

**Tuesday, May 10, 2011**

The Board of County Commissioners met in regular session on **Tuesday, May 10, 2011 at 2:30 AM** with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

Christopher Smeiles

The Board of Commissioners rearranged their meetings today to allow the Board to attend the 16<sup>th</sup> Annual 2011 Senior Celebration at NEOUCOM.

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It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles to approve the meeting minutes of the May 5, 2011 meeting. All in favor, motion carries

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Also attending throughout the day: Mike Sever, Record-Courier

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**WIC DIRECTOR**

Present: Nancy Dailey

Ms. Dailey advised the Board of Commissioners that the FY 2012 WIC Ohio Department of Health Grant funding will be flat based on FY 2011 amounts. Department of Budget & Financial Management Director Audrey Tillis has advised that the resolution should be held until submittal of the hard copy of the grant application for the Board's approval and signature. She suggested that the Board of Commissioners give Journal Entry authorization for Ms Dailey to prepare that grant application for submittal/Journal Entry

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**PROSECUTOR**

Present: Denise Smith

**Review of Prosecutor's Pending List**

1. Attorney Smith has reviewed the first draft of the Robinson Memorial Hospital/Woodlands lease and recommends that the Board of Commissioners send her the entire agreement for review. There was discussion regarding what the Board would want in the agreement as to repair amounts. Attorney Smith noted that the language is acceptable as to form but not in the Board's best interest to enter at this point. Commissioner Frederick wondered what dollar amount the county is willing to take on to maintain the facility. Commissioner Marsilio commented that the Board of Commissioners has already begun to turn around the facility. Get Audrey Tillis and Denise Smith input together on the appropriate dollar amount is reasonable and acceptable.

Commissioner Smeiles noted that he believes that the hospital expect some agreement that will address some of the issues at the facility. Commissioner Frederick stated that the Board of Commissioners must decide what the Board of Commissioners is willing to afford. Denise Smith responded that the price of the facility should be based on the remaining debt service.

Commissioner Frederick suggested that the Board of Commissioners contact the companies that have shown interest in buying the nursing home outright. Commissioner Smeiles stated that he is not in favor of changing direction at this point since the agreement is close to finalization. All the Board needs to figure out is to take care of the capital needs until the hospital takes over. Denise Smith suggested that the Board of Commissioners work with Audrey Tillis to determine a dollar amount that the Board is comfortable with.

Commissioner Smeiles suggested that the Board of Commissioners let Robinson Memorial Hospital know that they will not agree to the terms of the lease already presented. The Board of Commissioners agreed to meet with Audrey Tillis first and then contact Steve Colecchi.

2. Attorney Smith will work with the Homeland Security and Emergency Management Office Director on the review of the EOP.
3. Denise Smith will let JoAnn Townend know that the Board of Commissioners/Homeland Security and Emergency Management Office/Health Department Agreement for use of the facility is okay to move forward.
4. Denise Smith asked that the Sampson Ag Easement Agreement be forwarded to her for review.
5. Attorney Leigh Prugh provided her comments on the NACo agreement for discount drug access for residents. Noting Attorney Prugh's concerns that the agreement is vague and open-ended, the Board of Commissioners agreed to send a request to NACo asking how other counties are participating in this agreement.
6. Attorney Smith will draft language for the proposed deed for the Airport land donation that will confirm that the land could only be used for operations and revenue enhancement but not for any expansion purposes. Commissioner Frederick noted that the Shalersville Township Trustees want language on the deed opposing expansion.

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#### **Attorney Ron Habowski Agreement for Services**

Attorney Smith noted that, upon review, it is clear that the legal services agreement between the Board of Commissioners and Attorney Ron Habowski is broader than negotiated. She is concerned about the duplication of efforts since the Prosecutor's Office provides some of the same services for the Board of Commissioners. Commissioner Marsilio responded that the upside is that Attorney Habowski will be paid a flat rate versus an hourly rate. Attorney Smith responded that if the county has money to duplicate efforts, the Board of Commissioners should give that money to the Prosecutor since the office has taken budget cuts and had no raises. Commissioner Marsilio replied that Attorney Habowski will provide the benefit of seasoned employment advice at the front end. Denise Smith responded that the Board of Commissioners should provide the Prosecutor with the budget and they can provide that service.

