

Tuesday, May 17, 2011

The Board of County Commissioners met in regular session on **Tuesday, May 17, 2011 at 9:40 AM** with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

Christopher Smeiles

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It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles to approve the meeting minutes of the May 12, 2011 meeting. All in favor, motion carries

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

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PROSECUTOR

Present: Denise Smith, Audrey Tillis, JoAnn Townend

Review of Prosecutor's Pending List

1. Leigh Prugh to contact Attorney Tom Reitz to discuss the status of the Windham Village sewer and water agreement.
2. There is no further action for the Prosecutor to take in the William Kremer Water Resources tap-in credit request. Mr. Kremer's attorney has the minutes and meeting tape.
3. Leigh Prugh has contacted the representative from One Community regarding their request to install fiber cable over the railroad tracks on North Chestnut Street.

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Prosecutor's Correspondence

1. May 13, 2011 email from Denise Smith advising that her office cannot respond to the Board of Commissioners for review of the CCAO request for Portage County support in a lawsuit with the Ohio Supreme Court. Please note that the Participation Notice must be returned to the CCAO by Wednesday, May 18, 2011/The Board of Commissioners agreed to send the CCAO notice that they will participate.

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The Board of Commissioners discussed the Kent Courthouse project noting that city of Kent leadership has said that they will recommend to city council that the city acquire the East Main Street property and swap that for the current courthouse and Dome site. Commissioner Frederick wants to make an appointment with Denise Smith to discuss that potential land swap.

Commissioner Smeiles had suggested that the longer the delay, the more the project will cost. He presented the Construction Economy Newsletter shows a 3.1%+ cost per year for a delay. Copper is up 10% over the year, concrete and steel are also up. The longer the delay, the more cost there is to the taxpayer. Commissioner Frederick wondered why the city is willing to pay more than the appraised

value of the two sites? She wondered if the county should sell the Dome site for parking. She added that JoAnn Townend is working on information and numbers for potential sites for her review.

Commissioner Smeiles responded that the county would gain \$250,000 if the city makes this deal. Commissioner Frederick replied that the Board of Commissioners has not agreed to pay the asking price yet.

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9:55 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(3), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to conference with an attorney for the public body concerning legal advise on the Robinson Memorial Hospital lease provisions for The Woodlands at Robinson. **Also present: Attorney Denise Smith, Audrey Tillis, and JoAnn Townend.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:25 AM Directors Tillis and Townend left the Executive Session

10:45 AM Upon conclusion of the above referenced discussion, it was moved by **Maureen T. Frederick**, 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 action by Journal Entry.

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THE WOODLANDS AT ROBINSON

Present: Christa Mayes, Allison Goudy, Scott Bower, Karen U'Halie

The Nursing Home Administrator reported that the census today is at 82 with one bed hold and six pending admissions.

The Nursing Home Administrator thanked Commissioner Marsilio for the flowers, which were planted by the Veterans of Freedom House yesterday; the flowers look great.

The Nursing Home Administrator recommended not renewing the \$5,900 per year contract with Ohio Health Care. The Board of Commissioners accepted that recommendation.

The Nursing Home Administrator suggested the purchase of a banner to be used for trade shows to highlight the facility at a cost of \$325. It would be good to have post cards to send out; the in house Print Shop is limited to two colors but she has estimates for \$115 for 500 and \$160 for 1000 post cards. She has an estimate for photos for the website of \$700 but would not recommend moving forward at this time. The Print Shop made 500 tablets to pass out for marketing. The Nursing Home Administrator recommends purchased Facility Brochures to be used to market the facility.

Commissioner Marsilio stated that she understands the need for the materials but wants them to be low-priced and purchased locally when possible. Commissioner Frederick agreed/the Board of Commissioners approved the purchase of the banner and the obtaining of quotes for brochures.

Security Issue

Mr. Bower reported that he has walked through the facility and noted several areas where residents could get out of the facility without sounding an alarm. He suggested that he come back to the next meeting with the Board of Commissioners with recommendations as to how to protect the doors. The front door is an issue but could be key coded for exit; one elevator provides easy access to the basement. Commissioner Smeiles noted that the city and state must be contacted to make certain that fire code is followed. The Commissioners agreed that a solution along with a dollar amount should be provided to address these concerns.

