specialist for the Portage County Department of Job and Family Services, effective January 21, 2011, as approved by the Department of Job and Family Services Director Judee Genetin.

20. The Board of Commissioners signed the Personnel Action form acknowledging the layoff of Karen Osborne as a Case Manager for the Portage County Department of Job and Family Services, effective January 21, 2011, as approved by the Department of Job and Family Services Director Judee Genetin.

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Adam & Nicole Yax	9015 Patriot Dr., Streetsboro	\$170.05	402-18900-00

28. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for January 10, 2011 through January 16, 2011, as presented by Dave McIntyre, Dog Warden.
29. The Board of Commissioners acknowledged the receipt of the January 18, 2011 correspondence from Attorney Douglas Paul, Christley, Herington & Pierce, serving as his request for the Board of Commissioners to cure any procedural defects, consistent with ORC 709.015 in the matter of the petition for annexation of Hiram Township
30. The Board of Commissioners accepted the recommendation of the Human Resources Department and the Department of Budget & Financial Management Director and approved the draft Position Description for the Department of Budget & Financial Management Budget and Financial Analyst as a DAT 5.
31. The Board of Commissioners signed the January 20, 2011 correspondence to the Ohio Department of Administrative Services advising of their designation of exempt positions in accordance with ORC 124.11 (A)(8) and Ohio Administrative Code 123:1-5-1.
32. After meeting in an executive session today with the Human Resources Department Director and the Internal Services Director, the Board of Commissioners authorized the advertisement of the combined Record Center Manager/Printer position.
33. The Board of Commissioners signed the following Personnel Requisitions, as approved by Department of Budget & Financial Management Director Audrey Tillis:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Department of Budget & Financial Management	Budget/Financial Analyst	DAT 5	Post Internally and Externally

All in favor, motion carries.

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JOURNAL ENTRY II
January 20, 2011

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

1. On January 4, 2011, after meeting with Neighborhood Development Services, Inc. staff, the Board of Commissioners authorized Commissioner Smeiles to sign the RLF Loan Review Report Form for the Dacon Industries, Co. loan, as presented by Neighborhood Development Services, Inc. The Board of Commissioners signed the January 4, 2011 correspondence to the Office of Housing and Community Partnerships advising of their approval of this request.

Today, the Board of Commissioners was advised that the holding company has changed from Dacon Industries, LLC to Brandy Properties, LLC.

2. The Board of Commissioners accepted the recommendation of Department of Budget & Financial Management Director Audrey Tillis and pre-approved the payment of \$135,000 to the Title One Agency pending final approval by the state of the Release of Funds for the Brandy Properties, LLC, Borrower (Dacon Industries, LLC) purchase of real estate located at 4839 Washington Avenue in Ravenna. The Economic Development Loan CDBG ED RLF is funding this payment.

Commissioner Smeiles abstaining, 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 20, 2011**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio to adjourn the official meeting at 4:15 PM. All in favor, motion carries.

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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