

Thursday, May 12, 2011

The Board of County Commissioners met in regular session on **Thursday, May 12, 2011 at 9:55 AM** with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

Christopher Smeiles

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It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio to approve the meeting minutes of the May 10, 2011 meeting. All in favor, motion carries

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

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THE WOODLANDS AT ROBINSON

Present: Allison Goudy, Cathie Eggleston, Karen U'Halie

Ms. Goudy reported a Census of 77 today plus two to be admitted for a total of 79. Commissioner Marsilio commended staff on the 30 admissions to the Nursing Home since April 1st.

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10:12 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** that the Board of Commissioners move into executive session to consider a discipline issue and a possible termination. **Also present: Allison Goudy, Cathie Eggleston, and Karen U'Halie.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:25 AM staff left the executive session

10:30 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took action by Journal Entry.

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

1. NACo prescription discount card program/The Board of Commissioners advised the Director that they are sending a correspondence to NACo and the CCAO asking for comment on the Portage County Prosecutor's observations regarding this program agreement.

RESOLUTIONS

1. Enter into a lease agreement with JFS for offices at 449 S. Meridian St. based on the cost allocation plan for billing year 2011, the cost is \$12.28 per sq. ft./11-426
2. Enter into an agreement with Portage County Clerk of Courts – Domestic Division for the Portage County Child Support enforcement Agency in compliance with the Title IV-D of the social security act./11-427
3. Enter into an agreement with Annette Petranic, Pavlick Consulting Group, Inc. for emergency management assessment and planning services for the design, training & testing of the Alternate Care Facility Plan. \$10,500.00 (April 21, 2011 through June 30, 2011)./11-428

The Board of Commissioners agreed that the Homeland Security and Emergency Management Office Director should work with Director Townend to plan for an RFQ for these types of services in the future.

4. Enter into an agreement for the TrayTrakker food tray software/11-0429

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10:40 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** that the Board of Commissioners move into executive session to consider a possible discipline issue. **Also present: JoAnn Townend**. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

11:05 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took action by Journal Entry.

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KENT COURT HOUSE PROJECT

Present: Judge Oswick, Dave Ruller, Dan Smith, Bill Lillich, JoAnn Townend, Charlene Badger

Commissioner Marsilio gave an update to the Board of Commissioners about the Kent Courthouse Project as a result of the Monday, May 9th meeting of the Committee. Both Commissioner Marsilio and Judge Poland attended for Portage County.

Dan Smith presented hand outs that were given to the Committee members on May 9th. Commissioner Marsilio advised that the city of Kent would like the courthouse to remain in the downtown area and has suggested sites with the East Main Street site being their first choice, the Dome site as the city's second choice. Dave Ruller commented that all three sites are workable. Dan Smith added that the East Main Street site is preferable but nothing is off the table.

Commissioner Marsilio noted that the Board of Commissioners must give direction as to how to proceed and added that she will not vote to spend \$1 million for the site even if the city of Kent contributes to the purchase with a land swap or dollars. She does not believe this is a good use of public monies.

Commissioner Marsilio stated that she is interested in building on the Dome site, which the county owns. She added that the city likes the synergy of the ASW site that may displace a number of fraternity houses there. The necessity of a more compact courthouse on the Dome site may be challenging.

Commissioner Frederick observed that the site that the county owns would cost less regardless of the funding source. She asked when the Committee will make the recommendation of a site. She also wondered what happened to the site suggested by Judge Poland on Water Street. Commissioner Marsilio replied that the city prefers a downtown site so the committee started there – the Board of Commissioners now needs to provide direction.

Judge Oswick reported that she is attending on behalf of Judge Poland, who talked to Judges Fankhauser and Oswick about the Monday Committee meeting. Judge Oswick stated that the Judges asked her to convey that the three Judges are unanimous in deciding that the East Main Street property is the best location for the courthouse for a myriad of reasons. She added that she hopes that Board of Commissioners will consider that opinion in making a site decision. If the county accepts the city proposal for assistance, that would be the best option.

Commissioner Frederick commented again that Judge Poland thought he had the find of the century with the Water Street property. Judge Oswick responded that this is a flag lot and not suitable for the project. The East Main site would allow the project to move forward more quickly.

