

**Tuesday, February 22, 2011**

The Board of County Commissioners met in regular session on **Tuesday, February 22, 2011 at 9:40 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 Christopher Smeiles to approve the meeting minutes of the February 17, 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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### **PROSECUTOR**

Present: Denise Smith

Prosecutor's Pending

### **Review of Prosecutor's Correspondence**

1. February 16, 2011 e-mail from Denise Smith, regarding the Kent Courthouse project/Information only
2. February 17, 2011 e-mail from Denise Smith, regarding the Kent Courthouse project/Information only

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### **Airport MOU**

Commissioner Frederick stated that she still is looking for assurance from the Airport and/or the FAA that the land donated by the county for use as a local match will revert to the county if not used for that purpose. Commissioner Smeiles asked Attorney Smith if he is correct in stating that the land never transfers to the FAA. Attorney Smith responded that she does not know; one person at the FAA told her that the FAA does take the land. Commissioner Frederick pointed out that the residual value of the remaining acres is to be used for the local match for future grants. She asked if the FAA will honor the value of the land and use it as matching funds in the future. She suggested that the Board of Commissioners send those questions in writing to the FAA and also schedule a meeting with President John Trew to discuss the MOU and these issues.

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9:45 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **Also present: Attorney Denise Smith.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:00 AM The Woodlands Nursing Home Administrator, DON and Mike Coury attending

10:05 AM JoAnn Townend attending

10:18 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 of Commissioners took no action.

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### **THE WOODLANDS AT ROBINSON**

Present: Nursing Home Administrator Barb Fleischmann, DON Cathie Eggleston, Mike Coury

The Nursing Home Administrator advised that she has two letters of resignation from one part-time RN and one full-time RN/Journal Entry

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Commissioner Frederick commented that the Regional Planning Commission has provided an inventory of buildings for the City of Ravenna using the county's tax records. She wondered if the Portage County Department of Economic Development had such an inventory available.

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### **DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT**

Present: Audrey Tillis

#### RESOLUTIONS

1. General Fund Amendments to the Annual Appropriation Resolution:/11-0162
  - a. Commissioners, Transfer – Purchase EMA Facility 2970 St. Rt. 59
  - b. Commissioner Other, Transfer – Jail Cooling System, B&C Contr from Sheriff to EMA, BOC JE#'s 12 & 13 Approved 02/15/11
  - c. Budget & Financial Management, Transfer – Vacation Payoff
  - d. Economic Development, Suppl – Move Budget to Contract Lines, Pay Final Expenses
  - e. Common Pleas Court, Suppl – BOC Approved J/E 13 2/15/11 Juror Fees
  - f. Sheriff's Department, Transfer - B&C Contract Sheriff to EMA
  - g. Veterans Services Commission, Suppl – BOC App J/E #12 02/15/11 – Memorial Day Expenses
  - h. Data Processing Board, Suppl – ITS JRS Contr. Revenue Adj
  
2. Other Funds Amendments to the Annual Appropriation Resolution:/11-0163
  - a. 1002, Enterprises Zone Program, Suppl – Preparation to Close Fund and Pay Final Expenses
  - b. 1020, Municipal Court Security, Suppl – To Pay Dec. Balance of Contract
  - c. 1021, Common Pleas Court Security, Suppl – Projected Need
  - d. 1105, Traffic Enforcement Program, Trans – Temp. Transfer for Equipment

- e. 1121, Probation Services, Suppl – Projected Need
- f. 1123, Community Integration Soc. CISP, Suppl – Projected 2 month need
- g. 1149, Felony Delinque Care & Custody, Suppl – Proj. Need, Adj for HB Transfer
- h. 1254, Neighborhood Stabilization NSP CS, Suppl – Adjust to Award Balance
- i. 1265, CDBG New Horizons, Suppl – Adjust to Grant Award
- j. 1285, KBA RLF CDBG Micro Enterprise CS, Suppl – Anticipated Expenses
- k. 1340, PCBDD General Administration, Suppl - BD Modification
- l. 1410, Job And Family Services, Trans – Projected Need
- m. 1412, JFS Help Me Grow Allocation, Trans – Projected Need
- n. 1460, Enforcement Protection Orders, Suppl – Adjust to Award
- o. 1480, Violence Against Women, Suppl – Adjust to Award
- p. 3000, County Notes, Suppl – Note Principle & Interest Payment
- q. 3012, GO Bonds 2001 Riddle Block, Suppl - Adjust to Actual
- r. 3013, GO Bonds 2001, Suppl – Adjust to Actual
- s. 3016, GO bonds 2010, Suppl, New Bond
- t. 3114, SA PCS Bond 2001, Suppl - Adjust to Actual
- u. 3141, SA PCW Bond 1997, Suppl – Adjust to Actual
- v. 4002, Multi Purpose CBU Acq & Rehab, Suppl – jail Cooling Tower
- w. 4100, PCBDD Capital Projects, Suppl – BD Modification
- x. 4215, Resurfacing Projects, Trans Reverse Prior Year
- y. 5110, NH Revenue bonds 2001, Trans – Adjust to Actual
- z. 5200, PCS General Administration, Trans – Projected Need
- aa. 5211, PCS Revenue Bonds 2001, Suppl – Adjust to Actual
- bb. 5217, PCS Revenue Bond 2010, Suppl – Budget New
- cc. 5400, PCW General Administration, Trans – Projected Need
- dd. 5413, PCW Revenue Bonds 2001, Suppl, Adjust to Actual
- ee. 5415, PCW Revenue Bond 2010, Suppl, New Bond
- ff. 5600, StS General Administration, Trans – Projected Need
- gg. 6100, SCRAM Alcohol Monitoring, Suppl - Projected Need
- hh. 7000, Central Services (Purchasing), Suppl – To Fund Gasoline
- ii. 7219, WC Retro Rating Plan 2010, Trans – Safety Program Balance
- jj. 8104, PCBDD Gifts & Donations, Trans – BD Modification

- 3. Transfer from Fund 0001, General Fund to Fund 1166, EMPG Homeland Security Grant/11-0164
- 4. Transfer from Fund 0001, General Fund to Fund 4002, Mulit Purpose CBU ACQ & Rehab/11-0165

Other

- 5. Discussion Memos:
  - a. The Board of Commissioners discussed staff attendance at the MUNIS Conference in April 2011 and agreed to ask the Prosecutor to prepare written criteria to use in situations such as the vendor providing free registration so that there can be a determination as to which staff member should attend.