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11:00 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider a discipline issue and a hiring issue. **Also present: Christa Mayes, Allison Goudy, Scott Bower, Karen U’Halie and Attorney Denise Smith.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

11:50 AM Commissioner Smeiles left the Executive Session

12:05 PM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

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

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12:05 PM Lunch Recess

1:05 PM Board of Commissioners reconvened

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CHESAPEAKE ENERGY COMPANY

Present: Ryan Dean, Keith Fuller

Mr. Dean gave a company history adding that fracturing is new to Ohio but not to the industry. He noted that horizontal drilling requires more equipment than vertical drilling.

Mr. Dean provided a template of an agreement for road maintenance that confirms that the company will accept full responsibility for any road damage. He added that he has already spoken with the County Engineer but had not heard back from him yet. The company wants a clear understanding by both parties as to what is expected. What does the company need to do to maintain the roads while there. He added that the company will video each road prior to beginning.

Mr. Dean reported that he has made contact with the Township Trustees. Commissioner Frederick asked if there was a Townhall meeting? Mr. Dean responded not yet but noted that it will be offered if the Township wants it.

Mr. Dean reported that the first site in Portage County is in Suffield Township off Congress Lake Road and will be a vertical test well. He showed the Board of Commissioners a haul map of which roads will be used.

Commissioner Marsilio asked if there has been a lack of cooperation with governments. Mr. Fuller replied that, in Ohio, the relationships are good so far.

Commissioner Frederick noted that she has had calls expressing concern about the impact of the drilling on water wells. Mr. Fuller responded that the company is not in business of contaminating wells. They implement best management practices and are completely transparent before drilling begins. Well construction is the key and done in accordance with the codes. The perceived concerns are different from the real concerns. He added that surface spills could happen and roads could be damaged. The well bore communicating with a 500 foot aquifer is not a concern. Mr. Dean has reached out to the Township. He added that the ODNR considers this an urban well since there are more than 5000 people. ODNR will provide oversight as the regulatory agency with primary authority over the operations. Noise, buffering, from on site equipment will be addressed in the on-site review with the ODNR.

The company goal is to get good information out to the public. Mr. Fuller added that his office is the 100% the conduit between the citizens and the company.

Mr. Dunkel asked what the fresh water impoundment is made of? Mr. Dean responded that this is a pond lined with 20 mil plastic and fenced off to hold fresh water brought to the site. The company would prefer to tie into a municipal line by constructing a temporary line but could also truck water into the site. Water from the drilling would be reused on another well.

Diane Smith referred to haul map and asked for detail about the depth of the test well.

The Board of Commissioners thanked Mr. Dean and Mr. Fuller for coming in.

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

RESOLUTIONS

1. Transfer from Fund 7211, WC Retro Rating Plan 2001 to Fund 7201 WC RR P General Administration/11-435

OTHER

2. Journal entry approval(s):
 - a. Local Match – DARE grant program

SPECIAL SESSIONS

3. Executive Session – Personnel Hire/ Compensation

4. Work Session – Agenda
 - a. Executive Session – Reorganization
 - b. Maintenance – Correction Facility Utility Credit
 - c. Sheriff FY 2011 Budget Discussion

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT – WORK SESSION

Present: Audrey Tillis, Sheriff Doak, Major Missimi, Major Kelly, Ron Rost, John Leskovyansky, JoAnn Townend, Charlene Badger, Jon Barber, Dan Banks

Sheriff Grant Recommendations

Dan Banks is attending today to advise the Board of Commissioners of the availability of the federal COPS grant, which would allow the hire four entry level officers for three years to include payment of benefits and salaries. The county would have to commit to paying the four officers for the fourth year. There is no local match. The Board of Commissioners agreed to consider the application after meeting with the Sheriff today.

