

Tuesday, July 19, 2011

The Board of County Commissioners met in regular session on **Tuesday, July 19, 2011 at 9:40 AM** with the following members present:

Maureen T. Frederick

Christopher Smeiles

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Absent: Tommie Jo Marsilio on vacation

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the July 14, 2011 meeting. Commissioner Marsilio absent, 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

Review of the Prosecutor's Pending List

1. The Board of Commissioners has received the Airport Contracts, which Commissioner Frederick will review.
2. Attorney Smith will provide her opinion regarding the question of Courthouse Access for Security and Maintenance Staff tomorrow. Attorney Smith noted that she will advise that the Sheriff is in charge of Courthouse security in accordance with a Supreme Court dictate. The policy in place requires maintenance to contact the Sheriff when there is work to be done in a courthouse and the Sheriff will arrange for an escort.
3. Sourcing Office – the Board of Commissioners asked Attorney Smith if she received the emails from the Sourcing Office. Attorney Smith replied that she has received the emails and has asked Attorney Chad Hawkes to review the issue.

Prosecutor's Correspondence

1. July 14, 2011 e-mail from Leigh Prugh, including the procedure for the road vacation of Timberstone/Board of Commissioners to discuss this with the County Engineer.
2. July 15, 2011 correspondence from Denise Smith to Ben Sutton, regarding Equal Employment Opportunity Commission (EEOC) Notice of Charge (Garwood)/information only.
3. July 15, 2011 e-mail from Leigh Prugh, regarding Pleasant Lakes Association/The Board of Commissioners to discuss this with the County Engineer

9:47 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to discuss pending and/or imminent litigation. **Also present:** Attorney Denise Smith. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Absent; Maureen T. Frederick, Yea.

10:05 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Absent; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners took no action.

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THE WOODLANDS AT ROBINSON

Present: Christa Mayes, Jill Nelson, Allison Goudy, Karen U’Halie, Denise Smith

The Nursing Home Administrator reported a census of 90.

The Board of Commissioners agreed to refer a July 14, 2011 email from Anita Fischer, Medicaid Health Systems Analyst with the Ohio Department of Job & Family Services to Bob Nedrich of Generations HealthCare for a response.

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10:10 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to consider a discipline issue. **Also present:** Christa Mayes, Allison Goudy, DON Jill Nelson, Human Resources Department Director Karen U’Halie, Attorney Denise Smith. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Absent; Maureen T. Frederick, Yea.

10:50 AM Upon conclusion of the above referenced discussion, it was moved by **Christopher Smeiles**, seconded by **Maureen T. Frederick** that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Absent; Maureen T. Frederick, Yea.

After exiting Executive Session, the Board of Commissioners took action by Journal Entry.

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MOTOR POOL

Present: Joe Dillon, Charlene Badger

The Director presented an overview on the condition of the Sheriff’s vehicles. The vehicles that are listed as in poor condition are due to age and rust and not necessarily high mileage.

The Director reported that a month or so ago, the bus that the Sheriff bought from PARTA caught on fire while on an inmate highway detail. Safety/Loss Control Coordinator Michelle Ripley has not received an incident report although the bus was towed to the Motor Pool. The Sheriff has since purchased another bus from PARTA for \$1.00 that has 212,000 miles, which the Motor Pool has not seen yet. It will take some money to move the light equipment from the burned bus to the newly purchased bus, if the Sheriff makes that request. Perhaps some other parts could be used from the burned out bus but the Director knows nothing about the second bus. He has not yet looked at the first

bus that caught fire since he has not received an incident report; he does not know the extent of the damage.

The Board of Commissioners agreed that Joe Dillon and JoAnn Townend should meet with Major Kelly to discuss vehicles and which should be repaired/Clerk to draft a letter to the Sheriff suggesting this monthly meeting.

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DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT - cancelled

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The Executive Assistant attending to request permission to attend a seminar in Columbus at the end of August, which the Board of Commissioners approved.

The Executive Assistant reported that she has not had much response to the letter sent by the Board of Commissioners about a coordinated effort to find jobs for returning veterans. Robinson Memorial Hospital CEO Steve Colecchi has indicated his interest.

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12:10 PM Lunch Recess

1:40 PM Board of Commissioners Reconvened

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COUNTY ENGINEER

Present: Mickey Marozzi, Anthony Zumbo, Charlene Badger

1) The Summit Road/Powdermill Road Roundabout

The County Engineer is attending today to discuss the proposed project, which was the fourth highest ranked intersection for accidents in Portage County in 2005. He began the process of upgrading the intersection in 2006, with the first step being a four-way stop with proper signage. The long-term solution is a roundabout. Many people confuse a roundabout with a traffic circle but the roundabout is more successful in controlling traffic and works more efficiently. The CEAO recommended the roundabout solution and approved a highway safety grant of \$681,000 for the project.