- b. The Board of Commissioners agreed to wait for the Director to bring back the Declaration for the EMA Vehicle Facility Purchase. The Director noted that SHSP funds can be used to pay for a lease from the county. The county would use those lease funds to service the debt payment. Director Barber has about \$30,000 set aside for the lease of this building. Commissioner Frederick noted that Director Barber had assured the Board of Commissioners that the Homeland Security and Emergency Management Office could lease a building using grant funds; the Director responded that he is correct. The Director is moving the appropriation budget for the purchase of this building to the acquisition line, noting that these grant funds could go away in this environment. The agreement to purchase is in place.
- c. Commissioner Frederick asked the Director if there is an annual set-aside in the budget for construction and maintenance issues. The Director responded that the Board of Commissioners has not been able to put much aside into Fund 4002 in the past several years.

Updates

6. The Director presented the Contingency Tracker

The Director noted that the Municipal Court Judges had agreed to try to share a position; the Board of Commissioners has made no commitment. The Board of Commissioners does have the issue regarding state funding coming up, which has not been resolved.

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10:45 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to discuss a conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **Also present: Attorney Denise Smith.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:55 AM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** 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 of Commissioners took no action.

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**BUILDING DEPARTMENT**

Present: Bob Wrentmore

The CBO is attending today to update the Board of Commissioners on his department. He reported that he has collected \$22,000 in residential and commercial fees in January 2011; he collected \$18,000 in January 2010. The numbers are coming back and Inspectors are doing eight inspections per day per Inspector.

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Commissioner Marsilio has reviewed the email from the Executive Assistant regarding her review of the General Policy Board bylaws of the Northeast Ohio Four County Regional Planning and Development Organization (NEFCO). Based on population, Portage County gets seven (7) seats on the NEFCO General Policy Board, but the Mayor of the largest city (Kent) appoints one of those seven; the Commissioners appoint the remaining six (6). The Executive Assistant reported that the Board of Commissioners is not required to appoint an Economic Development Director as one of its appointees to the NEFCO Board. Instead of an Economic Development person, the bylaws actually call for a Township Trustee appointment.

Based on population, Portage County gets seven (7) seats on the NEFCO General Policy Board, but the Mayor of the largest city (Kent) appoints one, and the Commissioners appoint six (6).

Commissioner Marsilio suggested inviting a businessperson or Township folks appointed in an appropriate mix. The sixth spot could be a township representative. The Board of Commissioners agreed to send a letter to the Trustees asking for a representative to fill the sixth position on this Board/Executive Assistant to draft.

The Board of Commissioners also agreed that the letter to the Townships should include an invitation for a Trustee to serve on the Storm Water Task Force, since the Commissioners have agreed to expand that committee. Trustees John Kovacich of Atwater, Tom Smith, Chairman of RPC and Paris Township Trustee, Dan Derreberry, President of Township Trustees Association and Atwater Township Trustee, and John Ziska, Freedom Township offered to serve when Commissioner Frederick discussed this at the Township Association Dinner on Saturday. Commissioner Marsilio commented that she would be happy to add a citizen to the Task Force, perhaps Leo Nagle, who has been attending the Commissioners' meetings recently and seems interested in the Storm Water Program. Commissioner Smeiles suggested that the Commissioners could also serve on the committee.

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11:30 AM Lunch Recess

1:10 PM Board of Commissioners reconvened

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**MAINTENANCE**

Present: Tim Miller

The Board of Commissioners noted that the parking lots today were ice covered and wondered if the Maintenance trucks are equipped with salt spreaders. The Director responded that he has only one vehicle with a spreader. The Board of Commissioners agreed to discuss the possibility of his vehicles treating some of the county parking lots.

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The Director reported that the new cover has been installed on grease trap at the Justice Center to contain the smells. The Director found a drain under an air handler in a closet at the Justice Center near the Department of Homeland Security & Emergency Management offices that will be checked to determine if that could be the source of the odors.

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Robert Simmons of Yager Consulting called the Director about the possible moving of buildings near the Airport. The Board of Commissioners does not know what the issue would be and agreed to ask the Airport Board President when they meet with him.

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The Director reported a \$7,000 cost to replace a leaking heating coil in an air handler in the Admin Building. The fix will be made once the temperature outside gets to at least 50 degrees. Money is in the Maintenance budget for this repair.

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The Director inspected the Records Center last week during the Print Shop move. The Record Center needs a new heating system within the next five years if not sooner. He suggested going with packaged rooftop units that would heat different zones as needed and not the entire building all the time. He noted that the sprinkling system must be kept from freezing. Commissioner Smeiles added that the records need to be heated and cooled.

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The Board of Commissioners asked Director Miller to provide copies of the last several capital improvement plans.

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The Director reported no heat issues at the Jail.

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The Director commented that the downspout in front of Commissioner Smeiles' car was leaking; the Director has scheduled that repair and will check to see if that has been accomplished.

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**WATER RESOURCES**

Present: Jeff Lonzrick

1. **RESOLUTION** - Approving a request for installment payments of connection charges for connection to the sanitary sewerage system in the Portage County Regional Sewer District and Establishing the terms and conditions of the same./11-0166
2. **RESOLUTION** - Approving the plans, specifications and estimate of cost, and setting the date and time for acceptance of bids for the construction of Project No. ST-4 (11-010), County Wide Line Maintenance Program, Cleaning and Jet Flushing, Zone 5 – Streetsboro East, in the Streetsboro Sanitary Sewer District No. 4; City of Streetsboro./11-0167
3. **SIGNATURES/JOURNAL ENTRY** -Approval to Repaint (Epoxy Coat) the Streetsboro WWTP Disinfection/Bleach Room/Journal Entry
4. **SIGNATURES** - Approval to fill Part-time Electrician position/Journal Entry

5. The Director met today with the EMA, Aurora representatives, and the Ohio EPA today to discuss the final plan for the repair at the Shalersville plant. Work begins tomorrow morning and water will be available after the required testing on Friday. Water will come from Ravenna via the emergency connection.
6. The Director updated the Board of Commissioners on the Aurora Meadows sewer project, which is on target.
7. The Director will schedule the ribbon cutting for the O&M Building on Infirmary Road soon. The Director confirmed that he will be able to use all of the space in the building for the storage of the departments' diesel vehicles.