Commissioner Smeiles noted that when the Board of Commissioners met with Attorney Habowski and Denise Smith there were no concerns raised. Denise Smith responded that a thorough review of the agreement caused her concern especially when Attorney Habowski has shown up at meetings that

Prosecutors are already attending. Commissioner Marsilio commented that the service is not apples to apples and that service is not being given. Denise Smith replied, put money into the Prosecutor's budget so that he can hire staff to provide that service. Commissioner Frederick does not want to duplicate efforts and knows that money is an issue. Denise Smith commented that contract negotiations are one issue but the Prosecutor is providing other services already. Commissioner Smeiles asked if the contract is appropriate from a legal standpoint? Attorney Smith replied that she is not sure noting that the list of expenditures for legal services paid in 2010 and 2011 provided by JoAnn Townend are not contracts but only POs so she cannot identify amounts.

Commissioner Marsilio stated that the form is not Attorney Smith's concern but the Board's choice to hire outside counsel is the concern. Denise Smith responded that she works for the Prosecutor and provides this service, adding that any of the other civil attorneys could provide employment counsel. Commissioner Frederick pointed out that there was no intention to be deceitful. Commissioner Marsilio agreed. Attorney Smith stated that paying this kind of money on non-negotiating issues is a duplication of services. Commissioner Marsilio opined that the quality of services is different and, therefore, not a duplication.

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3:52 PM 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 consider an employment matter for a potential discipline of a current county employee. **Also present: Attorney Denise Smith.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

4:05 PM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move 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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## **REGIONAL PLANNING COMMISSION**

Present: Todd Peetz

Director Peetz reported that staff worked with Franklin, Freedom, Hiram, and Palmyra Townships and Mantua Village on a variety of projects.

The next Quarterly Zoning Inspector meeting will be May 19<sup>th</sup>. The topic will be how to regulate and enforce property maintenance.

Staff continues to work on the Environmental EPA Grant and the New Horizons Grant is moving forward. The Brownfield Assessment Grant has been revised and submitted. The grant awards should be announced soon. Staff is working on the Ohio Rail Grant for the Board of Commissioners.

Staff is working with representatives from Sugar Bush Knolls and Streetsboro on their interest in membership.

The Vision Plan is still moving forward and Visioning in Portage continue to meet and is going well.

The Board of Commissioners has requested an amendment to the 2009 CDBG Formula Allocation Grant for the Hiram Village Clearance Project. The state has not yet decided whether or not to approve this request noting that the federal government may frown on such approval.

The Regional Planning Commission meetings are tomorrow afternoon.

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**RESOLUTION No. 11-0409 - 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 May 10, 2011 in the total payment amount of **\$577,941.35 for Funds 0001-8101** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Roll call vote as follows:

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

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**RESOLUTION No. 11-0410 - 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

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

05/09/11	321	\$ 17,847.11
05/09/11	316	270.00
05/09/11	301	500.00
05/09/11	300	995.00
05/09/11	299	635.00
05/09/11	298	715.00
05/09/11	297	375.00
05/09/11	296	1,010.00
05/09/11	227	538,833.49
Total		\$ 561,180.60

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:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

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**RESOLUTION No. 11-0411**

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**RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

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

**WHEREAS,** Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (Then and Now Certification), and

**WHEREAS,** the Then and Now Certification is recommended by the State Auditor's Office, the Portage County Auditor's Office, and the Portage County Prosecutor's Office, and

**WHEREAS,** a listing of expenditures, attached hereto as Exhibit "A" and incorporated herein by reference, has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