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1:50 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to discuss an employment issue and possible departmental reorganization. **Also present:** Director Audrey Tillis, Sheriff Doak, Major Missimi, Major Kelly, Ron Rost, Director JoAnn Townend, Director Jon Barber. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

2:10 PM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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2:10 PM Commissioner Smeiles attending

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Water Utility Credit

There was a credit from the Water Resources Department for incorrect water charges; that credit allows the funds in the Maintenance utility budget to be used for other items. JoAnn Townend noted that in January 2011 the jail’s hot water storage tank was replaced at \$16,000.

The water tower chiller needs to have the tubes and drains cleaned, which has not been done since 2004. The Director commented that the first cooling tower water was not treated leading to its demise. It will cost \$12,118 to clean the tubes and drains to extend the life of the water tower.

The FEAR system has not worked to full capacity since 2009. There is no software patch for the control doors available so that the doors and software communicate. The system needs to be replaced and upgraded. Director Townend does not have a cost at this point. Company representatives will be onsite on Friday to investigate.

The heat and air controls are archaic and it will take \$15,000 to get them to talk to each other. Floor tiles and parking lot issues also need to be addressed. JoAnn Townend noted that the \$50,000 plus more freed by the credit is gone; she suggested that the needs be prioritized.

Major Kelly commented that the Board of Commissioners agreed to use that \$53,000 in credit for the camera purchase. Also, \$9,000 for a new washer came out of the commissary funds. JoAnn Townend

responded that the camera wiring quote came in at \$106,000 for the removal of bad wiring and the purchase new cameras for areas not currently monitored not replacing cameras that are currently working. Audrey Tillis reminded the Board of Commissioners that they appropriated the \$9,000 in the Sheriff's budget for the washers and will approve a Journal Entry correction.

Major Kelly stated that the Sheriff needs \$660,000 to finish out the year, without making any extravagant purchase. Director Tillis responded that she thinks that \$500,000 is a more reasonable number. Sales tax is doing well and the county is about \$400,000 ahead of last year; investment income is good. The question is how much will personal property tax and the LGF go down in the state budget. The carryover at the end of this year is the concern, especially if that money is used for the Sheriff. The Sheriff's budget issue is due to the required increases. In 2010, there were concessions made and the Sheriff has tried to hold down expenses. Major Kelly stated that the jail is down five employees, which is okay at this point since the inmate population is down. Commissioner Frederick commended the Sheriff on remaining willing to work toward a number that is doable.

The Sheriff advised that the Summit County Sheriff may be closing down his jail and some overflow may end up in Portage County. Audrey Tillis noted that all counties and cities are in the same shape. Audrey Tillis added that the Sheriff is using part-time deputies when he can to supplement the road deputies. The Commissioners stated that the Sheriff has done a commendable job in managing so far. Commissioner Smeiles added that this administration and leadership has been most responsive to citizens.

Director Audrey Tillis asked if the Sheriff can tap into the 911 funds for any of this? Sheriff Doak replied that he has held off doing much with those monies. Some wages could be paid out of the 911 funds, however, he needs to hire 911 call takers and also needs a CAD system terribly. The 911 moneys can be used for both of these items. Audrey Tillis confirmed that the 911 funds already are planned for the CAD system. Major Kelly confirmed that the 911 funds could be used for dispatch. The Sheriff commented that dispatch needs attention – there is too much for the dispatcher to do with each dispatcher handling up to 200 calls per evening shift. The Sheriff has held off, waiting for other entities in the county to go to a centralized dispatch. No one has done so and the Sheriff intends to move forward as a prudent move to interface with Kent, Kent State and Brimfield as the largest agencies in the county. The CAD system will assist in minimizing issues in the dispatch. There is a great need for 911 call takers.

Major Kelly noted that the CCW fund balance is \$122,700 but the two CCW people are paid from that fund. The Commissary Fund balance is at \$69,900 and those people are paid out of there as well. Cuts have been made everywhere they can be made. Audrey Tillis commented that gas has increased greatly. Major Kelly agreed noting that gas costs and vehicle repair costs are very high.