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2:00 PM Recess

3:15 PM Board of Commissioners reconvened

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**MUNICIPAL COURT JUDGES**

Present: Judges Oswick, Poland and Fankhauser; Nicole Jones; Audrey Tillis

The Judges are attending today to discuss their need for a third court reporter. The Board of Commissioners had put that request on a priority list last year for consideration after the first of this year. Judge Poland commented that it is not possible to run as many cases as they run without the bodies to handle the cases. The Muni Court Probation Budget has been decreased due to the loss of three or four people. Each Judge has a Bailiff, an Assignment Commissioner/Deputy Bailiff, there are two Court Reporters who are rotated in a pool, in addition to an Administrator and an assistant Administrator.

Judge Poland stated that the Judge without a Court Reporter for a two week period uses a tape recorder. With vacations and sick time, there may only be one staff person in place to do all the work. All employees have been cross-trained as Bailiff, Assignment Commissioner etc. Without additional bodies, it is a difficult situation. The Judges had agreed to come back to the Board of Commissioners after the new year. Judge Oswick mentioned that the Magistrate has a Bailiff, who has passed the bar and is looking for a job. That position would have to be filled; it would be more difficult to fill as a part-time position without benefits. Judge Oswick added that there has been a 30% increase in domestic violence cases from last year.

Commissioner Smeiles remembered that the Bedford Court Judges do not use court reporters. Judge Poland responded that the Bedford court has less of a caseload and more staff with eight bailiffs. Judge Oswick noted that there should be a formula used such as x amount of staff for a certain number of cases. There is an Administrator and a part-time assistant, an outside Bailiff that serves papers, the Magistrate and his Bailiff, Assignment Commissioners and two Court Reporters.

Judge Poland stated that the Judges know that they need to keep costs down. There are 10 staff members to serve the day-to-day needs of the court. Vacation and sick leave must also be

accommodated. Commissioner Marsilio stated that the dilemma for this Board is that these are the same challenges countywide.

Commissioner Smeiles noted that it boils down to a request for a third Court Reporter, which is a \$50,000 number with benefits. Judge Poland responded that the volume of cases is tremendous at about 1,000 per month per Judge. Commissioner Smeiles asked if there is a starting court reporter rate versus an experienced court reporter rate? Judge Oswick stated that the two current Court Reporters are paid at \$44,000 and do have experience. Commissioner Smeiles wants to reduce the cost as much as possible. Commissioner Frederick remarked that the Board of Commissioners set aside \$300,000 this morning for sick and vacation leave payouts. Judge Poland responded that the Board created a new position for the Sheriff for \$58,000; increased the Clerk of Court's budget; although he is not interested in who has gotten what. The three Judges have done what they can to streamline expenses and reduce costs. However, the court must provide the necessary services and to do so with two people is extremely difficult. The Judge added that the Muni Court lost four employees when Judge Plough left although they may have been shifted to the felony division.

Commissioner Marsilio asked if there is any way that the court can be restructured to provide better, more efficient services? Judge Poland responded that staff has already been cross-trained.

Commissioner Smeiles asked if the Judges would consider not calling the position a court reporter but bring an employee in at a lesser wage and work on a better recording system in the new courthouse.

Commissioner Frederick asked if the court would consider using a temporary service for help, noting that there are good people out there. The judges responded that would not be a good fit.

Commissioner Marsilio asked how often a transcript is requested. The Judges did not know since the requests go directly to the court reporter.

Commissioner Smeiles stated that the first question for the Board of Commissioners is do we want to find the funds? Commissioner Frederick responded that we go through this process so many times and it is difficult to find money. The Board would have to pull from one department for another. Commissioner Marsilio stated that everyone who requests additional funds has the same problem – they need more staff to do required work. Judge Poland replied that the Judges had agreed in November to wait for the first of the year and did so.

Department of Budget & Financial Management Director Tillis asked if the part-time Magistrate position is going to continue should the current Magistrate leave? The Judges agreed that it would be difficult to eliminate that position all together or to make it full-time. Commissioner Smeiles wondered if the Judges could consider two part-time Magistrate hires rather than one full time.

Director Tillis also noted that the Clerk of Courts' increase was fully supported by her revenue. The Sheriff's hire was related to his carryover. Judge Oswick commented that the Domestic Relations grant for the Mediator is now gone.

Commissioner Frederick stated that the Board of Commissioners will do due diligence to this request. She understands that the Judges are here because it is necessary.

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**KENT COURTHOUSE DISCUSSION**

Present: Judges Poland, Fankhauser and Oswick, JoAnn Townend, Allan Renzi,

Discussion of the Kent Courthouse Project

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**RESOLUTION No. 11-0158 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

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

**RESOLVED,** that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on February 22, 2011 in the total payment amount of **\$594,149.30 for Funds 0001-7001** 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. 11-0159 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles 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



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. 11-0161 - RE: AUTHORIZE THE ELECTRONIC SUBGRANT RESUBMISSION APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE PROGRAM, VIOLENCE AGAINST WOMEN 2011 GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS GRANT PROGRAM FOR THE ADVOCATE TRAIN AND RESPOND COLLABORATION (ATR) (FAMILY & COMMUNITY SERVICES)**

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

**WHEREAS,** Safer Futures a program of Family & Community Services, the Prosecutor’s Office, Portage County Adult Probation Department, Townhall II Sexual Assault Rape Crisis Program, and the Portage County Courts have collaborated together for a grant application; and

**WHEREAS,** Violence Against Women grant funds are designed as incentive money to support programs to improve the functioning of the criminal justice systems on behalf of victims of domestic violence and sexual assault, and

**WHEREAS,** Portage County, being a local body of government, may submit an electronic application as an eligible applicant, and

**WHEREAS,** the Advocate, Train & Respond Collaborative desires to administer a program funded under the Violence Against Women Grant Program to assist Portage County in providing important services to victims of domestic violence and sexual assault through enhancing the current criminal justice system to prevent further victimization and hold offenders accountable, now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners hereby authorizes the submission of the an electronic application to the United States Department of Justice Program, Violence Against Women 2011 Grants to Encourage Arrest Policies and Enforcement of Protection Orders Grant Program for the project period of October 1, 2011 to September 30, 2013 for a total request amount of **\$399,969**, that includes **no local match required** and be it further

**RESOLVED,** that a copy of this resolution will be filed with the Portage County Auditor's Office, the Portage County Department of Budget & Financial Management, Portage County Prosecutor's Office, Adult Probation and Portage County Family & Community Services and be it further

**RESOLVED,** that the Board of Commissioners authorizes the President of the Board to sign both the required certification letter and the non-supplanting letter; and be it further

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

Voice vote was as follows:

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

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RESOLUTION No. 11-0162 -

RE: AMENDMENT TO THE GENERAL FUND 2011 ANNUAL APPROPRIATION RESOLUTION NO. 10-1142 ADOPTED DECEMBER 16, 2010

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

RESOLVED, that it has become necessary to amend the 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>
<b>Fund: 0001 General Fund</b>		
<b>001 Commissioners</b>		
00016 Commissioners CO	240,000	-
<b>MEMO TOTAL</b>	<b><u>\$ 240,000</u></b>	<b><u>\$ -</u></b>

Note: EMA Facility 2970 St. Rt.

