

Thursday, July 14, 2011

The Board of County Commissioners met in regular session on **Thursday, July 14, 2011 at 9:45 AM** with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

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Absent: Christopher Smeiles on vacation

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It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick to approve the meeting minutes of the July 12, 2011 meeting. Commissioner Smeiles absent, motion carries

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Also attending throughout the day: Hank Dunckel

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

1. The Board of Commissioners discussed the July 1st email from County Auditor Janet Esposito regarding insurance coverage for equipment or other purchases. The Board of Commissioners asked Director Townend to contact the County Auditor and discuss this issue.
2. On June 30, 2011, the e Board of Commissioners accepted the Mitchell Communications Inc. of Akron quote of \$9,900 for the upgrade from wide band to narrow band for Sheriff's radios for use in the Administration Building and Riddle Block Building when the Sheriff takes over security responsibilities on July 11, 2011. The Director noted that Captain McRitchie contacted her to advise that he did not include the purchase of earpieces and shoulder radios at a cost of an additional \$1,513.50/Journal Entry.
3. The Director received an introduction letter from URS regarding a CSX National Gateway temporary construction easement in the Riverbend development. JoAnn Townend to meet with the company and get additional information.
4. The Director read the notes that she received from an Aurora resident to the Dog Warden about his good service and from Lori Evans, who sent her an email that Glenn Cooper is doing a fabulous job for the Clerk's staff at the Records Center.

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RESOLUTIONS

1. Enter into amendment no. 3 for PRC Homeless Shelter Services with Family & Community Services 7/1/11 to 6/30/12 (\$163,409.99)./11-623
2. Enter into amendment no. 2 for PRC Child Safety Kit Services with Catholic Charities 7/1/11 to 6/30/12 (\$7,300.00)./11-624
3. Enter into a production agreement with SmartBill Ltd. for the production of water resources invoice statements for water and sewer customers./11-625
4. Enter into an agreement with Annette Petranic (Pavlick Marketing, Inc.) for continuation and completion of identifying risk facilities and entering them into the Automated Computer Management System./The Director noted that this is the second half of the project and no bid was required according to the Prosecutor's Office/11-626

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9:55 AM 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 consider a WIC hiring issue. **Also present:** Internal Services Director JoAnn Townend. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

9:57 AM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

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

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HUMAN RESOURCES

Present: Karen U'Halie

1. The Red Cross Blood Drive is scheduled for Friday, July 15, 2011 with 37 employees participating.
2. The Director just completed "Interviewing Dos and Don'ts" training for JFS Supervisors. The Board of Commissioners agreed that the Director should offer that training to the Board of Commissioners' departments and other elected officials as her time allows.
3. Employee Training has been scheduled for an orientation for the Employee Assistance Program (EAP) on August 23rd at 3:00 PM. The County Auditor has questioned why the invitation went to Soil & Water, Regional Planning Commission, and the Health Department, which are all included under the Portage County Health Benefits Program. The Director noted that there are 43 employees between the three departments. The Board of Commissioners agreed to keep these departments eligible for the EAP, which costs \$1.66 per employee per quarter.

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10:05 AM 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 consider a Workers' Compensation issue. **Also present:** Human Resources Department Director Karen U'Halie. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:12 AM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Maureen T. Frederick** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

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Commissioner Marsilio asked Commissioner Frederick if she is ready to make a decision on the site for the Kent Courthouse today. Commissioner Frederick responded that she has the information that she requested from JoAnn Townend but has not reviewed it completely yet. She met with a merchant with a business near the Dome site who has arranged for her to meet with three other business owners to discuss the possibility of locating the court on the Dome site.

Commissioner Marsilio asked when Commissioner Frederick might be ready to make a decision and added that, if the decision is for the East Main Street site, the Board of Commissioners can move ahead with that next week because she intends to vote against that site.

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RESOLUTION No. 11-0618 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick 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 July 14, 2011 in the total payment amount of **\$171,789.39 for Funds 0001-7219** 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, Absent;

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RESOLUTION No. 11-0619 - **RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick 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 July 14, 2011 in the total payment amount as follows:

1. \$179,128.22 for Medical Mutual Claims-Fund 7101; and

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 authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor's Office:

Wire Transfer on Friday, July 15, 2011 \$179,128.22

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, Absent;

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RESOLUTION No. 11-0620 - **RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick 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:

07/14/11	469	\$ 1,927.64
07/14/11	468	401,964.50
07/13/11	466	268.33
07/13/11	465	418.44
Total		\$ 404,578.91

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, Absent;

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RESOLUTION No. 11-0621 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick 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 **\$1,422.39** as set forth in Exhibit "A" dated **July 14, 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, Absent;

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RESOLUTION No. 11-0622 - RE: ACCEPT SECOND AMENDMENT TO THE GRANT AGREEMENT NUMBER 0000014398, FY 08 STATE HOMELAND SECURITY PROGRAM (SHSP), ON BEHALF OF THE PORTAGE COUNTY HOMELAND SECURITY AND EMERGENCY MANAGEMENT OFFICE (FEDERAL PASS THROUGH #2008-GE-T8-0025).