Commissioner Smeiles asked if the several hundred calls per dispatcher per shift are all emergencies or if there are admin/business calls going through the dispatch center. Major Missimi responded yes, other calls do come to the center; he added that he is working with AT&T on an option for computerized answering of admin calls. Dispatchers need to continue with training including first aid.

Commissioner Marsilio stated that the Board of Commissioners is not able to provide the full \$660,000. The Board could perhaps band aid the situation with its best shot but, in 2012, that is not sustainable.

Major Kelly reminded the Board of Commissioners that a new contract will be negotiated in 2012 that will have savings. Commissioner Marsilio responded that the contract language should be reviewed in several areas to contain cost. Major Kelly commented that the Sheriff's Department is already 20 people understaffed and there are three to five people off long-term on Worker's Comp at any time within the department.

Commissioner Frederick noted that the Sheriff did ask for union concessions in the past. Commissioner Marsilio asked if there is a number that Audrey Tillis is comfortable in saying she could find? Director Tillis responded that the Board of Commissioners should know what cuts are coming from the state by next month; the Board knows where the reserves are. There are no additional revenues being generated in the General Fund by the Sheriff; Ron Rost confirmed. Audrey Tillis noted that the 911 funds may be used for personnel costs and asked if the current dispatchers would be used to take 911 calls. The Sheriff will have to get a legal opinion on that question. The Sheriff added that the county trains good young officers who leave once training is completed for higher paying jobs. Major Kelly stated that the intent is to do more with less.

Commissioner Frederick stated that the Board of Commissioners needs to look at what number the Board can come up with and then let other office holders know that budget cuts may be coming this year depending on how the Board proceeds. Commissioner Marsilio asked Director Tillis how the county would make it through this year if the Board of Commissioners provides money for the Sheriff. Would that annihilate all budgets this year? Commissioner Smeiles asked if other elected officials have asked for money increases besides the Muni Court Judges. Director Tillis reminded the Board of Commissioners that the Budget Commission may not increase the General Fund appropriation; she added that the Sheriff already received \$250,000 over his original budget. The Board can do this but it will reduce the carryover; the Board of Commissioners would then have to deal with other elected officials. She also recommended that the Board look at external agencies to see where to cut this year, if possible, which will be a difficult thing to do. Director Tillis agreed to work with the Sheriff to look at other areas and come back to the Board of Commissioners with a recommendation.

Major Kelly added that the department continues to look at grants; the COPS grant could help. He added that the only good thing about turnover is that instead of paying \$50,000/year the Sheriff pays \$40,000/year.

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2:55 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 discuss a potential departmental restructuring. **Also present:** Director Audrey Tillis, Sheriff Doak, Major Missimi, Major Kelly, Ron Rost, Director JoAnn Townend. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

3:00 PM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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Major Kelly stated that the question is how much of the 911 funds can be used for salaries and still accomplish what needs to be accomplished. Commissioner Frederick invited the Sheriff to the May 23rd 911 Policy Committee Meeting to get direction about the use of those funds.

Commissioner Marsilio stated that she wants to find as much money as the Board can but commented that this is going to be a tough decision. She added that she is willing to vote to make the Sheriff's Department a priority and is willing to accept a recommendation from Director Tillis. This might involve making the hard decision to look at outside agencies that the County is providing money for, although that would be a heartbreaking decision to make.

Director Tillis noted that she needs to know the position count and not a moving target that the Board needs to calculate for; Major Kelly will have that number before he meets with Director Tillis. The Sheriff added that he is at bare bones in staffing right now. Major Kelly noted that the \$660,000 is based on what the Sheriff will need to get through 2011.

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3:05 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 discuss a hiring and a compensation issue. **Also present:** Director Audrey Tillis. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

3:25 PM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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WATER RESOURCES DEPARTMENT

Present: Jeff Lonzrick

1. RESOLUTION - Approving the plans, specifications and estimate of cost, and setting the date and time for acceptance of bids for the construction of Project No. ST-4 (06-275), Streetsboro Trunk Sewer Rehabilitation, Phase 2 & 3, in the Streetsboro Sanitary Sewer District No. 4./11-436

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Twin Lakes Backup – SR 43

The Board of Commissioners received a complaint from Renae Hammel about basement flooding due to pump failure at the substation next to her home in Twin Lakes.