<b>010 Commissioners Other</b>		
00107 Commissioner Other OE	0	24,020
00109 Commissioner Other ME	14,176	240,000
<b>MEMO TOTAL</b>	<b><u>\$ 14,176</u></b>	<b><u>\$ 264,020</u></b>

Note: Jail Cooling Sys Bid+Cont B&C Contr Sheriff to BOC App J/E# 12 & 13

<b>011 Budget &amp; Financial Management</b>		
0011D DBFM Full Time	0	878
0011O DBFM Retirement/Payoff	878	-
<b>MEMO TOTAL</b>	<b><u>\$ 878</u></b>	<b><u>\$ 878</u></b>

Note: Vacation Payoff

		<i>Increase</i>	<i>Decrease</i>
<b><i>080 Economic Development</i></b>			
00803	Economic Development Fringes	12,632	29,517
00804	Economic Development CS	184,631	66,749
00805	Economic Development MS	0	4,763
0080D	Economic Development Full Time	0	102,422
0080O	Economic Development Payoff	6,188	-
	<b>MEMO TOTAL</b>	<b>\$ 203,451</b>	<b>\$ 203,451</b>

Note: MOVE BUDGET TO CONTRACT SERVIC TO PAY FINAL EXPENSES

<b><i>530 Common Pleas Court</i></b>			
05304	Common Pleas Court CS	5,220	-
	<b>MEMO TOTAL</b>	<b>\$ 5,220</b>	<b>\$ -</b>

Note: BOC J/E# 13 2/15/11 Juror

<b><i>700 Sheriff's Department</i></b>			
07104	Sheriff-Corrections CS	0	4,176
	<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 4,176</b>

Note: B&C Contract Sheriff to EMA

<b><i>903 Veterans Services Commission</i></b>			
09034	Veterans Services CS	8,500	-
	<b>MEMO TOTAL</b>	<b>\$ 8,500</b>	<b>\$ -</b>

Note: BOC App J/E# 12

<b><i>915 Data Processing Board</i></b>			
0915M	Data Processing Bd Overtime	300	-
	<b>MEMO TOTAL</b>	<b>\$ 300</b>	<b>\$ -</b>

Note: ITS JFS Contr. Revenue Adj.

<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<b>\$ 472,525</b>	<b>\$ 472,525</b>
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; and be it further

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

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

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

Roll call as Follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

RESOLUTION No. 11-0163

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

It was moved by Tommie Jo Marsilio, second by Christopher Smeiles 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:

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1002 Enterprise Zone Program</b>		
<b>080 Economic Development</b>		
10023 Enterprise Zone Fringes	-	1,307
10024 Enterprise Zone Program CS	41,021	2,563
10025 Enterprise Zone Program MS	-	2,363
1002D Enterprise Zone Full Time	-	2,645
1002M Enterprise Zone Overtime	-	1,000
<b>MEMO TOTAL</b>	<b>\$ 41,021</b>	<b>\$ 9,878</b>

Note: Preparation for closing fund and paying final expenses

<b>Fund: 1020 Municipal Court Security</b>		
<b>520 Municipal Court</b>		
10204 Municipal Court Security CS	4,164	-
<b>MEMO TOTAL</b>	<b>\$ 4,164</b>	<b>\$ -</b>

Note: To pay balance of Dec Contract

<b>Fund: 1021 Common Pleas Court Security</b>		
<b>530 Common Pleas Court</b>		
10214 Common Pleas Court Security CS	2,861	-
<b>MEMO TOTAL</b>	<b>\$ 2,861</b>	<b>\$ -</b>

Note: Project needed

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1105 Traffic Enforcement Program</b>		
<b>700 Sheriff's Department</b>		
11056 Traffic Enforcement Program CO	10,000	-
1105M Traffic Enforcemt Prog Overtim	-	10,000
<b>MEMO TOTAL</b>	<b>\$ 10,000</b>	<b>\$ 10,000</b>

Note: Transfer salary \$ for equipment

<b>Fund: 1121 Probation Services</b>		
<b>590 Adult Probation</b>		
11213 Adult Probation Servi Fringes	9,620	-
11214 Adult Probation Service CS	1,000	-
1121D Adult Probation Serv Full Time	18,762	-
<b>MEMO TOTAL</b>	<b>\$ 29,382</b>	<b>\$ -</b>

Note: Projected need

<b>Fund: 1123 Community Integration Soc CISP</b>		
<b>590 Adult Probation</b>		
11233 Comm Integra Soc CISP Fringes	5,450	-
1123D Comm Integr Soc CISP Full Time	12,420	-
1123E Comm Integr Soc CISP Part Time	2,886	-
<b>MEMO TOTAL</b>	<b>\$ 20,756</b>	<b>\$ -</b>

Note: Projected 2 month need

<b>Fund: 1149 Felony Delinque Care &amp; Custody</b>		
<b>570 Juvenile Court</b>		
11493 Juv Feny Delnq Care Fringes	25,029	-
11494 Juv Feny Delnq Care CS	74,938	-
1149D Juv Feny Delnq Care Full Time	18,685	-
<b>MEMO TOTAL</b>	<b>\$ 118,652</b>	<b>\$ -</b>

Note: Meet cost through end of grant, Track HB transfer

<b>Fund: 1254 Neighborhood Stabilization NSP</b>		
<b>081 Community Development</b>		
12544 Neighborhd Stabilizat NSP CS	313,211	25,000
<b>MEMO TOTAL</b>	<b>\$ 313,211</b>	<b>\$ 25,000</b>

Note: Adjust to award balance

	<i>Increase</i>	<i>Decrease</i>
Fund: 1265 CDBG New Horizons		
<b>081 Community Development</b>		
12654 CDBG New Horizons CS	15,000	-
<b>MEMO TOTAL</b>	<b>15,000</b>	<b>\$ -</b>