**RESOLVED,** that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$40,681.05** as set forth in Exhibit "A" dated **May 10, 2011** shall be paid; and be it further

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

Voice Vote as Follows:

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

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**RESOLUTION No. 11-0412** - **RE: AUTHORIZING THE PORTAGE COUNTY ENGINEER TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S SODIUM CHLORIDE (ROCK SALT) CONTRACT 18 FOR THE 2011-2012 WINTER SEASON.**

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

**WHEREAS,** the Portage County Engineer wishes to participate in the Ohio Department of Transportation's **Sodium Chloride (Rock Salt) Contract 18** for the 2011-2012 winter season, and

**WHEREAS,** the Ohio Department of Transportation requires a signed participation agreement for said Contract, and

**WHEREAS,** it is the recommendation of the Portage County Engineer that the Portage County Board of Commissioners authorize a participation agreement for the purchase of **Sodium Chloride (Rock Salt)** through the Ohio Department of Transportation, now therefore be it

**RESOLVED,** that the Portage County Engineer is authorized to sign the agreement to participate in the Ohio Department of Transportation's **Sodium Chloride (Rock Salt) Contract 18** for the 2011-2012 winter season on behalf of the Portage County Board of Commissioners; 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



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

**WHEREAS,** notice of Receiving Bids for the **Sandy Lake Road Resurfacing Project** was published in the Record Courier on April 4, 2011, April 11, 2011 and April 18, 2011, and

**WHEREAS,** eight (8) sealed bids were received, tabulated and recorded on April 27, 2011 for furnishing all labor, materials and equipment necessary to complete the project known as the **Sandy Lake Road Resurfacing**; and

**WHEREAS,** after reviewing all bids received, it was the recommendation of the Portage County Engineer that the bid of **Tallmadge Asphalt and Paving Company, Inc., 741 Tallmadge Road, Brimfield, Ohio 44240**, be accepted as the lowest and best bid received; now therefore be it

**RESOLVED,** that the bid of **Tallmadge Asphalt and Paving Company, Inc.** be accepted and awarded as the lowest and best bid received in accordance with specifications and plans prepared for the **Sandy Lake Road Resurfacing Project**; and be it further

**RESOLVED,** that a contract be entered into with **Tallmadge Asphalt and Paving Company, Inc.** in the total amount of **\$175,731.85**.

**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:

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

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**RESOLUTION No. 11-0415 - RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE THE LOCAL PUBLIC AGENCY (LPA) AGREEMENT No. 24405 WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE FRACTURE CRITICAL BRIDGE, CONTINUOUS MULTI-SPAN BRIDGE AND CULVERT LOAD RATING PROJECT TO LOAD RATE 11 BRIDGES IN PORTAGE COUNTY**

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

**WHEREAS,** the Portage County Engineer has secured 80% federal funding from the County Engineer's Association of Ohio LBR Program to perform the Fracture Critical Bridge, Continuous Multi-Span Bridge and Culvert Load Rating Project to Load Rate 11 Bridges in Portage County, and

**WHEREAS,** the Portage County Engineer has received the LPA Agreement No. 24405 from the Director of the Ohio Department of Transportation for said load rating project, and

**WHEREAS,** the LPA Agreement provides for the reimbursement to the Portage County Engineer of the federal funds for the said load rating project up to a maximum of \$39,854.40, now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby authorize the Portage County Engineer to enter into the LPA Agreement No. 24405 with the Director of the Ohio Department of Transportation to access federal funds to reimburse the Portage County Engineer for the Fracture Critical Bridge, Continuous Multi-Span Bridge and Culvert Load Rating Project on 11 Bridges in Portage County.