Director Lonzrick noted that the County is aware of the situation, and has been trying to locate the source of inflow into the sanitary system, which could possibly be illicit connections. He added that it is not storm water running from the roadway into the pump station through the door. The pump station has not failed either time - the system is simply being inundated by clean water, but the station continued to pump the entire time. Staff is actively trying to locate any and all sources of clean water; there is too much water to move, and this home is one of the lowest areas adjacent to the pump station.

The Director advised that the county will have to hire a contractor to do a smoke test in the area to identify sources using newspaper ads to let neighbors know that the test is coming. Commissioner Smeiles stated that he was on site during this flooding event and saw the height of the backup. In addition to the smoke test, is there a way to add a second wet well to allow staff time to get on site? The Director responded that they are investigating all options but a second wet well would only allow several minutes more in response time.

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MOTOR POOL

Present: Joe Dillon

Discussion

1. The new Part Time Employee started on May 9, 2011 and is working well.
2. The 2011 Vehicle Safety Inspections and E-Checks are ongoing.
3. The generator has been moved from the Administration Building to the Motor Pool. The equipment will be checked and put onto a trailer for countywide use.
4. The Board of Commissioners agreed that the Director need not make copies or request a receipt for the Vehicle Logs that he turns in to Director Townend for the Motor Pool truck.
5. The Board of Commissioners agreed that the Director should bring an update on all of the Sheriff's vehicles, some of which are approaching 200,000 miles.

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RESOLUTION No. 11-0430 - 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 17, 2011 in the total payment amount of **\$556,550.42 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. 11-0431 - 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:

05/16/11	593	\$ 81,702.48
05/16/11	595	54,661.88
05/16/11	596	475,000.00
05/16/11	577	26,693.85
05/16/11	557	4,430.51
Total		\$ 642,488.72

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. 11-0432 - 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 **\$11,434.71** as set forth in Exhibit “A” dated **May 17, 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. 11-0433 - RE: ACCEPT PROPOSAL OF TRAFFIC SAFETY ANALYSIS SYSTEMS AND SERVICES, INC. AND ENTER INTO AGREEMENT TO PERFORM THE 2011-2013 CRASH DATA / HIGH HAZARD LOCATION ANALYSIS STUDY UPDATE ON ALL HIGHWAYS OUTSIDE MUNICIPAL BOUNDARIES IN PORTAGE COUNTY, OHIO.

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

WHEREAS, the County Engineers Association of Ohio (CEAO) has made available federal grant money to fund 90% of the 2011-2013 Crash Data / High Hazard Location Analysis Study Update over a three year period. First year total estimate is \$7,756.49, second year total estimate is \$7,884.15 and the third year total estimate is \$7,996.24. The project totaling \$23,636.88, and

WHEREAS, the 2011-2013 Crash Data / High Hazard Location Analysis Study Update updates the Local Roadway Centerline Base Map, Scrubs and locates all accidents from September 30, 2010 to September 30, 2012, develops a Local High-Hazard

Location/Section Listing, Prepares a Basic Traffic Crash Analysis for the Top Five Accident Locations, and Incorporates the Local High-Hazard Location/Section Listing into GIS and Access Database, and

WHEREAS, the Portage County Engineer has deemed it necessary to seek the services of a traffic engineering consultant, **Traffic Safety Analysis Systems and Services, Inc.**, to perform the 2011-2013 Crash Data / High Hazard Location Analysis Study Update, now therefore be it

RESOLVED, that the Portage County Commissioners hereby accept the proposal of **Traffic Safety Analysis Systems and Services, Inc.**, to provide professional traffic engineering services for said 2011-2013 Crash Data / High Hazard Location Analysis Study Update, and be it further

RESOLVED, that said professional traffic engineering services will be performed by **Traffic Safety Analysis Systems and Services, Inc.**, 1213 Stringtown Road, Grove City, OH, for Lump Sum fees as follows: \$7,756.49 for 2011, \$7,884.15 for 2012 and \$7,996.24 for 2013 totaling \$23,636.88.

