

Thursday, February 3, 2011

The Board of County Commissioners met in regular session on **Thursday, February 3, 2011 at 9:30 AM** with the following members present:

Christopher Smeiles

Maureen T. Frederick

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the February 1, 2011 meeting. Commissioner Marsilio absent, motion carries

Commissioner Marsilio attending at 9:40 AM

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

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INTERNAL SERVICES

Present: JoAnn Townend, Sonny Tilden, Mark Gilly, Carol Schofield

9:56AM 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 temporary departmental reorganization. **Also present: JoAnn Townend, Sonny Tilden, Mark Gilly, Carol Schofield.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:25 AM Staff left the executive session; Director Townend remained

10:40 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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DISCUSSION

1. The Board of Commissioners authorized the Dog Warden to take the furniture from the former Grant Administrator's office. Commissioner Smeiles noted that the furniture belongs to the General Fund – JoAnn Townend to determine the cost of the furniture and report back to the Board of Commissioners
2. Journal entry purchase of equipment for the Motor Pool.

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RESOLUTIONS

1. Enter into a software maintenance agreement with Maximus, Inc. for Program Expenditure Tracking System for JFS 1/1/11 to 12/31/11./11-117

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HUMAN RESOURCES

Present: Karen U’Halie, Portage County Department of Job & Family Services Director Judee Genetin; Assistant Director of Administration, Brian Boykin; Assistant Director of Fiscal Operations, Terri Burns

Commissioner Frederick advised the Director that the Board of Commissioners revisited the Dog Warden’s permission to allow his family to travel in the county vehicles with him and asked the Director to draft a memo to all employees that no non-employees may ride in county vehicles.

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11:00 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 an employee discipline issue. **Also present:** Portage County Department of Job & Family Services Director Judee Genetin; Assistant Director of Administration, Brian Boykin; Assistant Director of Fiscal Operations, Terri Burns, and the Human Resources Department Director. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

11:15 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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11:30 AM Lunch Recess

1:05 PM Board of Commissioners reconvened

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1:10 PM Board of Commissioners convened the Solid Waste Management District

2:05 PM the Board of Commissioners reconvened

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OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT

Present: Jon Barber

The Director is attending today in his first regularly scheduled meeting with the Board of Commissioners.

Noting Commissioner Marsilio’s question earlier today about whether or not the Board of Commissioners’ approval of Resolution 11-0118 authorizing the purchase of a variety of equipment using SHSP funding, including radios, would assist the Sheriff with his radio concerns, the Director

responded that the Sheriff wants to go to a MARCS system. The Director advised that he believes that the Sheriff signed a letter to build out the VHF [Very High Frequency] systems currently in place and noted that no other county entities will be able to contact him if he uses the MARCS system. He believes that B & C is encouraging the Sheriff to go with the MARCS system, which would be expensive to place in the vehicles. The MARCS system is a digital system and very expensive to purchase and operate monthly.

The Director advised Streetsboro has applied for a \$4 million grant to move countywide interoperable communications forward. The RCC Study identified the 80 different frequencies used in Portage County, which need to be consolidated and built out. Commissioner Marsilio responded that the Sheriff believes that the MARCS system is the only one guaranteeing countywide coverage; the VHF system cannot do that. Director Barber added that the MARCS system is good for radio communication with the state but not good for day-to-day operations countywide. All command staff vehicles will have a MARCS radio to communicate with the state and/or feds over and above the VHF system. He explained that a VHF radio costs \$250 while a MARCS radio costs \$5,000 to buy and then each MARCS radio costs \$20/month for service. The Sheriff would need 60 radios at \$20 per month, once purchased. The Director added that he believes that the Sheriff would not agree that the MARCS radio system is the best solution either. The Sheriff simply wants the best communication for his officers.

Director Barber stated that, if the county is willing to spend one half million dollars on the MARCS system, why not spend that one half million dollars on the build out of the current VHF system used countywide by the County Engineer etc. He noted that the VHF system is not currently capable of transmitting countywide so why not improve the current VHF system to allow countywide communications. Don't purchase a new system that nobody in the county can communicate on.