Voice vote as follows:

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

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**RESOLUTION No. 11-0416 - RE: ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS AND HAITHAM AZEM, MD TO PROVIDE MEDICAL DIRECTOR SERVICES.**

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

**WHEREAS,** the Woodlands at Robinson is a long-term care nursing facility, and is duly licensed by the State of Ohio; and

**WHEREAS,** Haitham Azem MD, is a physician in good standing and duly licensed to practice medicine by the State of Ohio; and

**WHEREAS,** the Woodlands at Robinson desires to retain the services of Haitham Azem MD, as the Medical Director of the Woodlands at Robinson; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and Haitham Azem MD, for a period of one (1) year beginning on May 5, 2011 and ending May 4, 2012 for the monthly sum of One thousand, five hundred and 00/100 dollars (\$1,500.00); and be it further

**RESOLVED,** that the Agreement shall automatically renew for one (1) addition year unless either party terminates the agreement; 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:

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

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RESOLUTION No. 11-0417 - RE: AMENDMENT TO THE GENERAL FUND 2011 ANNUAL APPROPRIATION RESOLUTION NO. 10-1142 ADOPTED DECEMBER 16, 2010.

It was moved by Tommie Jo Marsilio, seconded 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>
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Fund: 0001	General Fund		
	<i>010 Commissioners Other</i>		
00104	Commissioner Other CS	43,342	-
	<b>MEMO TOTAL</b>	<u><u>\$ 43,342</u></u>	<u><u>\$ -</u></u>
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Note:	Resol 10-0974 Dare LM		
	Sheriff		
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	<i>700 Sheriff's Department</i>		
0720D	Sheriff-Detectives Full Time	0	43,342
	<b>MEMO TOTAL</b>	<u><u>\$ -</u></u>	<u><u>\$ 43,342</u></u>
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Note:	Resol 10-0974 Dare LM		
	Sheriff		
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<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>		<u><u>\$ 43,342</u></u>	<u><u>\$ 43,342</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:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 11-0418 - 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 Maureen T. Frederick 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>
<b>Fund:</b>	<b>1112 Sheriff Inmate Commissary</b>		
	<b>700 Sheriff's Department</b>		
	11125 Sheriff Inmate Commissary MS	-	5,000
	11126 Sheriff Inmate Commissary CO	5,000	-
	<b>MEMO TOTAL</b>	<u><u>\$ 5,000</u></u>	<u><u>\$ 5,000</u></u>

Note: Trf \$ for equip purch.

<b>Fund:</b>	<b>1149 Felony Delinque Care &amp; Custody</b>		
	<b>570 Juvenile Court</b>		
	11494 Juv Feny Delnq Care CS	70	-
	11495 Juv Feny Delnq Care MS	-	70
	<b>MEMO TOTAL</b>	<u><u>\$ 70</u></u>	<u><u>\$ 70</u></u>

Note: COVER 2010-11 GRANT

<b>Fund:</b>	<b>1201 Motor Vehicle And Gas Tax</b>		
	<b>800 Engineer's Department</b>		
	12014 Motor Vehicle/Gas Tax CS	25,000	-
	<b>MEMO TOTAL</b>	<u><u>\$ 25,000</u></u>	<u><u>\$ -</u></u>

Note: BUILDING

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		<i>Increase</i>	<i>Decrease</i>
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Fund:	<b>1330 Dog And Kennel</b>		
	<b>045 Dog And Kennel</b>		
13303	Dog Kennel-Warden Fringes	4,103	-
13304	Dog Kennel - Warden CS	-	2,700
13305	Dog Kennel - Warden MS	19,000	-
1330D	Dog Kennel - Warden Full Time	20,187	-
1330E	Dog Kennel - Warden Part Time	-	8,900
1330M	Dog Kennel - Warden Overtime	-	4,700
	<b>MEMO TOTAL</b>	<hr/> <b>\$ 43,290</b> <hr/>	<hr/> <b>\$ 16,300</b> <hr/>

Note: BOC Apr 2/8/11 JE#      Adj to Proj Exp.