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. 11-0434

This resolution was inadvertently omitted. This is for numbering purposes only.

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RESOLUTION No 11-0435 - RE: TRANSFER FROM FUND 7211, WC RETRO RATING PLAN 2001 TO FUND 7201 WC RR P GENERAL ADMINISTRATION

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick that the following resolution be adopted:

WHEREAS, the Portage County Board of Commissioners established Fund 7211, WC Retro Rating Plan 2001 to account for the financial transactions related to the 2001 Worker's Compensation Claims, and

WHEREAS, the cash balance in Fund 7211, WC Retro Rating Plan 2001 is \$ 609,492.45 and,
WHEREAS, all worker's compensation claims for 2001 have been paid; now therefore be it
RESOLVED, that the following transfer be made in the amount of \$ 609,492.45:

FROM:

7211, WC RETRO RATING PLAN 2001

ORGCODE - 72110189

Debit Expense Account

Object 910000 - Transfer-Out \$ 609,492.45

TO:

7201 WC RR P GENERAL ADMINISTRATION

ORGCODE - 72010182

Credit Revenue Account

Revenue Source 280000 - Transfer-In \$ 609,492.45

and be it further

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

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

Roll call vote as follows:

Christopher Smeiles, Absent;

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

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RESOLUTION No 11-0436

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RE: APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST, AND SETTING THE DATE AND TIME FOR ACCEPTANCE OF BIDS FOR THE CONSTRUCTION OF PROJECT NO. ST-4 (06-275), STREETSBORO TRUNK SEWER REHABILITATION, PHASE 2 & 3, IN THE STREETSBORO SANITARY SEWER DISTRICT No. 4.

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

WHEREAS, this Board by Resolution No. 67-17, adopted February 2, 1967, established Streetsboro Sanitary Sewer District No. 4, hereinafter called the "SEWER DISTRICT"; and

WHEREAS, pursuant to authorization by this Board contained in Resolution 06-0810 adopted September 19, 2006, the County Water Resources has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No. ST-4 (06-270), Streetsboro Trunk Sewer Rehabilitation, Phase 2; and

WHEREAS, pursuant to authorization by this Board contained in Resolution 06-0811 adopted September 19, 2006, the County Water Resources has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No. ST-4 (06-280), Streetsboro Trunk Sewer Rehabilitation, Phase 3; and

WHEREAS, pursuant to authorization by this Board contained in Resolution 10-0235 adopted March 9, 2010, authorizing the combination of Project Nos. ST-4 (06-270) and ST-4 (06-280) under Project ST-4 (06-275), hereinafter referred to as the "PROJECT"; and

WHEREAS, the Project is eligible for federal grant funding under Section 594 of the Water Resources Development Act of 1999, Public Law 106-53, hereinafter referred to as "Section 594"; and

WHEREAS, the Section 594 grant funds will be available to reimburse the Portage County Water Resources Department for design and construction services for the Project; and

WHEREAS, the PROJECT will construct sanitary sewer improvements to the existing collection system and provide; an increase in sewerage capacity, a reduction in operations and maintenance costs, and consistent service for customers. PROJECT includes the site restoration of an unsightly former wastewater treatment plant building; and

WHEREAS, this Board by Journal Entry on April 26, 2011 agreed to move forward with the Project; now therefore be it

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

Section 1. That said plans, specifications and estimate of cost for said PROJECT hereto be and the same are hereby approved.

Section 2. That said plans, specifications and estimate of cost shall be filed in the office of the Clerk of this Board and in the office of the County Water Resources and kept continuously on file for inspection by all persons interested therein.

Section 3. That sealed bids for the construction of the PROJECT will be accepted by the Portage County Commissioners until 3:00 PM on June 15, 2011 at their

office on the seventh floor of the County Administration Building, 449 South Meridian Street, Ravenna, Ohio.