The MARCS system is not the Sheriff's only option and will take him farther away from interoperability; deputies will lose the local communications capability. He added that going to the MARCS system is not conducive to the countywide plan to build out the JHF system.

Commissioner Frederick asked who will pay for a system. Director Barber responded that the county will pay unless all county organizations agree to participate together and go to one system.

Commissioner Smeiles noted that there have been many meetings about this issue; the county has the technology with dispatch and systems to do a countywide police and fire dispatch. The ORC requires that the Sheriff be the first person authorized to operate this countywide system; the Board of Commissioners is second. The current Sheriff has indicated that he intends to keep the authority to operate that countywide system should he decide to do so.

Director Barber explained that the central dispatch modules call for all organizations participating to be at the table with a vote. The purchase approved by the Board of Commissioners today using SHSP monies will benefit the Sheriff in that staff will have access to these radios.

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The Director will check to determine where the NIMS certifications are for Commissioner Frederick, Commissioner Smeiles and the Clerk.

RESOLUTION No. 11-0114

RE: AMENDMENT TO THE NON GENERAL FUND 2011
ANNUAL APPROPRIATION RESOLUTION NO. 10-1143
ADOPTED DECEMBER 16, 2010.

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

RESOLVED, that it has become necessary to amend the Non General Fund 2011 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

	<u>Increase</u>	<u>Decrease</u>
Fund: 1165 Homeland Security B (SHSP)		
<i>930 Emergency Management Agency</i>		
11655 Homeland Security B (SHSP) MS	-	39,061
11656 Homeland Security B (SHSP) CO	39,061	-
MEMO TOTAL	<u><u>\$ 39,061</u></u>	<u><u>\$ 39,061</u></u>
Note: transf to correct		
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Fund: 7002 Central Vehicle Maintenance		
<i>014 Motor Pool</i>		
70026 Motor Pool CO	20,000	-
MEMO TOTAL	<u><u>\$ 20,000</u></u>	<u><u>\$ -</u></u>
Note: Purchase of Lifts -		
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TOTAL MEMO BALANCE FOR ALL FUNDS	<u><u>\$ 59,061</u></u>	<u><u>\$ 39,061</u></u>

; and be it further

RESOLVED, that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

RESOLVED, that a certified copy of this resolution be filed with the County Auditor; and be it further

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

Roll call as Follows:

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

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RESOLUTION No. 11-0115 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

WHEREAS, the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

WHEREAS, there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

WHEREAS, the Journal Vouchers/Entries are recommended by the County Auditor's Office for review and approval by the Board of Commissioners; now therefore be it

RESOLVED, that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor's Office:

02/03/11	109	\$ 279.77
02/03/11	110	11,134.67
02/03/11	111	7,729.38
02/03/11	116	95.00
Total		\$ 19,238.82

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. 11-0116 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a License and Maintenance Agreement between the Board of Commissioners, the Department of Job & Family Services and MAXIMUS Consulting Services, Inc., 700 Ackerman Road, Suite 150, Columbus, Ohio 43202, for the period of January 1, 2011 through December 31, 2011 for the total cost of Two thousand one hundred fifty and 00/100 dollars (\$2,150.00); 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. 11-0118

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RE:

ACCEPT THE SUMMARY OF PROJECTS/ COSTS FOR THE FY 10 STATE HOMELAND SECURITY PROGRAM GRANT (SHSP) ON BEHALF OF THE PORTAGE COUNTY OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT AND AUTHORIZE THE ELECTRONIC SUBMISSION OF GRANT DOCUMENTS TO THE OHIO EMERGENCY MANAGEMENT AGENCY. (FEDERAL PASS THROUGH #2009-SS-T9-0089, CFDA 97.067)

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

WHEREAS, the Board of Commissioners adopted Resolution 10-1195 on December 30, 2010 to Authorize the Application and Accept FY 10 Homeland Security Program Grant (SHSP) Supplement on Behalf of the Portage County Office of Homeland Security & Emergency Management in the amount of \$145,454.00 on behalf of the Portage County Office of Homeland Security & Emergency Management, and

WHEREAS, the grant agreement requires the adoption and submittal of a Summary of Projects/ Costs to the Ohio Emergency Management Agency by February 2, 2011, and

WHEREAS, Portage County Terrorism Advisory Committee met on January 19, 2011 to establish a list of funding projects for FY 10 State Homeland Security Grant (SHSP) and draft a recommendation to the Board of Commissioners for the Summary of Projects/ Costs \$145,454.00; now therefore be it

Commissioner Marsilio noted that, on August 24, 2010, the Board of Commissioners approved the Dog Warden's request and authorized him to allow his family to travel with him in his county vehicle when he is on county business. Noting that the Dog Warden does a great job, she is still concerned about the liability of the county in this matter.