Commissioner Frederick asked what is involved in a land swap? She remembered that the Prosecutor had advised that land must be declared obsolete and sold under bid. Dan Smith responded that the county can trade with the city CIC and not go to bid. Commissioner Smeiles added that whatever the Board of Commissioners does will be reviewed by the Prosecutor. He added that ORC 305.15 allows a cooperating agreement between the city and county.

Commissioner Smeiles asked what the plan is in a land swap – will the county have to pay the difference? Dave Ruller responded that he is willing to ask the Council to acquire the East Main Street site and then swap it for the county's current courthouse property on South Water Street along with an adjacent vacant lot. The city would assume the \$1.02 million mortgage from the property owners and then swap that land for the county's land. He noted that the county land has been appraised at \$750,000; the East Main Street site has been appraised at \$980,000. Commissioner Frederick noted that whatever structure is used to get there would have to allow free and clear title to the property. Commissioner Smeiles added that it is good news that the city would absorb the difference. Dave Ruller responded that he has not approached council yet.

Commissioner Marsilio stated that it is still too much to pay and suggested that the Board use the Dome lot since we are not required to correct the parking challenges in the current site. Commissioner Smeiles replied that, assuming that the building goes on the Dome site, parking will be reduced.

Dan Smith summarized that the city heard that the county does not want an big upfront land purchase. If the city acquires the property with a land swap, the project could move forward immediately. The city investment would be over \$1 million with the swap and the city would readapt and reuse the current courthouse. The new courthouse would be in a prominent location with easy ingress and egress. There would be 135 parking spots that could be used after regular hours and on the weekend for public use for downtown patrons. The court would also be in close proximity to the new transit center that could provide public transportation. This would be a good partnership between city and county.

He added that the city will be able to market the existing site in concert with the downtown revitalization project that is currently underway.

The Dome site would not require parking but problems will arise with parking. Swapping the current courthouse without the adjacent lot would not raise much money in an outside sale to a business. Part of the reasons the court should not go outside of the downtown area is that there are many visitors to the court that impact the city by shopping and eating downtown.

Commissioner Frederick stated that she would like to have a chance to review the material presented today. Commissioner Marsilio responded that she intended to use this time to update the Board of Commissioners in public session to allow them to digest the material.

Commissioner Smeiles reminded the Board that there have been discussions in the past about swapping the current courthouse so that the county would not have to dispose of the building. Now this East Main Street property is on the table and having the city come to the table with the proposal to trade the current courthouse and finance the remainder looks like a solution worth pursuing. He appreciates the due diligence put into this decision but it is time to call the question now that the Judges have expressed their opinion. Judge Oswick stated that the Judges want to assure appropriate, safe and easily accessible parking. She added that the city is changing as we speak and the change could impact current parking. Adequate parking is necessary for this project to provide parking for the next 30 years. Since the railroad owns the current parking there could be an issue. The East Main Street site would also allow for future expansion. She added that it is time to get the project going since the county cannot put another dime into the current site.

Commissioner Marsilio asked, if the primary concern of the Judges is parking and future expansion, would the Judges want to move out of downtown. Judge Oswick responded that those were issues the Judges considered in reaching the unanimous decision to recommend the East Main Street site. Commissioner Frederick noted that the Judges are unanimous in thinking this is the best solution.

Dave Ruller advised that the city will wait to hear from Board of Commissioners. Commissioner Frederick would like to look at all of the sites with pros and cons of each site. She is still curious about the Water Street site Judge Poland liked; Judge Oswick responded that the lot is a flag lot and not ideal. Commissioner Frederick added that Commissioner Smeiles has been a proponent of the East Main Street site from the beginning; she wants to look at all facts. Commissioner Smeiles added that the East Main Street site is a good location and he is pleased that the city will step up.

Commissioner Smeiles asked the Board if they should discuss this issue again in one week. Commissioner Marsilio responded that the committee is at a standstill until the Board of Commissioners agrees to the East Main Street site or not. Commissioner Frederick stated that she wants to look at all of the facts. Commissioner Smeiles asked how long she would need to do so; Commissioner Frederick responded that she will let him know but that she needs quantifiable data. The Board of Commissioners agreed to wait for Commissioner Frederick to advise the Board of Commissioners when she is comfortable moving forward.