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>	<hr/> <b>\$ 73,360</b> <hr/>	<hr/> <b>\$ 21,370</b> <hr/>
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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, Nay;                      Christopher Smeiles, Yea;

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implementation and administration of a septic system assistance program for the Portage County Storm Water District (County Engineer)./11-413

7. Accept and award the bid of Tallmadge Asphalt and Paving Company Inc. for the Sandy Lake Road Resurfacing Project (County Engineer)./11-414
8. Authorize the Portage County Engineer to executive the Local Public Agency (LPA) Agreement No. 24405 with the Director of the Ohio Department of Transportation for the fracture critical bridge, continuous multi-span bridge and culvert load rating project to load rate 11 bridges in Portage County (County Engineer)./11-415
9. Enter into an Agreement between the Board of Commissioners and Haitham Azem, MD to provide Medical Director Services (Internal Services)./11-416

Director JoAnn Townend attending

The Director advised the Board of Commissioners that there is a 30 day termination clause in this contract should the Board of Commissioners or Robinson Memorial Hospital decide to move in another direction.

10. Amendments to the General Fund 2011 Annual Appropriation Resolution No. 10-1142 adopted December 16, 2010 (Department of Budget & Financial Management)./11-417
11. Amendments to the Non-General Fund 2011 Annual Appropriation Resolution No. 10-1143 adopted December 16, 2010 (Department of Budget & Financial Management)./11-418
12. Set time and place for annual meeting of County and Township authorities as prescribed by Ohio Revised Code 5543.06 (County Engineer)./11-419
13. Enter into a software license agreement between the Portage County Board of Commissioners on behalf of the Portage County Treasurer and AQ2 Technologies for digital remittance processing and electronic deposit software (Internal Services)./11-420

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## INVITATIONS

May 10, 2011

1. Invitation from Yngair Partners for the initial public meeting to provide community-based support for the Youngstown-Warren Regional Airport on Wednesday, May 11, 2011 at 7:00 PM in the main terminal at the Youngstown-Warren Regional Airport.
2. Invitation to Commissioner Frederick for the Teen Honors Breakfast at the Kent State University Student Center Ballroom on Wednesday, May 25, 2011.

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## INCOMING CORRESPONDENCE

May 10, 2011

1. May 2, 2011 correspondence from concerned taxpayers, regarding dogs at large complaint/The Dog Warden responded to the Board of Commissioners/No response necessary for this unsigned correspondence. Commissioner Frederick asked that this correspondence be sent to Sheriff Doak for possible investigation.
2. May 2, 2011 correspondence from Judge Kevin Poland, Kent Municipal Court, regarding Courthouse security/Information only.
3. The Board of Commissioners received the Unfair Labor Practice Charge from the State of Ohio State Employment Relations Board regarding Teamsters Local Union No. 436 and the Water Resources Department (Case No. 2011-ULP-04-0119)/Journal Entry receipt.
4. May 6, 2011 e-mail from Judee Genetin, Job & Family Services, inviting the Board to a small reception for Tammy Devine, the new Children Services Administrator for Job & Family Services on Friday, May 13<sup>th</sup>, 1:00-2:30 PM, Room 111 PCAB.

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**JOURNAL ENTRY**

May 10, 2011

1. In accordance with Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged receipt of the Monthly Record of Proceedings and Transactions for April 2011 as presented by the Portage County Sheriff's Department.
2. The Board of Commissioners received the May 2, 2011 Contract Opener Notification for the Portage County Sanitary Engineer for the purpose of negotiating a new agreement which expires August 31, 2011 as presented by Gary Tiboni, Teamsters Local Union No. 436.
3. Board of Commissioners' authorization requested to reimburse the Kent Regional Business Alliance for expenditures incurred January 1, 2011 to March 31, 2011 in administering the Portage County Revolving Loan Fund 1285 \$4,789.28 as presented by President Jack Crews, Kent Regional Business Alliance. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
4. Board of Commissioners' authorization requested to have Commissioner Maureen T. Frederick sign the Authorization and Attendance Commitment for the Leadership Portage County's 2012 Class Enrollment Application for Director Judee Genetin, Portage County Job & Family Services.
5. The Board of Commissioners received the Service Auditor Report in accordance with SAS-70 for the period of January 1, 2010 through December 31, 2010 as presented by Neighborhood Development Services.
6. Board of Commissioners' authorization requested to allow use of the Portage County Administration Building's first floor lobby on June 1, 2011, July 6, 2011, August 3, 2011,