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 adopted Resolution 09-0271 on March 26, 2009 accepting the FY 08 State Homeland Security Program (SHSP) on behalf of the Portage County Homeland Security and Emergency Management Office. (Federal Pass Through #2008-GE-T8-0025) in the amount of \$148,524.15 for the time period September 1, 2008 to March 31, 2011; and

WHEREAS, on March 25, 2011, Portage County received notice of the approval of an extension of this grant until May 30, 2011; and

WHEREAS, on July 5, 2011, Portage County received notice of the approval of a second extension of this grant until June 30, 2011; and be it further

RESOLVED, the Board of Portage County Commissioners accepts the second extension of Agreement Number 0000014398 as the second amendment of the FY 08 State Homeland Security Program (SHSP) on behalf if the Portage County Homeland Security and Emergency Management Office. (Federal Pass Through #2008-GE-T8-0025) changing the grant performance end date from May 30, 2011 to June

30, 2011; and be it further

RESOLVED, that the Homeland Security and Emergency Management Office have filed the final reimbursement with the State and it has been accepted for the FY08 State Homeland Security Program (SHSP); and be it further

RESOLVED, that the Homeland Security and Emergency Management Office Director is authorized to sign and return the second amendment; and be it further

RESOLVED, that a copy of this resolution be filed with the Department of Budget & Financial Management, the Portage County Auditor and the Office of Homeland Security and Emergency Management; and be it further

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

Voice vote was as follows:

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

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RESOLUTION No. 11-0623 - RE: ENTER INTO AMENDMENT NO. 3 FOR PREVENTION, RETENTION AND CONTINGENCY (PRC) HOMELESS SHELTER SERVICES BETWEEN THE BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND FAMILY & COMMUNITY SERVICES, INC.

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

WHEREAS, an agreement between the parties was entered into and known as Portage County Contract No. 20100350 (the "Original Contract") on August 3, 2010 by Resolution No. 10-0682 to provide PRC Homeless Shelter Services for eligible Portage County residents; and

WHEREAS, an Amendment No. 1 was entered into on February 2, 2011 through Resolution No. 11-0154; and

WHEREAS, an Amendment No. 2 was entered into on April 13, 2011 through Resolution No. 11-0300; and

2. July 11, 2011 e-mail from Brian Kelley, ITS, regarding HB153/Clerk to schedule a meeting with the Records Commission to discuss.
3. The Board of Commissioners received the June 30, 2011 Invoice from Ron Habowski for \$6812.50/the Board of Commissioners agreed that the new format is acceptable, that the departments receiving services under the retainer need not review the invoice and the departments receiving services over and above the retainer amount should review the invoice prior to payment/Journal Entry.
4. July 8, 2011 correspondence from Attorney Kevin Fields to Mickey Marozzi, County Engineer, regarding Pleasant Lakes Association (Brimfield Township)/Forward to the Prosecutor's Office for review and comment.
5. July 12, 2011 correspondence from Karen Stacko, Portage County Regional Airport Authority, including the requested information relative to expenditures and revenue. (Entire document in Share File)

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JOURNAL ENTRY
July 14, 2011

1. Board of Commissioners' authorization requested to allow payment to Portage Community Bank for Emerald Five, LLC funding for \$112,500.00 (PO #46454) as requested by Neighborhood Development Services. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
2. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for July 4, 2011 through July 10, 2011, as presented by Dog Warden Dave McIntyre.
3. July 8, 2011 Notice from Ohio Division of Liquor Control of a request for a new liquor license for Devies LLC dba Acapulco Grill. Does Board of Commissioners wish to request a hearing? The Rootstown Township Trustees have no objections and are not requesting a hearing. Board authorization requested to have the Clerk to sign and return the notice.
4. Board of Commissioners' authorization requested to have Commissioner Frederick sign the Ohio Office of Criminal Justice Services Quarterly Subgrant Report for County Drug Task Force Confidential Funds, Subgrant No. 2010-DL-LEF-5849 as requested by the Portage County Prosecutor's Office.
5. Board of Commissioners' authorization requested to pay the 2011 Membership Dues to the Housing Services Council, Community Development Department, City of Kent for the Commissioners' Executive Assistant, Charlene Badger representing local government \$35.00.

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REFERRED
July 14, 2011

1. The Board of Commissioners received the Questionnaire to appellant regarding appeal of an abolishment/layoff action as presented by the State of Ohio State Personnel Board of Review for Case No. 11-CBL-06-0199 (Kline)./Referred to Human Resources Department and Prosecutor's Office.