Judge Oswick asked the Board of Commissioners if the Judges have the opportunity to have additional input in this decision; does the Board of Commissioners want more input? Commissioner Smeiles asked the Judges to put their recommendation of the East Main Street site in writing to the Board of Commissioners.

Commissioner Marsilio commented that Judge Poland knew that this update today was just an update for the Board of Commissioners. She asked that the Judges put an opinion in writing to the Board of Commissioners noting all information used in making the recommendation for the East Main Street site.

Commissioner Smeiles stated that he is in favor of the East Main Street site due to the parking advantages, lot size, downtown location and zero cost to the county with the trade. Commissioner Marsilio agreed to get back to the committee as soon as Commissioner Frederick gives some direction.

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11:50 AM Lunch Recess

1:35 PM Board of Commissioners reconvened

Commissioner Marsilio meeting with the County Auditor, Department of Budget & Finance Director and Internal Services Director on the fifth floor.

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COUNTY ENGINEER - Cancelled

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EXECUTIVE ASSISTANT

Charlene Badger

The Executive Assistant advised that she is working with the Record-Courier on the ad for several board openings at a cost of about \$360. She sent letters to those who have applied for boards in the last six months notifying them of the openings. The EMA Board will have openings for a city, village and township representative.

Josh Eyring and Tim Hartong have terms expiring this June on the Airport Board.

The Executive Assistant is working with Jeff Lonzrick on a letter to residents who received notice to connect letters from the Water Resources Department.

The Executive Assistant agreed to work with the Water Resources Department Director on the May 24th Open House/Ribbon Cutting at the O&M Building.

The Executive Assistant will attend the May 16th event for the OSU Extension Service with Heather Neikirk.

The Board of Revision starts next week with Jon Barber and Charlene Badger attending for the Board of Commissioners.

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2:20 PM Commissioner Marsilio attending

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DBFM WORK SESSION

Present: Audrey Tillis and JoAnn Townend

Director Tillis advised that she, JoAnn Townend and Commissioner Marsilio met with the Auditor's Office in regards to the re-organization in her office. The recommendation was made that an Internal Services Fund be established for the department for accounting and budgeting services. This will allow staff to be

allocated to one fund (Internal Services) and charged back to the General Fund and any other fund (Solid Waste Management District and/or Water Resources Department) that utilizes the services. The Board of Commissioners agreed to ask the Prosecutor's Office if this is an allowable use of an internal services funds in accordance with the ORC.

The Board of Commissioners discussed with Director Tillis the May 17th meeting with the Sheriff regarding his FY 2011 budget. The Board agreed to invite Jon Barber and JoAnn Townend to attend the meeting with Director Tillis.

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2011 FORMULA GRANT DISCUSSION Present: Lisa Reeves, Eileen Stiffler, Todd Peetz

2011 Portage County Neighborhood Revitalization Grant - \$100,000

The Board of Commissioners has agreed to provide the match to get another \$350,000 for the installation of approximately 2,600 linear feet of curb along Maple Grove Road in the Village of Windham. Regional Planning Commission checked with Neighborhood Development Services, Inc. to determine what else will be accomplished with that project. Jen King advised that anything other than curbs (street or sewer projects) would take up additional slots in the overall program. Commissioner Frederick wondered why Windham always gets funds for rehab projects. Eileen Stiffler responded that the empty units have been rehabbed due to the waiting list in the 1980s. Now, units are demoed rather than rehabbed. This grant will improve the infrastructure to allow for single family housing in the future as well as adding driveways for new housing to eliminate street parking. Commissioner Frederick noted that she asked Neighborhood Development Services how many of the units are rented and how many are owned, noting that these were temporary housing that have been rehabbed over and over. Eileen Stiffler responded that most are a lease/purchase situation but some are outright purchases. She is not aware of the turnover rate. Eileen Stiffler added that Windham is in excess of 51% LMI; Mantua Village is not so is not eligible for CDBG funds. The Mantua Village proposed project is in an LMI area in the commercial district. Commissioner Smeiles reminded the Board of Commissioners that the Board spent money in Skeels, McElrath in the past and are now in Windham.