September 7, 2011, October 5, 2011, November 2, 2011 and December 7, 2011 from 10:00 AM-2:00 PM for recruitment for Head Start/Early Head Start as requested by Suzanne Livengood, Portage Learning Center.

7. Board of Commissioners' authorization requested to allow use of the Courthouse lawn on May 3, 2012 from 11:30 AM-1:30 PM for the National Day of Prayer as requested by Doug McGee.
8. Board of Commissioners' authorization requested to hire Danielle Hickman as a part time seasonal canvasser for the Portage County Dog Warden's Office effective May 9, 2011 as requested by Chief Dog Warden Dave McIntyre.
9. Board of Commissioners' authorization requested to pay from the General Fund 0001 Memorial Day Expenses, Org. 09030004, Object No. 426100, by the Veterans Service Commission, to each entity applying for assistance to aid in defraying the expenses of Memorial Day activities, as stipulated in ORC Section 307.66, as follows:

• Catholic War Veterans #1954	\$500.00
• Catholic War Veterans #1325	\$500.00
• Ravenna Disabled American Veterans #26	\$500.00
• Deerfield American Legion #713	\$500.00
• Mantua American Legion #193	\$500.00
• Mantua American Legion Auxiliary #193	\$100.00
• Ravenna American Legion #331	\$500.00
• Ravenna American Legion Auxiliary #331	\$100.00
• Ravenna American Legion Sons #331	\$100.00
• Kent American Legion #496	\$ 500.00
• Streetsboro American Legion #685	\$500.00
• Streetsboro American Legion Auxiliary #685	\$100.00
• Windham American Legion #674	\$500.00
• Aurora Veterans of Foreign Wars #2629	\$500.00
• Garrettsville Veterans of Foreign Wars #5067	\$500.00
• Kent Veterans of Foreign Wars #3703	\$500.00
• Mogadore Veterans of Foreign Wars #8487	\$500.00
• Ravenna Veterans of Foreign Wars #1055	\$500.00
• Ravenna Veterans of Foreign Wars Ladies Auxiliary #1055	\$100.00
• Ravenna Veterans of Foreign Wars Men's Auxiliary #1055	\$100.00
• Streetsboro Veterans of Foreign Wars #9716	\$500.00
• Streetsboro Veterans of Foreign Wars Auxiliary #9716	\$100.00
<b>TOTAL</b>	<b>\$8,200.00</b>

10. Board of Commissioners' authorization requested to pay the Journal Entry to reimburse the Regional Planning Commission from Grant B-F-10 Fair Housing for period February 7, 2011 through March 6, 2011 not previously billed **\$100.46**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
11. Board of Commissioners' authorization requested to pay the Journal Entry to reimburse the Regional Planning Commission from the New Horizons Grant for period February 21, 2011 through March 6, 2011 not previously billed **\$ 1,064.32**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
12. Board of Commissioners' authorization requested to pay the Journal Entry to reimburse the Regional Planning Commission from Grant B-F-09 Administration for period February 21, 2011 through April 17, 2011 not previously billed **\$3,930.88**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
13. Board of Commissioners' authorization requested to pay the Journal Entry to reimburse the Regional Planning Commission from Grant B-F-10 Administration for period February 21, 2011 through May 1, 2011 not previously billed **\$1,933.24**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

\* \* \* \* \*

**REFERRED**

May 10, 2011

1. The Board of Commissioners received the tax estimates as they will appear on the 2012 Certificate of Estimated Resources, as presented by the County Auditor's office. Referred to Department of Budget & Financial Management.
2. The Board of Commissioners received the Certificate of Coverage for The Woodlands At Robinson Facility as provided by CORSA and presented by the Edward H. Sutton Insurance Company. Forwarded to the Ohio Department of Job & Family Services, Safety/Loss Control, The Woodlands At Robinson and Treasurer's Office.