Commissioner Smeiles stated that the county's water pump station is located at that intersection. Mickey Marozzi responded that the roundabout will be built off-center and most likely shifted towards the southeast farm field.

There will be a public meeting partway through the design of the project. The Board of Commissioners will be advised and Mickey Marozzi will work with the Record-Courier to advertise.

Resolution to accept the proposal of Burgess & Niple, Inc. and enter into an agreement for providing professional services for the design of a roundabout at the Summit Road/Powdermill Road Intersection, Franklin Township, Portage County/11-0630

2) The Regional Planning Commission has advised the Board of Commissioners that they need another 300-600 hours to complete the Subdivision Regulations Update. Commissioner Smeiles

stated that most of the revisions would be for streets, ditches etc. and suggested that they talk to you today before deciding whether or not to commit additional TA hours/Mr. Marozzi agreed to investigate and reply to the Board of Commissioners.

- 3) The County Engineer will provide oversight for the Hiram Hike and Bike Trail project; the Board of Commissioners must enter into an LPA with Ohio Department of Transportation. This project will be similar to the county's role in the PORTAGE Hike and Bike Trail project. The Board of Commissioners adopted resolutions 11-0632 and 11-0633 today.
- 4) Mr. Marozzi noted that a vacation of the road in the Timberstone Subdivision in Freedom Township will create landlocked parcels. The Board of Commissioners must also vacate the plat. He will bring this issue back to the Board at his next meeting.
- 5) Mr. Marozzi encouraged the Board of Commissioners to continue membership with AMATS. He added that he would like the Commissioners to share in the dues payment as most other governmental agencies do. Commissioner Frederick asked if there is a formula used to determine the payment. Mr. Marozzi responded that he could get that formula for the Board of Commissioners. Commissioner Smeiles replied that he appreciates the notion but the General Fund does not have funds available. Commissioner Frederick stated that the requests for funding total \$6.9 million over the projected revenue.

Charlene Badger asked if the Townships know that AMATS services are available. Mr. Marozzi responded that they should. Ms. Badger offered to send a letter to the Townships reminding them of what is available.

The Commissioners gave the County Engineer the original invoice for payment/Journal Entry.

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WATER RESOURCES

Present: Jeff Lonzrick, Charlene Badger

1. **JOURNAL ENTRY** - Homeowner appeal for reimbursement of sanitary sewer extension costs for Estes Drive Sewer Phase III, BR-2 (01-240)/Journal Entry.
2. **DISCUSSION** - The Director noted that he would recommend continued participation with NEFCO. He added that he is willing to increase his portion of the dues from 50% to 70% with the Solid Waste Management District paying 30% rather than 50%/Journal Entry.
3. The Board of Commissioners discussed the Prosecutor's draft correspondence to the attorney for Green's Funeral Home.
4. The Board of Commissioners noted that James Sanders had requested some time with them today to discuss a sewer bill not paid by his tenants and assessed to the property taxes. Mr. Sanders is not here today.

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**Public Hearing July 19, 2011
Convened At 3:02 PM
2011 Portage County Community Development Block Grant
Community Development Program
Formula Allocation
Neighborhood Revitalization**

Present: Commissioner Frederick, Commissioner Smeiles, Eileen Stiffler, Jen King, Hank Dunckel and Deborah Mazanec

Ms. Stiffler noted that the proposed 2011 CDBG Formula Allocation activities include:

FLOOD AND DRAINAGE ACTIVITY, MAPLEGROVE ROAD, WINDHAM VILLAGE - \$100,000

In conjunction with the Portage County Neighborhood Revitalization Grant application, this activity will be used as part of the Flood and Drainage Activity and will include the installation of approximately 2,600 linear feet of curb along Maple Grove Road in the Village of Windham.

HOMELESS FACILITIES, MISS LIBERTY HOME, 643 CROWN STREET, RAVENNA, OHIO - \$60,000

This activity will provide funding to convert a current blighted home, which was the result of a fire that occurred at the home into a women's shelter for homeless female Veterans in Portage County. The owner of the house has gifted the property to Family and Community Services. Family and Community Services manage the Freedom House shelter program and The White House of Ravenna permanent and supportive housing program; both are facilities specifically for homeless male Veterans. Currently, there is no shelter or other housing facility that serves female Veterans in either Portage County or the surrounding region.