Note: New grant award

Fund: 1285 KBA RLF CDBG Micro Enterprise		
<b>001 Commissioners</b>		
12854 KBA RLF CDBG Micro Enterpri CS	4,000	-
12858 KBA RLF CDBG Micro Enterpri DE	16,884	-
<b>MEMO TOTAL</b>	<b>\$ 20,884</b>	<b>\$ -</b>

Note: Projected Expenses

Fund: 1340 PCBDD General Administration		
<b>905 Mental Ret &amp; Dev Disability Bd</b>		
13403 MRDD General Admin Fringes	95,000	90,470
13404 MRDD General Admin CS	200,044	-
13405 MRDD General Admin MS	12,000	-
13406 MRDD General Admin CO	-	81,000
13409 MRDD General Admin ME	-	100,000
1340D MRDD General Admin Full Time	-	186,600
1340E MRDD General Admin Part Time	64,600	-
1340I MRDD General Admin Substitute	41,500	-
<b>MEMO TOTAL</b>	<b>\$ 413,144</b>	<b>\$ 458,070</b>

Note: BD Modification

Fund: 1410 Job And Family Services		
<b>051 Job And Family Services</b>		
14104 Job & Family Services CS	-	12,000
14105 Job & Family Services MS	12,000	-
1410D Job & Family Service Full Time	-	50,000
1410O Job & Family Services Retiremt	50,000	-
<b>MEMO TOTAL</b>	<b>\$ 62,000</b>	<b>\$ 62,000</b>

Note: Projected need

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1412 JFS Help Me Grow Allocation</b>		
<b>051 Job And Family Services</b>		
14124 JFS Help Me Grow CS	1,408	-
14125 JFS Help Me Grow MS	-	1,408
<b>MEMO TOTAL</b>	<b>\$ 1,408</b>	<b>\$ 1,408</b>

Note: Projected need

<b>Fund: 1460 Enforcement Protection Orders</b>		
<b>010 Commissioners Other</b>		
14604 Enforcemt Protection CS	10,980	-
<b>MEMO TOTAL</b>	<b>\$ 10,980</b>	<b>\$ -</b>

Note: Adjust to award

<b>300 Prosecutor</b>		
14603 Enforcemt Protection Fringes	2,460	-
14605 Enforcemt Protection MS	-	3,000
1460D Enforcemt Protection Full-Time	8,490	-
<b>MEMO TOTAL</b>	<b>\$ 10,950</b>	<b>\$ 3,000</b>

Note: Adjust to award

<b>590 Adult Probation</b>		
14603 Enforcemt Protection Fringes	187	91
14605 Enforcemt Protection MS	-	745
1460D Enforcemt Protection Full-Time	1,180	-
<b>MEMO TOTAL</b>	<b>\$ 1,367</b>	<b>\$ 836</b>

Note: Adjust to award

<b>Fund: 1480 Violence Against Women</b>		
<b>300 Prosecutor</b>		
14803 Violence Against Women Fringes	-	5,156
14804 Violence Against Women CS	4,453	-
1480D Violence Against Wom Full Time	-	8,483
<b>MEMO TOTAL</b>	<b>\$ 4,453</b>	<b>\$ 13,639</b>

Note: Adjust to award

	<u>Increase</u>	<u>Decrease</u>
Fund: 3000 County Notes		
001 Commissioners		
30008 County Notes DE	302,742	-
<b>MEMO TOTAL</b>	<u><u>\$ 302,742</u></u>	<u><u>\$ -</u></u>

Note: Note principle and Interest Payment

Fund: 3012 GO Bonds 2001 Riddle Block		
001 Commissioners		
30128 GO Bonds 2001 Riddle Block DS	6,000	20,455
<b>MEMO TOTAL</b>	<u><u>\$ 6,000</u></u>	<u><u>\$ 20,455</u></u>

Note: Adjust to actual

Fund: 3013 GO Bonds 2001		
001 Commissioners		
30138 GO Bonds 2001 DS	9,000	9,001
<b>MEMO TOTAL</b>	<u><u>\$ 9,000</u></u>	<u><u>\$ 9,001</u></u>

Note: Adjust to actual

Fund: 3016 GO Bond 2010		
001 Commissioners		
30168 GO Bond 2010 DE	292,470	-
<b>MEMO TOTAL</b>	<u><u>\$ 292,470</u></u>	<u><u>\$ -</u></u>

Note: New Bond

Fund: 3114 SA PCS Bond 2001		
010 Commissioners Other		
31148 SA PCS Bonds 2001 DE	1,000	2,650
<b>MEMO TOTAL</b>	<u><u>\$ 1,000</u></u>	<u><u>\$ 2,650</u></u>

Note: Adjust to Actual

Fund: 3141 SA PCW Bond 1997		
010 Commissioners Other		
31418 SA PCW Bonds 1997 DE	-	34,309
<b>MEMO TOTAL</b>	<u><u>\$ -</u></u>	<u><u>\$ 34,309</u></u>

Note: Adjust to Actual

	<i>Increase</i>	<i>Decrease</i>
Fund: <b>4002 Multi Purpose C Bu Acq &amp; Rehab</b>		
<b>012 Central Purchasing Services</b>		
40024 Multi Purpose C Bu Acq & Re CS	150,158	-
<b>MEMO TOTAL</b>	<b>150,158</b>	<b>\$ -</b>

Note: Jail Cooling Tower                      RPC Roof Ins Repair

Fund: <b>4100 PCBDD Capital Projects</b>		
<b>905 Mental Ret &amp; Dev Disability Bd</b>		
41004 MRDD Capital CS	75,000	-
41006 MRDD Capital CO	825,000	-
<b>MEMO TOTAL</b>	<b>\$ 900,000</b>	<b>\$ -</b>

Note: BD modification

Fund: <b>4215 Resurfacing Projects</b>		
<b>800 Engineer's Department</b>		
42156 Tallmadge Rd Resurfacing CO	390,600	-
42159 Tallmadge Rd Resurfacing ME	-	390,600
<b>MEMO TOTAL</b>	<b>\$ 390,600</b>	<b>\$ 390,600</b>

Note: Reverse prior year

Fund: <b>5110 NH Revenue Bonds 2001</b>		
<b>054 Nursing Home</b>		
51108 NH Revenue Bonds 2001 DS	17,000	61,383
<b>MEMO TOTAL</b>	<b>\$ 17,000</b>	<b>\$ 61,383</b>