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**INFORMATION ONLY**

May 10, 2011

1. April 28, 2011 correspondence from Jim Armstrong, Cuyahoga County Board of Health, regarding dismissal of Investigation 34987 for smoking in prohibited areas, ashtray present and no signs posted.

2. May 3, 2011 correspondence from Mary Alice Cowan, Portage County Law Library, including copies of the 2011 minutes and resolutions for the Portage County Law Library Resources Board.
3. April 27, 2011 correspondence from Tiffany Kral, Family & Community Services, inviting the Board to participate in or sponsor the Second Charity Golf Tournament "Putting Fore the Future".
4. May 6, 2011 e-mail from JoAnn Townend, Internal Services, regarding legal services paid in 2010 and 2011.
5. May 6, 2011 e-mail from Steve Colecchi, Robinson Memorial Hospital, including the Portage Development Board Quarterly Report for time period covering February 1, 2011 through April 30, 2011. (Entire document in share file).
6. May 6, 2011 e-mail from Dave Ruller, City of Kent, regarding the City/County Courthouse location meeting.
7. The Board of Commissioners received the Weekly Village news paper article entitled New Administrator improving conditions at County Nursing Home dated May 6, 2011.

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**JOURNAL ENTRY**

May 10, 2011

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

1. In accordance with Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged the receipt of the Monthly Record of Proceedings and Transactions for April 2011, as presented by the Portage County Sheriff.
2. The Board of Commissioners acknowledged the receipt of the May 2, 2011 Contract Opener Notification for the Portage County Sanitary Engineer (Water Resources Department) for the purpose of negotiating a new agreement for the contract that expires August 31, 2011, as presented by Gary Tiboni, Teamsters Local Union No. 436.
3. The Board of Commissioners approved the April 11, 2011 request for reimbursement to the Kent Regional Business Alliance for payment of expenditures incurred between January 1, 2011 to March 31, 2011 for the administration of the Portage County Revolving Loan Fund 1285 in an amount of \$4,789.28, as presented by President Jack Crews, Kent Regional Business Alliance. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
4. The Board of Commissioners authorized Commissioner Frederick to sign the Authorization and Attendance Commitment for the Leadership Portage County's 2012 Class Enrollment Application for Department of Job & Family Services Director Judee Genetin at a cost of \$1,350.

5. The Board of Commissioners acknowledged the receipt of the Service Auditor Report in accordance with SAS-70 for the period of January 1, 2010 through December 31, 2010, as presented by Neighborhood Development Services.
6. The Board of Commissioners authorized the use of the Portage County Administration Building's first floor lobby on June 1, 2011, July 6, 2011, August 3, 2011, September 7, 2011, October 5, 2011, November 2, 2011 and December 7, 2011 from 10:00 AM-2:00 PM for recruitment for the Head Start/Early Head Start Program, as requested by Suzanne Livengood, Portage Learning Center. Director JoAnn Townend to process the agreement.
7. The Board of Commissioners authorized the use of the Ravenna Courthouse lawn on May 3, 2012 from 11:30 AM-1:30 PM for the National Day of Prayer event, as requested by Doug McGee. Director JoAnn Townend to process the agreement.
8. The Board of Commissioners authorized the hire Danielle Hickman as a part time seasonal canvasser at \$9.00 per hour for the Portage County Dog Warden's Office, effective May 9, 2011, as presented by Chief Dog Warden Dave McIntyre. The Board of Commissioners noted that this hire is contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable.
9. The Board of Commissioners authorized payment from the General Fund 0001 Memorial Day Expenses, Org. 09030004, Object No. 426100, as presented by the by the Veterans Service Commission, to each entity applying for assistance to aid in defraying the expenses of Memorial Day activities, as stipulated in ORC Section 307.66, as follows:

• Catholic War Veterans #1954	\$500.00
• Catholic War Veterans #1325	\$500.00
• Ravenna Disabled American Veterans #26	\$500.00
• Deerfield American Legion #713	\$500.00
• Mantua American Legion #193	\$500.00
• Mantua American Legion Auxiliary #193	\$100.00
• Ravenna American Legion #331	\$500.00
• Ravenna American Legion Auxiliary #331	\$100.00
• Ravenna American Legion Sons #331	\$100.00
• Kent American Legion #496	\$500.00
• Streetsboro American Legion #685	\$500.00
• Streetsboro American Legion Auxiliary #685	\$100.00
• Windham American Legion #674	\$500.00
• Aurora Veterans of Foreign Wars #2629	\$500.00
• Garrettsville Veterans of Foreign Wars #5067	\$500.00
• Kent Veterans of Foreign Wars #3703	\$500.00
• Mogadore Veterans of Foreign Wars #8487	\$500.00
• Ravenna Veterans of Foreign Wars #1055	\$500.00
• Ravenna Veterans of Foreign Wars Ladies Auxiliary #1055	\$100.00

• Ravenna Veterans of Foreign Wars Men's Auxiliary #1055	\$100.00
• Streetsboro Veterans of Foreign Wars #9716	\$500.00
• Streetsboro Veterans of Foreign Wars Auxiliary #9716	\$100.00
<b>TOTAL</b>	<b>\$8,200.00</b>

10. The Board of Commissioners authorized payment of the Journal Entry to reimburse the Regional Planning Commission from Grant B-F-10 Fair Housing for the time period February 7, 2011 through March 6, 2011 not previously billed in an amount of **\$100.46**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

11. The Board of Commissioners authorized payment of the Journal Entry to reimburse the Regional Planning Commission from the New Horizons Grant for the time period February 21, 2011 through March 6, 2011 not previously billed in an amount of **\$1,064.32**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

12. The Board of Commissioners authorized payment of the Journal Entry to reimburse the Regional Planning Commission from Grant B-F-09 Administration for the time period February 21, 2011 through April 17, 2011 not previously billed in an amount of **\$3,930.88**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

13. The Board of Commissioners authorized payment of the Journal Entry to reimburse the Regional Planning Commission from Grant B-F-10 Administration for the time period February 21, 2011 through May 1, 2011 not previously billed in an amount of **\$1,933.24**, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

14. On May 5, 2011, the Board of Commissioners signed the Personnel Requisition form for the advertisement of the PCSA Supervisor position with internal posting. Today, the Board of Commissioners agreed to correct that Journal Entry to allow posting internally and externally as follows:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Portage County Department of Job & Family Services	PCSA Supervisor Replacement for Jan Jacobs	MGT 05	Post Internally and Externally

15. The Board of Commissioners authorized WIC Program Manager Nancy Dailey to make the pre-application for the Ohio Department of Health WIC grant for FY 2012 for \$1,137,431.00. The

Board of Commissioners will adopt the required resolution once the final grant is ready for submission.

- 16. The Board of Commissioners acknowledged the receipt of the Portage Development Board Quarterly Report for the time period covering February 1, 2011 to April 30, 2011, as presented by Chairman Steve Colecchi.
- 17. The Board of Commissioners acknowledged the receipt of the Unfair Labor Practice Charge from the State of Ohio State Employment Relations Board regarding Teamsters Local Union No. 436 and the Water Resources Department (Case No. 2011-ULP-04-0119). The Board of Commissioners noted that Attorney Ron Habowski has been advised of this notice.

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 **May 10, 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 **4:26 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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