Family and Community Services - \$30,000

The proposed renovation of a house to be used as a shelter (Liberty Home) that benefits homeless female veterans and their children located at 643 Crown Street in Ravenna does not include lead abatement. Regional Planning Commission got a cost estimate for that abatement of about \$500. Architectural services are also not included but will be between \$5000-\$10,000. If lead is found an abatement would be necessary. Depending on the extent of the prior rehab and the damage from the fire was extensive, remediation may be necessary.

Coleman Professional Services - \$32,500

The acquisition/site preparation located at 555 South Water Street in the City of Kent for construction of a 4-unit apartment complex will provide stable and affordable housing for 6 homeless individuals with mental illness from Portage County.

Upper Room Cultural Development Corporation - \$150,000

The project would replace the existing roof and remove existing bar to renovate to usable space for office space, a recreational area; music, art and dance classes, computer lab and before and after school area complete with children's play area at 3090 State Route 59, Ravenna Township (Former Moose Lodge).

Regional Planning Commission noted that the area is not LMI although the users may be. The roof will most likely cost more than anticipated. Staff is working with the applicant to identify the users. Toni Brown-Harris has not provided the operational budget that staff needs to show that the gas and electric can remain on. Staff got an architectural services cost estimate for the roof, bar area and activity area of approximately \$23,500 with an estimated \$50,000 for the renovation of that area. Ms. Stiffler advised that the building is in grave disrepair and the owners do not know how much utilities will cost. Toni Brown-Harris would need to get utility charges for the past five years since the state will not provide funding without that information. This program is so new that the cost to support the building is unknown. Ms. Stiffler noted that it may be premature to fund this project but if the Board of Commissioners wants to fund it, the Board of Commissioners might want to go to the building and take a look at the facility or send someone from the Building Department to look at the roof.

Commissioner Frederick asked if the project has to be energy efficient? Ms. Stiffler responded no, they are not required to side the building for instance.

Commissioner Smeiles stated that until concerns are clarified, the Board of Commissioners must be careful about approving the project since it has to be sustainable.

Downtown Mantua Revitalization Corporation - \$75,187

This project would pave the parking area surrounding Hammel's Retail, Moceny's Retail and Jake's Restaurant, install new stairway to connect the parking lot with the upper sidewalk in the area behind Hammel's retail area and install a retaining wall east of Jakes Restaurant located in the Village of Mantua. The Board of Commissioners agreed that the project is not eligible since the property owners would benefit. Regional Planning Commission agreed to work with the group to identify eligible projects and funding sources.

Staff noted that the parking lot serves the stores and not the LMI population. The owner could fence off the lot and only allow tenants to park, making the project LMI qualified. Based on the need for the proper slope for a handicapped parking lot would create a trench that would fill with snow in the winter. Todd Peetz suggested that making the street curbs handicapped accessible is a possible project although that would require that an engineer look at the project.

Deerfield Historical Society - \$41,740

This project would preserve an 1840's house known as the Stone house located at 9488 State Route 224. Regional Planning Commission noted that there are no environmental issues since the work would be façade only and no children in the residence under that age of five. Best practices will be used and environmental issues, such as lead abatement, will not be issues.

Ms. Reeves confirmed that she will have to change the required public hearing date from June 16, 2011.

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PORTAGE ANIMAL PROTECTIVE LEAGUE

Present: Karen Carmany, Sandy Krutz, Cheryl Casper, Attorney Jeff Holland, Dog Warden Dave McIntyre, Attorney David Brode, Jeff Hartung

APL representatives met with the Board of Commissioners to discuss a variety of issues at the APL. The Board of Commissioners noted that the APL will contact the Board regarding the funding issue.

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RESOLUTION No. 11-0421 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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 12, 2011 in the total payment amount of **\$246,119.44 for Funds 0001-5100** 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. 11-0422 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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 12, 2011 in the total payment amount as follows:

1. \$7,784.97 for Medical Mutual Claims-Fund 7101; and
2. \$5,252.93 to Take Care by WageWorks, Inc. for processing claims for Medical Mutual; and

as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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. 11-0424 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the 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 **\$153.23** as set forth in Exhibit “A” dated **May 12, 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. 11-0425 - RE: AUTHORIZE PORTAGE COUNTY 9-1-1 PLANNING COMMITTEE TO CONVENE.