Note: Adjust to actual

Fund: <b>5200 PCS General Administration</b>		
<b>060 Water Resources</b>		
52004 Portage County Sewer CS	10,012	-
52005 Portage County Sewer MS	26,500	-
52007 Portage County Sewer OE	12,000	-
52009 Portage County Sewer ME	-	99,012
5200M Portage County Sewer Overtime	500	-
5200O Portage Count Sewer Retirement	50,000	-
<b>MEMO TOTAL</b>	<b>\$ 99,012</b>	<b>\$ 99,012</b>

Note: Adjust to actual

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 5211 PCS Revenue Bonds 2001</b>		
<b>060 Water Resources</b>		
52118 PCS Revenue Bonds 2001 DS	1,000	2,761
<b>MEMO TOTAL</b>	<u><u>\$ 1,000</u></u>	<u><u>\$ 2,761</u></u>

Note: Adjust to Actual

<b>Fund: 5217 PCS Revenue Bond 2010</b>		
<b>060 Water Resources</b>		
52178 PCS Revenue Bond 2010 DE	40,486	-
<b>MEMO TOTAL</b>	<u><u>\$ 40,486</u></u>	<u><u>\$ -</u></u>

Note: Budget for New Bond

<b>Fund: 5400 PCW General Administration</b>		
<b>060 Water Resources</b>		
54004 Portage County Water CS	20,000	-
54005 Portage County Water MS	45,600	-
54009 Portage County Water ME	-	77,800
5400M Portage County Water Overtime	200	-
5400O Portage County Water Retirement	12,000	-
<b>MEMO TOTAL</b>	<u><u>\$ 77,800</u></u>	<u><u>\$ 77,800</u></u>

Note: Adjust to Actual

<b>Fund: 5413 PCW Revenue Bonds 2001</b>		
<b>060 Water Resources</b>		
54138 PCW Revenue Bonds 2001 DS	1,000	2,834
<b>MEMO TOTAL</b>	<u><u>\$ 1,000</u></u>	<u><u>\$ 2,834</u></u>

Note: Adjust to Actual

<b>Fund: 5415 PCW Revenue Bond 2010</b>		
<b>060 Water Resources</b>		
54158 PCW Revenue Bond 2010 DE	109,777	-
<b>MEMO TOTAL</b>	<u><u>\$ 109,777</u></u>	<u><u>\$ -</u></u>

Note: New Bond Budget

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 5600</b>	<b>StS General Administration</b>		
	<b>060 Water Resources</b>		
56004	Streetsboro Sewer CS	62,000	-
56005	Streetsboro Sewer MS	24,380	-
56009	Streetsboro Sewer ME	-	125,580
5600M	Streetsboro Sewer Overtime	200	-
56000	Streetsboro Sewer Retirement	39,000	-
	<b>MEMO TOTAL</b>	<b>\$ 125,580</b>	<b>\$ 125,580</b>

Note: Projected Need

<b>Fund: 6100</b>	<b>SCRAM Alcohol Monitoring</b>		
	<b>590 Adult Probation</b>		
61003	SCRAM Alcohol Monitor Fringes	9,620	-
6100D	SCRAM Alcohol Monitor FullTime	18,762	-
	<b>MEMO TOTAL</b>	<b>\$ 28,382</b>	<b>\$ -</b>

Note: Projected Need

<b>Fund: 7000</b>	<b>Central Services (Purchasing)</b>		
	<b>012 Central Purchasing Services</b>		
70005	Central Services Purchasing MS	250,000	-
	<b>MEMO TOTAL</b>	<b>\$ 250,000</b>	<b>\$ -</b>

Note: To fund gasoline

<b>Fund: 7219</b>	<b>WC Retro Rating Plan 2010</b>		
	<b>018 Human Resources</b>		
72195	WC Retro Rating Plan 2009 MS	27,343	-
72199	WC Retro Rating Plan 2009 ME	-	27,343
	<b>MEMO TOTAL</b>	<b>\$ 27,343</b>	<b>\$ 27,343</b>

Note: Safety Program Balance

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		<u>Increase</u>	<u>Decrease</u>
Fund: 8104	PCBDD Gifts & Donations		
	905 <i>Mental Ret &amp; Dev Disability Bd</i>		
81044	MRDD Gifts & Donations CS	26,500	-
81045	MRDD Gifts & Donations MS	34,000	-
81046	MRDD Gifts & Donations CO	35,000	-
<b>MEMO TOTAL</b>		<b><u>\$ 95,500</u></b>	<b><u>\$ -</u></b>

Note: BD modification

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<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<b><u>\$ 4,005,083</u></b>	<b><u>\$ 1,437,559</u></b>
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; and be it further

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

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

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

Roll call as Follows:

Maureen Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 11-0164 - RE: TRANSFER FROM FUND 0001 GENERAL FUND TO FUND 1166, EMPG HOMELAND SECURITY GRANT**

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

**WHEREAS,** the Ohio Emergency Management Agency’s share of the B & C Communication contract is \$ 4,176.00, and

**WHEREAS,** the Portage County Commissioners desires to transfer the contract amount of \$ 4,176.00; now therefore be it

**RESOLVED,** that the following transfer of funds be made in the amount of \$ 4,176.00:

**FROM:**  
FUND 0001, GENERAL FUND  
ORGCODE - 00100009  
Debit Expense Account  
Object 910000- TRANSFERS OUT \$ 4,176.00

**TO:**  
FUND 1166, EMPG HOMELAND SECURITY GRANT  
ORGCODE - 11669302  
Revenue Account  
Object 280000 - TRANSFERS IN \$ 4,176.00  
Project 0A042 –EMPG HOMELAND SECURITY GRANT

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said transfer by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Homeland Security and Emergency Management Agency, 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;

\* \* \* \* \*

**RESOLUTION No. 11-0165 - RE: TRANSFER FROM FUND 0001, GENERAL FUND TO FUND 4002, MULTI PURPOSE CBU ACQ & REHAB**

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

**WHEREAS,** bids have been received for the Portage County Justice Center Cooling Tower Replacement, and

**WHEREAS,** the Portage County Board of Commissioners wishes to transfer \$110,000.00 to pay for the cooling tower replacement at the Justice Center; now therefore be it

**RESOLVED,** that the transfer in the amount of \$110,000.00 be made as follows:

<b>FROM:</b>	
<u>FUND 0001, GENERAL FUND</u>	
ORGCODE - 00100009	
Debit Expense Account	
Object 910000- TRANSFERS OUT	\$110,000.00
<u>FUND 4002, MULTI PURPOSE CBU ACQ &amp; REHAB</u>	
ORGCODE – 40020122	
Revenue Account	
Object 280000 - TRANSFERS IN	\$110,000.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said transfer by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management, the Portage County Sheriff and the Internal Services Department, and be it further