Section 4. That the Notice of receiving bids shall be posted in the Record Courier on May 23 and May 30, 2011 and the Clerk of this Board is directed to post said Notice on the official bulletin board in the office of the County Commissioners. This advertisement for bids can also be found on Portage County's website at: www.co.portageco.oh.us under county bid notices.

Section 5. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Voice vote was as follows:

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

* * * * *

RESOLUTIONS

May 17, 2011

1. Approval of the meeting minutes from the May 12, 2011 regular Board meeting.
2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management./11-430
3. Approve the Journal Vouchers, as presented by the County Auditor./11-431
4. Approve the Then & Now Certification, as presented by the County Auditor./11-432
5. Accept proposal of Traffic Safety Analysis Systems and Services, Inc. and enter into agreement to perform the 2011-2013 Crash Data/High Hazard location analysis study update on all highways outside municipal boundaries in Portage County (County Engineer)./11-433
6. Declare unused/excess property owned by Portage County (palm pilot)./Journal Entry and not a resolution as recommended by Attorney Denise Smith.

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INCOMING CORRESPONDENCE

May 17, 2011

1. Discussion: In response to the correspondence the Board of Commissioners sent to NACo regarding their Prescription Drug Program, NACo has offered to participate in a conference call to answer

questions/Commissioner Marsilio offered to participate in a conference call with NACo and invite Denise Smith and Leigh Prugh to attend, as well.

2. Discussion: Directors sick leave, vacation, flex time policy. Human Resources Department Director U’Halie will review the information from the Board of Commissioners regarding this issue/Bring back.
3. May 11, 2011 correspondence from John Flynn, Flynn Keith & Flynn, regarding the Kent Courthouse location/Information only at this time.
4. May 13, 2011 correspondence from John and Mary Ann Brown, regarding available property for possible Kent Courthouse site/Clerk to ask the Judge for copies of the information for this property/Executive Assistant to send a thank you to the Browns.

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JOURNAL ENTRY

May 17, 2011

1. Commissioners’ signature requested on the payment authorization form for Ace/Zuver (joint venture) for demolition of the Hiram Elementary School building located at 6745 Bancroft Road, Hiram for **\$12,769.10** as requested by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #1 Clearance Activity is funding this expense.
2. Commissioners’ signature requested on the payment authorization Form for the City of Ravenna for general administration for time period of November 2010-February 2011 for **\$6,934.25** as requested by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Program Administration activity is funding this expense.
3. Board of Commissioners’ authorization requested to have a Commissioner sign the State of Ohio Office of Housing and Community Partnerships Request for Payment and Status of Funds Report Draw No. 458 as presented by the Regional Planning Commission as follows:

Grant No.	Activity Name	Activity No.	Amt Requested
B-F-09-1CJ-1	Clearance Activities	01	\$5000.00
B-F-09-1CJ-1	Neighborhood Fac/Com Ctr	03	\$3,000.00
B-F-09-1CJ-1	Home/Building Repair	04	\$700.00
B-F-09-1CJ-1	Home/Building Repair	04	\$6,000.00
Total			\$14,700.00

4. The Board of Commissioners received the May 12, 2011 Certificate of County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2011 as presented by the Portage County Auditor’s Office.

5. Board of Commissioners' authorization requested to have Commissioner Maureen T. Frederick sign the Ohio Public Works Commission Appendix E Disbursement Request Form and Certification (Disbursement Request No. 3) for \$161,438.90 for the Wastewater Improvements RD 22, Ohio Public Works Commission, Project CG20L/CG21L as requested by the Department of Budget & Financial Management.
6. The Board of Commissioners received the Portfolio Report for April 2011 as presented by the Portage County Treasurer.

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REFERRED

May 17, 2011

1. May 9, 2011 correspondence from Brian Hirsch, regarding the vacancy on the Portage County Regional Airport Board. Referred to Executive Assistant.