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

RESOLVED, in accordance with Ohio Revised Code Section 4931.42, the Portage County Board of Commissioners agrees to convene the Portage County 9-1-1 Planning Committee on Monday, May 23, 2011 at 10:00 AM in the Portage County Commissioners' Board Room for an update on the current status and to discuss the history of 911 and the Planning Committees role under the plan with the new members. The members will also discuss appointment of a Technical Advisory Committee to bring back recommendations for a next generation 911 system and standard rules adoption for the PSAP'S; 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; Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea

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RESOLUTION No. 11-0426 - RE: ENTER INTO REAL ESTATE LEASE AGREEMENT FOR THE PROPERTY LOCATED AT 449 SOUTH MERIDIAN STREET, RAVENNA, OHIO.

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

WHEREAS, the Board of Commissioners wishes to lease real estate property situated in the County of Portage, known for street numbering purposes as 449 S. Meridian, Ravenna, Ohio; and

WHEREAS, the Portage County Department of Job & Family Services have an interest in leasing said property; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a Lease Agreement for the property listed above with the Portage County Department of Job & Family Services for a term of one (1) year, beginning January 1, 2011 and ending December 31, 2011; and be it further

RESOLVED, that the amount rent shall be \$12.28 per sq. ft. based on the Portage County cost allocation plan for billing year 2011, in equal monthly installments of Nineteen thousand, eight hundred twenty-three dollars (\$19,823.00) each payable on the 1st day of each month; 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. 11-0427 - **RE: ENTER INTO AN AGREEMENT BETWEEN THE PORTAGE COUNTY CHILD SUPPORT ENFORCEMENT AGENCY AND PORTAGE COUNTY CLERK OF COURTS – DOMESTIC DIVISION.**

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

WHEREAS, the Portage County Child Support Enforcement Agency requests authorization to enter into a IV-D Contract with the Portage County Clerk of Courts – Domestic Division; and

WHEREAS, it was determined through meetings/discussions between representatives of the Portage County Child Support Enforcement Agency and the Portage County Clerk of Courts that Clerking Services shall be purchased at the rate of Six and 11/100 dollars (\$6.11) per filing, not to exceed Seventy-six thousand three hundred sixty-one and 15/100 dollars (\$76,361.15);

WHEREAS, the IV-D Contract attached hereto as Exhibit A will be used to detail the terms of the relationship between the Portage County Child Support Enforcement Agency and Portage County Clerk of Courts – Domestic Division; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a IV-D Contract between the Portage County Child Support Enforcement Agency and the Portage County Clerk of Courts – Domestic Division at the rate of Six and 11/100 dollars (\$6.11) per filing, not to exceed Seventy-six thousand three hundred sixty-one and 15/100 dollars (\$76,361.15); and be it further

RESOLVED, that the term of this agreement shall be from July 1, 2011 through June 30, 2012; and be it further

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

in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as follows:

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

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RESOLUTION No. 11-0428 - RE: ENTER INTO AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND ANNETTE PETRANIC, PAVLICK MARKETING INC.

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

WHEREAS, the Board of Portage County Commissioners is in the need of emergency management assessment and planning services to design and conduct both training and an exercise to train and test the Alternative Care Shelter site facility plan and establish memorandums of understanding with various facilities with Portage County to be used as ACS sites; and

WHEREAS, Annette Petranic, Pavlick Marketing Inc. (the Independent Contractor) is able and willing to provide such services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an Independent Contractor Services Agreement by and between the Board of Commissioners and Annette Petranic, Pavlick Marketing, Inc., 739 Rock Creek Rd., Aurora OH 44202, as an Independent Contractor, for a total not to exceed Ten thousand five hundred and 00/100 dollars (\$10,500.00) as outlined in the agreement; and be it further

RESOLVED, that the term of the Agreement shall be from April 21, 2011 through June 30, 2011, and subject to the availability of funding the term of the Agreement may be extended by execution of a written Amendment; and be it further

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

Voice Vote as Follows:

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

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RESOLUTION No. 11-0429 - RE: ENTER INTO A SOFTWARE AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE WOODLANDS AT ROBINSON AND U.S. FOODSERVICE, INC. FOR TRAYTRAKKER TRAY CARD SOFTWARE

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

WHEREAS, the Portage County is engaged in the business of operating the Woodlands at Robinson, a skilled nursing facility; and

WHEREAS, the Woodlands at Robinson would like to utilize TrayTrakker software in order to track resident name and demographics, diet orders/restrictions, tube feedings, calorie counts; special needs etc.; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a software Agreement between the Board and U.S. Foods, Inc. to as stipulated in the Agreement for a minimum of two (2) years to begin on June 1, 2011; and be it further

RESOLVED, that the total service amount under this Agreement shall be a one time fee of Seven hundred sixty-six and 00/100 dollars (\$766.00) and a yearly support fee of One hundred sixty-one and 00/100 dollars (\$161.00); now therefore be it

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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RESOLUTIONS
May 12, 2011

1. Approval of the meeting minutes from the May 10, 2011 regular Board meeting.
2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management./11-421
3. Approve the wire transfers as presented by the County Auditor./11-422

4. Approve the Journal Vouchers, as presented by the County Auditor./11-423
5. Approve the Then & Now Certification, as presented by the County Auditor./11-424
6. Authorize Portage County 9-1-1 Planning Committee to convene./11-425

The Board of Commissioners agreed that Mayor Scott should decide whether or not to invite the two mayoral candidates to this meeting.

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INVITATIONS

May 12, 2011

1. Invitation from Portage County Township Association for the dinner meeting on Friday, May 20,2011, 6:00 PM at the Portage County Engineer’s Central Facility.
2. Invitation from Portage Soil &Water Conservation for the Task Force meeting on Tuesday, May 17, 2011, 10:00 AM-11:30 AM in the Garden Meeting Room, 6970 SR 88.

*Quarterly meetings have also been scheduled on September 20th and December 20th, same time and location.

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INCOMING CORRESPONDENCE

May 12, 2011

1. Discussion: Commissioner Marsilio update on the Kent Courthouse Project/Hold for the 11:00 AM meeting today with the Muni Court Judges.
2. Discussion: Directors sick leave, vacation, flex time policy/Bring back with the Human Resources Department Director. The Board of Commissioners approved a Vehicle Log Policy for use by their departments/Journal Entry.
3. May 6, 2011 correspondence from Eric Long, Portage Soil & Water Conservation District, encouraging the Board to take part in the quarterly storm water task force meeting on Tuesday, May 17th/Information only. Hank Dunckel agreed to get this information to Leo Nagle
4. Discussion: Commissioner Marsilio agreed to talk to the County Auditor regarding her question about sick leave payouts/ Commissioner Marsilio talked to the County Auditor today about this issue and advises that the Auditor’s Office does not have the technology available to differentiate between Portage County sick time and time earned prior to Portage County service but staff can analyze data available to make that determination. The Board of Commissioners would have to set the policy about paying for Portage County service vs. outside service. Commissioner Marsilio also talked about the state’s incentive program that allow full-time and part-time employees to convert unused leave time to a cash payment yearly. The Auditor had no concerns about implementing such a policy. The Board of Commissioners agreed to discuss both issues with the Human Resources Department Director.

5. May 6, 2011 memo from Larry Long, County Commissioners Association of Ohio, requesting assistance in the Ohio Supreme Court lawsuit/Forward to the Prosecutor for review.
6. May 5, 2011 e-mail from JoAnn Townend, Internal Services, regarding Chuck Keiper's missing palm pilot/Board of Commissioners to adopt the resolution on May 17th to sell the palm pilot to Mr. Keiper.
7. May 9, 2011 e-mail from Jim Brugman, regarding reappointment of Tim Hartong to the Portage County Regional Airport Authority/Referred to the Executive Assistant.
8. May 9, 2011 e-mail from Director Audrey Tillis, Department of Budget & Financial Management, regarding Ethics training invoice/The Board of Commissioners agreed that they would pay this invoice from the Library for this training.
9. March 28, 2011 correspondence from Dr. Marcial to County Auditor Janet Esposito, regarding the application from Thomas Decker, to retire/rehire from the Portage County Coroner's office/Journal Entry receipt of the policy