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

Roll call vote as follows:

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

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**RESOLUTION No. 11-0166 - RE: APPROVING A REQUEST FOR INSTALLMENT PAYMENTS OF CONNECTION CHARGES FOR**

**CONNECTION TO THE SANITARY SEWERAGE SYSTEM  
IN THE PORTAGE COUNTY REGIONAL SEWER  
DISTRICT AND ESTABLISHING THE TERMS AND  
CONDITIONS OF THE SAME.**

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

**WHEREAS,** this Board by **Resolution No. 09-0006** adopted January 06, 2009 and amended by **Resolution No. 10-1016** adopted November 2, 2010, has established connection charges for connection to the sanitary sewerage system in the Portage County Regional Sewer System and has provided therein that the applicant in order to purchase a permit for such connection may submit a written request to the Board requesting that such connection charges be paid in installments; and

**WHEREAS,** the following named applicant, being the owner of the property hereafter described applied for a sanitary sewer permit and have now requested in writing the option of paying the connection charges, applicable to the following described property in installments;

Applicant:

Rex Beale Enterprises (Owner)

Service Addresses: 1477 State Route 44  
Randolph, Ohio 44265

Parcel Numbers: 28-056-00-00-014-001

Property Deed Description: Situated in Randolph Township, County of Portage, and State of Ohio: And known as being a 1.872 acre parcel of land located in Randolph Township Lot 56.

Property deed recorded under Instrument Number 200703837 of the Portage County Official Records of Deeds.

**WHEREAS,** this Board, on the basis of all relevant facts and circumstances, hereby determines that the granting of such request would be equitable pursuant to the following terms and conditions that are determined to be fair and appropriate now therefore be it

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

Section I. That determinations set forth in the second preamble of this resolution are hereby incorporated herein.

Section 2. That request of the above named applicant for the installment payment of the connection charges established pursuant to Resolution No. **09-0006**, adopted January 6, 2009, and **Resolution No. 10-1016** adopted November 2, 2010 with respect to the property described in the preamble to this resolution is hereby approved subject to the following terms and conditions.

- A. The total amount of such connection charges is \$16,355.50.
- B. The connection charges shall be payable in 40 quarterly installments beginning with the first sanitary sewer billing after connection to the sanitary sewer, unless pursuant to Paragraph H of this section, if the applicant is delinquent twice in any calendar year on paying quarterly installments and carrying charge thereon, at which time the total unpaid balance of such connection charges shall be deemed an additional installment then due and owing in that quarter.
- C. A carrying charge shall be paid equal to 5.14 percent per annum (based on Ohio Water Development Authority for the month of February 2011) on the unpaid balance of the total connection charges due and owing computed from the date of the payment of the preceding quarterly installment.
- D. The quarterly installment and the carrying charges thereon shall be included as a separate quarterly bill.
- E. In the event any installment or the carrying charge thereon are not paid within 21 days after the quarterly billing date, a penalty of 10 percent of the amount then due and owing shall be charged.
- F. The applicant, prior to the issuance of the permit, may be required by the Board of County Commissioners to give security, which may include the requirement of a surety Bond sufficient to assure the payment of all such installments.
- G. The applicant or his successors, in title to the property identified in the preamble (hereinafter referred to as "her successor"), at their option may, at any time, make payment of the unpaid balance of the connection charges and carrying charge provided for herein, provided that if such prepayment option is elected, the carrying charge provided for herein shall be computed and paid only to the date of payment of the unpaid balance.
- H. In the event the applicant or her successors are delinquent twice in any calendar year on paying quarterly installments and carrying and the carrying charge thereon, the Board may by notice in writing to the applicant or her

successors, declare the unpaid balance of the connection charge to be due and payable immediately as an additional installment then due and owing in that quarter and upon such declaration such installment shall become due and payable, provided that the applicant or her successors, may cure such default and acceleration of the additional installment by paying, within 15 days of such carrying charges thereon together with the penalty applicable thereto. Such written notice shall be given to the applicant or her successors, by registered or certified mail, postage prepaid at the address set forth in the following approval of terms and conditions. It shall be the obligation of the applicant or her successors to notify the County Sanitary Engineer of any difference of address to which such notice shall be sent. In the event such default is not cured by such payment within the specified period, the installments which are delinquent, together with any unpaid carrying charges and penalty and the balance of the connection charges, all of which are due and payable by reason of such declaration, shall be certified by this Board to the County Auditor who shall place the same upon the real property tax list and duplicate against the property served by such connection and such charge shall be a lien on such property from the date the same are placed on the real property tax list and duplicate by the Auditor and shall be collected in the same manner as other taxes.

Section 3. The Sanitary Engineer acting on behalf of the Board, is hereby authorized and directed to certify to the County Auditor such information as will identify the parcel of property to be served by the connection to be paid in installments pursuant to this resolution, the total amount of the connection charges to be paid in installments, the amount of each installment and the total number of installments to be paid. The County Auditor shall record such information in the sewer improvement record provided for in Section 6117.33, Revised Code, for the Sewer District and maintain such record until the connection charges are paid in full.

Section 4. The County Sanitary Engineer shall present a certified copy of this resolution to the applicant referred to herein. The applicant shall execute thereon an endorsement that the terms and conditions set forth in the resolution are satisfactory to the applicant and that the resolution and the terms and conditions thereof, constitute an agreement between the applicant and the County. Upon the execution by the applicant of the approval of such terms and conditions, the applicant can execute an affidavit pursuant to Section 5301.252, Revised Code, for recording pursuant to Section 317.08, Revised Code, with respect to the right of Portage County to acquire a lien against the above described property in the event of the failure of the applicant or her successors, to pay when due as provided herein. Such affidavit shall, among other things, identify the property to which such lien may attach and shall have attached to it a true and correct copy of this resolution, including the approval of the terms and conditions by the applicant and such County. Upon the receipt

of the resolution with such endorsement executed by the applicant and the execution of such affidavit, the County Sanitary Engineer is authorized to issue to the applicant the permit provided for in Section 2 of Resolution No. **09-0006**.

Section 5. That the Clerk of this Board is hereby directed to file a certified copy of this resolution with the Auditor of this County for recording pursuant to Section 319.61, Ohio Revised Code. In the event the Board declares the unpaid balance to be due and payable pursuant to Subsection H of Section 2 and the default is not cured, a certified copy of the resolution providing for the acceleration of the unpaid balance shall so be certified to the County Auditor for recording pursuant to such section.