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PLEASE ADD TO THE AGENDA

July 14, 2011

1. July 12, 2011 confidential correspondence from Jim Zupka to County Auditor Janet Esposito, regarding the Management Letter/Information only.
2. July 7, 2011 memo from Todd Peetz, Regional Planning Commission, regarding by-law amendment dues/The Board of Commissioners agreed to ask the Regional Planning Commission how many hours are required to complete the Subdivision Regulations Update.
3. July 13, 2011 e-mail from Todd Peetz, Regional Planning Commission, regarding the Northeast Ohio Sustainable Communities Consortium membership/Information only.
4. July 13, 2011 e-mail from Brian Kelley, ITS, including four quotes for a replacement UPS for the ITS System Room/ The Board of Commissioners agreed to ask Mr. Kelley if he could use the any of the remaining funds in Munis Project fund by revising the priority list approved by Journal Entry on May 24th:
 - A. CBOSS Web Redesign & Content Management Proposal (County Web Site)-\$9,559.00
 - B. Cisco Firewall/VPN Upgrade Project - \$10,000
 - C. Server Virtualization Project (General Fund Initial/Partial Contribution)- \$20,401.00

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INFORMATION ONLY

July 14, 2011

1. July 11, 2011 e-mail from Director Jon Barber, Office of Homeland Security and Emergency Management to County Auditor Janet Esposito, regarding Mitigation Grant funds.
2. July 13, 2011 memo from Director Audrey Tillis, Department of Budget & Financial Management, indicating on July 13, 2011, the Department of Budget & Financial Management electronically submitted the 2nd Quarter of 2011 Financial Report for the OVW Grant Status Report for Grant No. 2007-WE-AX-0048/Journal Entry.
3. July 13, 2011 memo from Director Audrey Tillis, Department of Budget & Financial Management, indicating the Department of Budget & Financial Management requested a drawdown of funds using the online Grant Payment Request System from the US Department of Justice for the OVW Enforcement of Protection Orders Grant No. 2007-WE-AX-0048 to reimburse June 2011 expenses for \$24,003.60/Journal Entry.

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JOURNAL ENTRY

July 14, 2011

Motion by Tommie Jo Marsilio, seconded by Maureen T. Frederick to approve the following actions:

1. The Board of Commissioners approved the payment/draw request for payment to Portage Community Bank for Emerald Five, LLC funding for \$112,500.00 (PO #46454), as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
2. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for July 4, 2011 through July 10, 2011, as presented by Dog Warden Dave McIntyre.
3. In response to the July 8, 2011 Notice from Ohio Division of Liquor Control of a request for a new liquor license for Devies LLC dba Acapulco Grill, 4914 South Prospect Street in Rootstown, the Board of Commissioners agreed not to request a hearing noting the Rootstown Township Trustees have no objections and are also not requesting a hearing. The Board of Commissioners authorized the Clerk to sign and return the notice.
4. The Board of Commissioners authorized Commissioner Frederick to sign the Ohio Office of Criminal Justice Services Quarterly Subgrant Report for County Drug Task Force Confidential Funds, Subgrant No. 2010-DL-LEF-5849 for the period ending June 30, 2011, as presented by the Portage County Prosecutor's Office. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
5. The Board of Commissioners authorized payment of the 2011 Membership Dues to the Housing Services Council, Community Development Department, City of Kent for the Commissioners' Executive Assistant, Charlene Badger representing local government in the amount of \$35.00.
6. The Board of Commissioners authorized payment of the June 30, 2011 Invoice from Attorney Ron Habowski for professional services rendered as a retainer amount of \$6,250 and \$562.50 in additional charges for the Portage County Water Resources Department for a total invoiced amount of \$6,812.50. The Board of Commissioners noted that Water Resources Department Interim Director Jeff Lonzrick reviewed and agreed with the additional charges.
7. On June 30, 2011, the Board of Commissioners accepted the Mitchell Communications Inc. of Akron quote of \$9,900 for the upgrade from wide band to narrow band for Sheriff's radios for use in the Administration Building and Riddle Block Building when the Sheriff takes over security responsibilities on July 11, 2011.

Today, the Board of Commissioners accepted the recommendation of Director JoAnn Townend and authorized the purchase of earpieces and shoulder radios at an additional cost of \$1,513.50. Directors Townend and Tillis to work together to complete this purchase.

8. The Board of Commissioners acknowledged the electronic submittal on July 13, 2011 of the 2nd Quarter 2011 Financial Report for the OVW Grant Status Report for Grant No. 2007-WE-AX-0048 by the Department of Budget & Financial Management.
9. The Board of Commissioners acknowledged the electronic request for a drawdown of funds using the online Grant Payment Request System from the U.S. Department of Justice for the OVW Enforcement of Protection Orders Grant No. 2007-WE-AX-0048 to reimburse for June 2011 expenses in the amount of \$24,003.60.
10. After meeting in an Executive Session today with Director JoAnn Townend, the Board of Commissioners accepted the recommendation of WIC Program Manager Nancy Dailey and authorized the hire of Michelle Dodd as a part-time Dietitian at \$15.57/hour (DAT 4, Grade D) with an increase to \$16.35/hour following the successful completion of a probationary period. The tentative start date is July 25, 2011. The Board of Commissioners agreed that this hire is contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable.

Christopher Smeiles, absent, 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 **July 14, 2011**. There being no further business to come before the Board, it was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick to adjourn the official meeting at **10:30 AM**. Commissioner Smeiles absent, motion carries.

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

ABSENT

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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