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JOURNAL ENTRY

May 12, 2011

1. Board of Commissioners' authorization requested to reimburse the Regional Planning Commission from Grant No. B-Z-08 Neighborhood Stabilization Program for costs not previously billed from November 29, 2010 through May 1, 2011 **\$4106.86** as requested by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
2. The Board of Commissioners received the Kennel Disposition Report for May 2, 2011 through May 8, 2011 as presented by Dave McIntyre, Dog Warden.
3. Board of Commissioners authorization requested to allow use of the 1st Floor Conference Room 111 on Friday, July 15, 2011 from 8:00 AM-5:00 PM for the Portage County Blood Drive as requested by the Human Resources Department. ***Additional requests: Room Set- up with 5 tables and 15 chairs.***
4. Board of Commissioners' authorization requested to have Commissioner Maureen T. Frederick sign the FY2010 Medicare Cost Report and the CMS 339 Questionnaire Exhibit 1 for The Woodlands At Robinson prepared by Generations HealthCare. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
5. Board of Commissioners' signature requested on the purchase requisition for David Sommers & Associates LLC for architect services for the Kevin Coleman house located at 133 Vine Street, Ravenna for **\$2,707.50** as requested by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #2 Conversion/Rehab/Renovate is funding this expense.
6. Board of Commissioners' signature requested on the purchase requisition for Thompson Publishing Group, Inc. for an annual renewal of the Local/State Funding Report for **\$379.00** as requested by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #08 General Administration is funding this expense.

7. Board of Commissioners' signature requested on the purchase requisition for P&K Enterprises for roof replacement for homeowner Pamela Kennedy located at 9476 Seymour, Streetsboro for **\$5,000.00** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #05 Home/Building Repair is funding this expense.
8. Board of Commissioners' signature requested on the purchase requisition for David Sommers & Associates LLC for architect services to design the reinforcement for 2 outer walls of the Community Action Council building for a total amount of **\$1,055.00** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #03 is funding this expense.
9. The Board of Commissioners received the Portage Development Board quarterly report for the time period covering February 1, 2011 through April 30, 2011 as presented by Steve Colecchi, Robinson Memorial Hospital/Journal Entry receipt on May 10, 2011.
10. Board of Commissioners' authorization requested to correct the Journal Entry #15 from May 10, 2011 to change the Aetna Dental rates amounts as follows:

FROM:

EE Only	\$10.63
EE + Spouse	\$20.18
EE + Child(ren)	\$25.76
Family (EE, SP, Child(ren))	\$41.97

TO:

EE Only	\$10.53
EE + Spouse	\$19.99
EE + Child(ren)	\$25.52
Family (EE, SP, Child(ren))	\$41.55

11. The Board of Commissioners received the Ohio EPA NPDES Annual Report of Portage County Storm Water Utility Permit #3GQ00041*AG as presented by the Portage County Engineer.

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REFERRED

May 12, 2011

1. The Board of Commissioners received an Administrative Order regarding Courthouse security as presented by Judge Kevin Poland, noting that the Judges are not willing to continue to fund the Sheriff for security services. Referred to Department of Budget & Financial Management.

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PROSECUTOR

May 12, 2011

1. May 9, 2011 e-mail from Denise Smith, regarding the Clerk of Courts office unionization/Information only.

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PLEASE ADD TO THE AGENDA
May 12, 2011

1. May 11, 2011 email from the County Engineer encouraging the Board of Commissioners to contact Portage County legislators and leaders in Columbus about the potential sale of the Ohio Turnpike/Each Commissioner to respond.