Commissioner Frederick added that she had voted no on the original request and that she shares Commissioner Marsilio's concern about making this exception to the Board's policy. Commissioner Smeiles spoke in favor of allowing the authorization to continue stating that this is not a daily occurrence, just for special day long events to adopt out dogs.

Commissioner Smeiles recommended that the Board of Commissioners be consistent in making certain that all employees and elected officials understand that non-employees may not be transported in county cars. Commissioner Smeiles also noted that there may be elected officials that transport family members in their county vehicles. Commissioner Marsilio stated that that should not be allowed; Commissioner Frederick agreed. The Board of Commissioners noted that there will be a few exceptions; those Board Members appointed by the Board of Commissioners to serve on the GAPP and are transported monthly in a JFS vehicle and those non-employees that departments are required to transport in accordance with the Ohio Revised Code (i.e. JFS and foster children). The Board of Commissioners asked Human Resources Department Director Karen U'Halie to draft a memo to employees and elected officials for Board of Commissioners' review detailing that policy/Journal Entry

2. Discussion: Request for Board of Commissioners letter of support for the local initiative to encourage our schools to explore a change in school start times. The Commissioners have agreed to send a letter of support – Clerk to draft
3. February 3, 2011 correspondence from Sheriff Doak requesting funds for legal counsel for himself in his individual capacity as he is named in a recent lawsuit/Forwarded to the Safety/Loss Control Coordinator for immediate referral to CORSA and to Attorney Denise Smith for her files and information.

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JOURNAL ENTRY

February 3, 2011

1. Board of Commissioners' authorization requested to have Commissioner Maureen T. Frederick, President of the Board of Commissioners, sign the Signature Waiver for financial forms for the Ohio Department of Youth Services Juvenile Accountability Block Grant as requested by Lenny Sorboro, Department of Youth Rehabilitation, and Juvenile Court. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
2. The Board of Commissioners received the January 24, 2011 correspondence withdrawing the request for continued employment with the Portage County Water Resources Department and resigning as Customer Service Specialist II effective April 1, 2011, as presented by Louie Munoz, Water Resources Department.
3. The Board of Commissioners received the Kennel Disposition Report for January 17, 2011 through January 31, 2011 as presented by Dave McIntyre, Dog Warden.

4. Board of Commissioners' authorization requested to pay Invoice No. 3706 dated January 29, 2011 for Court Reporting services for the proposed Hiram Annexation of 139.3981 acres in the amount of \$750.

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REFERRED

February 3, 2011

1. February 1, 2011 memo from Michael Hiler, Ohio Department of Development, regarding the draft FY 2011 Ohio Consolidated Plan Substantial Amendment Public Comment Period for the Neighborhood Stabilization Program 3. Referred to Regional Planning Commission and Neighborhood Development Services.
2. January 26, 2011 correspondence from Martin Kubic, Auditor of State's office to James Zupka, including a fully executed Memorandum of Agreement for the audit of Portage County for fiscal periods January 1, 2011 through December 31, 2014/Forwarded to the Internal Services Director.