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JOURNAL ENTRY

May 17, 2011

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

1. The Board of Commissioners signed the payment authorization form for Ace/Zuver (joint venture) of Cleveland, for the demolition of the Hiram Elementary School building located at 6745 Bancroft Road, Hiram for \$12,769.10, as presented by the Regional Planning Commission. The B-F-09-1CJ-1 Formula Grant Activity #1 Clearance Activity is funding this expense.
2. The Board of Commissioners signed the payment authorization Form for the City of Ravenna for general administration for time period of November 2010-February 2011 for \$6,934.25, as presented by the Regional Planning Commission. The B-Z-08-062-1 Neighborhood Stabilization Program Administration activity is funding this expense.
3. The Board of Commissioners authorized Commissioner Marsilio to sign the State of Ohio Office of Housing and Community Partnerships Request for Payment and Status of Funds Report Draw No. 458, as presented by the Regional Planning Commission as follows:

Grant No.	Activity Name	Activity No.	Amt Requested
B-F-09-1CJ-1	Clearance Activities	01	\$5000.00
B-F-09-1CJ-1	Neighborhood Fac/Com Ctr	03	\$3,000.00
B-F-09-1CJ-1	Home/Building Repair	04	\$700.00
B-F-09-1CJ-1	Home/Building Repair	04	\$6,000.00
Total			\$14,700.00

4. The Board of Commissioners acknowledged the receipt of the May 12, 2011 Certificate of County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2011, as presented by the Portage County Auditor.
5. The Board of Commissioners authorized Commissioner Frederick to sign the Ohio Public Works Commission Appendix E Disbursement Request Form and Certification (Disbursement Request No. 3) for \$161,438.90 for the Wastewater Improvements RD 22, Ohio Public Works Commission, Project CG20L/CG21L, as presented by the Department of Budget & Financial Management.
6. The Board of Commissioners acknowledged the receipt of the Portfolio Report for April 2011, as presented by the Portage County Treasurer.
7. After meeting in an Executive Session with The Woodlands at Robinson staff, the Board of Commissioners agreed to the following:
 - A. Agree to offer Jill Nelson the full time Director of Nursing position, contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable.
 - B. Approve a \$2.00 per hour shift differential for 3:00 PM-11:00 PM and 11:00 PM – 7:00 AM RN Supervisors, effective May 15, 2011.
8. After meeting 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	Full-time STNA Replacement for Brenna Judy	NSAS/2	Post Internally

9. On May 12, 2011, the Board of Commissioners adopted Journal Entries #15 and 16, which must be corrected as follows:

After meeting on May 12, 2011 in an Executive Session with The Woodlands at Robinson staff, the Board of Commissioners agreed to the following:

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

After meeting on May 12, 2011 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 Richard Hartley	CLHE/1	Post Externally

10. The Board of Commissioners signed the May 17, 2011 correspondence to Janet Esposito, County Auditor requesting the Auditor debit the General Fund account for the local government contribution and credit this amount to Fund 1103, as presented by the Department of Budget & Financial Management as follows:

	<u>Org</u>	<u>Object</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
Debit:	00100004	492100		\$43,342.00	Local Share
Credit:	11037001	194000	0D000	\$43,341.00	Local Match/Share

11. After meeting in an Executive Session today with Attorney Denise Smith, the Board of Commissioners authorized Attorney Smith to contact Robinson Memorial Hospital President and CEO Steve Colecchi regarding the terms of the lease of The Woodlands at Robinson.

12. The Board of Commissioners agreed to accept \$30.00 from former Portage County Commissioner Chuck Keiper as reimbursement for the Palm TX Pilot Hand Held PDA that was lost and not returned to the Commissioners as he left office.

13. After meeting today with The Woodlands at Robinson staff, the Board of Commissioners accepted their recommendation and authorized the purchase of a 60"x24" vinyl banner for use at trade shows to highlight the facility at a cost of \$325. The purchase will be made from Precision Market Services of Hinckley, Ohio.

14. After meeting today with The Woodlands at Robinson staff, the Board of Commissioners accepted their recommendation and authorized staff to obtain quotes from local companies for the purchase of facility brochures to be used to market the facility.

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 17, 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 4:05 PM. All in favor, motion carries.

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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