Section 6. All terms of this resolution shall become void if the sanitary sewer is not connected by January 1, 2012. Permits issued after this date shall be governed by the current rate resolution in effect at the time of purchase.

Section 7. 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.

Voice vote as follows:

Christopher Smeiles, Yea;

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

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**RESOLUTION No. 11-0167**

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**RE: APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST, AND SETTING THE DATE AND TIME FOR ACCEPTANCE OF BIDS FOR THE CONSTRUCTION OF PROJECT NO. ST-4 (11-010), COUNTY WIDE LINE MAINTENANCE PROGRAM, CLEANING AND JET FLUSHING, ZONE 5 – STREETSBORO EAST, IN THE STREETSBORO SANITARY SEWER DISTRICT NO. 4; CITY OF STREETSBORO.**

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

**WHEREAS,**

pursuant to authorization by the Board, the County Water Resources has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No. ST-4 (11-010), County Wide Line Maintenance Program, Cleaning And Jet Flushing, Zone 5 – Streetsboro East, hereinafter referred to as the "PROJECT" and copies of said plans, specifications and estimate of cost on file in



4. Approve the then & now as presented by the County Auditor./11-0160
5. Authorize the electronic subgrant resubmission application to the United States Department of Justice Program, Violence Against Women 2011 Grants to encourage arrest policies and enforcement of protection orders grant program for the advocate train and respond collaboration (ATR) (Family & Community Services)./11-0161

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**INVITATIONS**

February 22, 2011

1. Invitation from Hattie Larlham for the 50 Year Anniversary and Developmental Disabilities month celebration on Friday, February 25, 2011, 9772 Diagonal Road, Mantua. (cc: Executive Assistant for proclamation).
2. Invitation from Portage Learning Centers for Government Day on Thursday, April 21, 2011 for breakfast or lunch.

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**INCOMING CORRESPONDENCE**

February 22, 2011

1. February 14, 2011 correspondence from Director Todd Peetz, Regional Planning Commission, regarding utilized and available Technical Assistance Hours for the final quarter 2010/Information only.
2. February 17, 2011 e-mail from McKinley Marketing Inc. including a NACO membership study. Completed questionnaires due no later than 5:00 PM on Thursday, March 3<sup>rd</sup>/clerk to complete
3. February 17, 2011 e-mail from Mike Sharb, Squire Sanders & Dempsey, regarding a Declaration of Official Intent to Reimburse/Discussed with Director Audrey Tillis today.

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**JOURNAL ENTRY**

February 22, 2011

1. Board of Commissioners' signature requested on the purchase requisition for Staples Plumbing Inc. for installation of a water line for homeowner Denise Collins for \$4,300.00 as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #5 Home Building Repair is funding this expense.
2. Board of Commissioners' authorization requested to allow Commissioner Frederick, President of the Board to sign the Ohio Public Works Commission Appendix E Disbursement Request No. 6 for the RAV 111 CH151D Bridge Replacement Project No. CGU34 as requested by the County Engineer.

3. Board of Commissioners' signature requested on Form 26 (RC 319.38) Application for Valuation Deduction for Destroyed or Damaged Real Property for unites demolished utilizing Neighborhood Stabilization Program Grant Funds as requested by Neighborhood Development Services. The location addresses are: 6615 Fairfield, Ravenna and 6738 Terrill, Ravenna. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

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**REFERRED**

February 22, 2011

1. February 14, 2011 correspondence from Congressman Tim Ryan, regarding earmarks for local projects. Referred to Department of Budget & Financial Management.
2. January 20, 2011 correspondence from Richard Rebadow, Community Improvement Corporation (CIC) of Summit, Medina, and Portage Counties, including a conflict of interest statement for CIC Board of Directors. Referred to Executive Assistant.
3. February 15, 2011 correspondence from Marlene Dorsey, requesting consideration for the open position on the Robinson Memorial Hospital Board of Trustees. Referred to Executive Assistant.

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**Journal Entry**

February 22, 2011

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

1. The Board of Commissioners signed the purchase requisition for Staples Plumbing Inc. of Streetsboro for the installation of a water line for homeowner Denise Collins, 9808 SR 43, Streetsboro for \$4,300.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #5 Home Building Repair is funding this expense.
2. The Board of Commissioners authorized Commissioner Frederick to sign the Ohio Public Works Commission Appendix E Disbursement Request No. 6 for the RAV 111 CH151D Lakewood Road Bridge Replacement, Project No. CGU34, authorizing payment to Wolf Creek Engineering & Contracting in the amount of \$73,483.52, as presented by the County Engineer.
3. The Board of Commissioners signed the Portage County Auditor's Form 26 (RC 319.38) Application for Valuation Deduction for Destroyed or Damaged Real Property for units demolished utilizing Neighborhood Stabilization Program Grant Funds, as presented by the Neighborhood Development Services. The location addresses are: 6615 Fairfield Street in Ravenna and 6738 Terrill Street in Ravenna. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
4. The Board of Commissioners accepted the February 22, 2011 recommendation from Water Resources Department Interim Director Jeff Lonzrick and authorized the hire of Equity Painting of Akron to provide all services necessary to repaint (epoxy coat) the disinfection/bleach room located at the Streetsboro Wastewater Treatment Plant at a cost not to exceed \$11,601.00.

5. The Board of Commissioners accepted the February 22, 2011 recommendation from Water Resources Department Interim Director Jeff Lonzrick and authorized the part time hire of Patrick Harmon as an Electrician (replacing Blaine Baldasare) for the Portage County Portage County Water Resources Department. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment physical and drug screen. The anticipated start date is March 7, 2011; funds are available for this position in the 2011 budget.
6. The Board of Commissioners accepted the letters of resignation from one part-time RN and one full-time RN as follows:
  - a. Jennifer Dremann, Part-Time RN, effective February 18, 2011
  - b. Kimberly Barnard, Full-Time RN, effective February 15, 2011
7. The Board of Commissioners authorized The Woodlands at Robinson to advertise for one part-time RN and one full-time RN as follows:

DEPARTMENT	JOB TITLE	GRADE	ACTION
The Woodlands at Robinson	RN Supervisor	MG05 1	Post Internally and Externally
The Woodlands at Robinson	RN – Part Time	MG05 1	Post Internally and Externally

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 22, 2011**. There being no further business to come before the Board, it was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles to adjourn the official meeting at 5:05 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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