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JOURNAL ENTRY
May 12, 2011

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

1. The Board of Commissioners authorized reimbursement to the Regional Planning Commission from Grant No. B-Z-08 Neighborhood Stabilization Program for costs not previously billed for the time period November 29, 2010 through May 1, 2011 in an amount of \$4,106.86, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
2. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for May 2, 2011 through May 8, 2011, as presented by Dog Warden Dave McIntyre.
3. The Board of Commissioners authorized the use of the 1st Floor Conference Room #111 on Friday, July 15, 2011 from 8:00 AM-5:00 PM for the Portage County Blood Drive, as requested by the Human Resources Department.
4. The Board of Commissioners authorized Commissioner Frederick to sign the FY2010 Medicare Cost Report and the CMS 339 Questionnaire Exhibit 1 for The Woodlands At Robinson, as prepared by Generations HealthCare. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
5. The Board of Commissioners signed the purchase requisition for David Sommers & Associates LLC for architectural services for the Kevin Coleman house located at 133 Vine Street, Ravenna for \$2,707.50, as presented by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #2 Conversion/Rehab/Renovate is funding this expense.
6. The Board of Commissioners signed the purchase requisition for Thompson Publishing Group, Inc. for an annual renewal of the Local/State Funding Report for \$379.00, as presented by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #08 General Administration is funding this expense.
7. The Board of Commissioners signed the purchase requisition for P&K Enterprises for a roof replacement for homeowner Pamela Kennedy, 9476 Seymour, Streetsboro for \$5,000.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #05 Home/Building Repair is funding this expense.

8. The Board of Commissioners signed the purchase requisition for David Sommers & Associates LLC for architectural services to design the reinforcement for two (2) outer walls of the Community Action Council building for a total amount of \$1,055.00, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #03 is funding this expense.
9. The Board of Commissioners acknowledged the receipt of the March 28, 2011 correspondence from County Coroner Roger Marcial to County Auditor Janet Esposito including the Coroner's Sick Leave Conversion Policy, effective January 2, 2011.
10. The Board of Commissioners authorized the correction of Journal Entry #15 dated May 10, 2011 to change the employee Aetna Dental rates amounts as follows:

FROM:

EE Only	\$10.63
EE + Spouse	\$20.18
EE + Child(ren)	\$25.76
Family (EE, SP, Child(ren))	\$41.97

TO:

EE Only	\$10.53
EE + Spouse	\$19.99
EE + Child(ren)	\$25.52
Family (EE, SP, Child(ren))	\$41.55

11. The Board of Commissioners acknowledged the receipt of the Ohio EPA NPDES Annual Report of Portage County Storm Water Utility Permit #3GQ00041*AG, as presented by the Portage County Engineer.
12. The Board of Commissioners signed the Personnel Action Form authorizing the full time permanent hire of Cara Young as a Social Service Worker 3 (replacing Dawn Mooney), as presented by Department of Job & Family Services Director Judee Genetin. The Board of Commissioners notes that this hire is contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable.
13. The Board of Commissioners agreed that all of their departments will immediately begin to complete an approved vehicle log daily to include all miles driven in a county vehicle. Each time the vehicle is moved there should be a corresponding entry on the log of destination, purpose, time and mileage. The Department Directors will submit the logs to Internal Services Director JoAnn Townend on a weekly basis. If more than one employee drives the county vehicle assigned, the employee and department should be clearly identified on the entry.
14. On May 3, 2011, the Board of Commissioners adopted a Journal Entry to accept the recommendation of Dog Warden Dave McIntyre and authorized the hire of Carol Fromhercz as a part-time Dog Warden, contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable.

Today, the Board of Commissioners agreed to correct that Journal Entry to read that the Board authorized the hire of a part-time Seasonal Canvasser and not a part-time Dog Warden as follows: The Board of Commissioners accepted the recommendation of Dog Warden Dave McIntyre and authorized the hire of Carole FromHercz as a part-time Seasonal Canvasser, contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable.

15. After meeting today in an Executive Session with The Woodlands at Robinson staff, the Board of Commissioners agreed to the following:

- A. Accept the resignation of Gerald Harris, Environmental Service Worker, effective May 11, 2011
- B. Authorize the termination of an RN Supervisor effective May 12, 2011

16. After meeting today in an Executive Session with The Woodlands at Robinson staff, the Board of Commissioners authorized The Woodlands at Robinson to advertise as follows:

DEPARTMENT	JOB TITLE	GRADE	ACTION
The Woodlands at Robinson	RN Supervisor Replacement for Irene Schimanski	MG05/1	Post Externally
The Woodlands at Robinson	Environmental Service Worker Replacement for Gerald Harris	CLHE/1	Post 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 **May 12, 2011**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio to adjourn the official meeting at 4:26 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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