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PLEASE ADD TO THE AGENDA

February 3, 2011

1. Resolution to enter into an agreement between the Portage County Board of Commissioners on behalf of the Portage County Department of Job & Family Services, Inc. and Maximus Consulting Services, Inc. for program expenditure tracking for windows (PET) software maintenance (Internal Services)/11-117
2. Resolution to amend the Non General Fund 2011 Annual Appropriation Resolution No. 10-1143 adopted December 16, 2011./11-114
3. Resolution to accept the summary of projects/costs for the FY10 State Homeland Security Program Grant (SHSP) on behalf of the Portage County Office of Homeland Security & Emergency Management and authorize the electronic submission of grant documents to the Ohio Emergency Management Agency (Federal Pass Through #2009-SS-T9-0089 CFDA 97.067) (Office of Homeland Security and Emergency Management)/11-0118

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PROSECUTOR CORRESPONDENCE

February 3, 2011

1. January 26, 2011 correspondence from Denise Smith, regarding request for legal opinion regarding County's authority to order connection to county sewer system when private premises are located within 200 feet of public sewer system/Issue discussed with DS on February 1, 2011

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JOURNAL ENTRY I

February 3, 2011

On August 24, 2010, the Board of Commissioners approved the Dog Warden's request and authorized him to allow his family to travel with him in his county vehicle when he is on county business. Noting her concern about the liability of the county in this matter, motion by Commissioner Marsilio to rescind that authorization. Commissioner Frederick seconded that motion and noted that she had voted no on the original request and that she shares Commissioner Marsilio's concern about making this exception to the Board's policy. Commissioner Smeiles voting no, motion carries.

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JOURNAL ENTRY II

February 3, 2011

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

1. The Board of Commissioners authorized President of the Board Commissioner Frederick to sign the Signature Waiver for the financial forms for the Ohio Department of Youth Services Juvenile Accountability Block Grant, authorizing Lenny G. Sorboro, Director of Department of Youth Rehabilitation of the Portage County Juvenile Court, to sign financial reports requesting payment, request revision to the approved budget and request an extension of the project end date. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
2. The Board of Commissioners acknowledged the receipt of the January 24, 2011 correspondence withdrawing the request for continued employment with the Portage County Water Resources Department and resigning as Customer Service Specialist II effective April 1, 2011 as presented by Louie Munoz, Water Resources Department.
3. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for January 17, 2011 through January 31, 2011, as presented by Dog Warden Dave McIntyre.
4. After meeting today in an Executive Session with Portage County Department of Job & Family Services Director Judee Genetin; Assistant Director of Administration, Brian Boykin; Assistant Director of Fiscal Operations, Terri Burns; and the Human Resources Department Director, the Board of Commissioners accepted staff recommendation and approved the following actions:
 - A. Termination of the Public Assistance Administrator for unsatisfactory probation, effective at end of business, Thursday, February 3, 2011
 - B. Approval of a position description for the new position of JFS Administrator factored as an MGT 07
 - C. Appointment of Kevin Gowan as the JFS Administrator, effective Monday, February 7, 2011, at the rate of \$34.50 per hour
5. After meeting on February 1, 2011 with the Motor Pool Director and the Internal Services Director, the Board of Commissioners accepted staff recommendation and authorized the purchase of the following items. The Director will confirm the final cost per item:

EQUIPMENT	ESTIMATED COST
Shop manuals/ Shop Management Software/ Labor-Parts Estimating	\$ 1,608.00
\$224.00/ month or Shop Manuals \$134.00 per month	
14,000# Drive on rack, rolling jacks, installed	8,400.00
15,000# two (2) post rack installed	6,660.00
Move/ Reinstall existing two (2) racks	700.00
Fill in two (2) in ground pits/ concrete	1,200.00
10 Ton Floor Jack	1,148.00
Tire Change	2,985.00
Tire Balancer	3,973.00
Cordless Tool Kit	1,289.00
HVLP Paint Spraying System	800.00
Estimated Total	\$ 28,763.00

6. After meeting today in an Executive Session with Director JoAnn Townend, the Board of Commissioners authorized the purchase of four (4) cell phones for the Maintenance Department.
7. The Board of Commissioners' authorized payment of the January 29, 2011 Invoice No. 3706 from Laura E. Pavlick for court reporting services for the proposed Hiram Annexation of 139.3981 acres as follows:

DATE	HOURS	COST
January 24, 2011	All day	\$ 300.00
January 27, 2011	4.5 hours	\$ 225.00
January 28, 2011	4.5 hours	\$ 225.00
Total		\$ 750.00

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 **February 3, 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 **2:50 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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