Family and Community Services propose starting the "Miss Liberty Home" as a resource for homeless women veterans. Liberty Home will serve women veterans and their dependent children through housing and specialized resources. Women Veterans and their dependent children will have the opportunity to rebuild their lives and establish the needed foundation to allow for further self-sufficiency and independence. Supportive case management services will allow access to veteran's services, increase economic and social empowerment, build individual strengths improving functioning and self-determination and assist women veterans in obtaining permanent housing with services specific to their needs. Services will center around intensive home based case management and family/individual development and include linkage to and coordination of community services and resources, life-skill development, vocational planning, job readiness and ongoing support, housing stability, counseling, support groups, parenting support, transportation, crisis intervention and other services as needed. The program will focus on maximizing the potential for increased household stability by enhancing use of existing resources appropriate to participants needs.

The renovations will include the following:

1. Clean up and preparation, due to the fire/smoke damage
2. Lead inspection
3. Architectural services
4. Window replacement
5. Wiring with AC upgrade

6. Plumbing, bath and hot water tank
7. Vinyl siding, exterior
8. Kitchen
9. Flooring throughout the house
10. Drywall and paint
11. Roof and gutters

Family and Community Services will provide basic furnishings for the renovated home. This will include household items and appliances.

The grant amount is \$60,000 and Family and Community Services will provide any additional funds, which may be needed for the project.

HISTORIC PRESERVATION, STONE HOUSE, 9488 STATE ROUTE 224, DEERFIELD, OHIO - \$41,700

This activity will provide funding to assist with the rehab of a building for the Deerfield Historical Society. The building will serve the community as a museum, a repository of genealogical materials, open to small groups for tours and as a model of encouragement for the surrounding historic properties, rather than being an eyesore.

Located in Census Tract 6019.02 Block Group 9, which is 39.1% LMI. The building is listed on the National Register and is owned by the Deerfield Historical Society.

The Deerfield Historical Society would like to repair/replace all windows or sashes and replace all windowsill boards. The front porch is presently unsafe because it is attached to a rotted beam under the threshold. The porch will have to be moved and then returned into position in order to repair/replace this beam. The deck and roof posts are substandard and need to be replaced. Install new cedar siding. Most of the siding is cracked and loose. Re-nailing it will cause additional cracks. There is no OSB sub-siding house wrap, which will be needed to protect the insulation from water. The side porch was torn down and they wish to add it to its original condition.

ACQUISITION/REHAB, COLEMAN PROFESSIONAL SERVICES, 105, 107 and 109 EAST MAIN STREET, RAVENNA, OHIO - \$32,500

This activity will provide funding to assist with the acquisition of a building located at 105, 107 and 109 East Main Street in the historic district of downtown Ravenna. The purchase price is \$100,000. A Federal grant was submitted in the amount of \$1,236,928 (HUD 811). An Ohio Department of Mental Health grant in the amount of \$120,000 was recently awarded for the project. In addition the Coleman Foundation will contribute \$14,517 to the project. If necessary, a conventional bank loan and other funding sources will be sought to secure the property for rehabilitation and occupancy by December 31, 2012.

The building will be acquired for rehabilitation to create safe and affordable housing in the City of Ravenna for ten (10) low-income individuals with chronic mental illness and/or other disabilities that are currently homeless or precariously housed.

Coleman Professional Services plans to construct eight (8) one-bedroom units and two (2) efficiency apartments all with private kitchens, living areas and bathrooms for 10 single individuals with chronic mental illness. Two units will be fully wheelchair accessible and an elevator will allow 100% visibility. There will be a fenced in courtyard for residents and eight (8) parking spaces in the lot behind the

building for the anticipated residents with vehicles. The 12,000 square foot building also contains space for up to three (3) enterprise businesses. The enterprise business will help provide a funding stream for the critical supportive services Coleman Professional Services provides as well as vocational opportunities for people who have disabilities. Stable, permanent housing is a critical component of the recovery model for people with severe and persistent mental illness. This stability provides for the opportunity for these individuals to become better integrated into the community, socially and economically.

The estimated total cost of rehabilitation of the residential areas of the building is \$1,403,945.

Approximately 80 individuals from the Kent-Ravenna area are currently on a waiting list for permanent housing. Five of these individuals are literally homeless. In the Portage County housing market, affordable single occupancy rental units are scarce. Best practices for supportive housing for people with mental illness includes meeting the individual's need for the least restrictive environment possible, choice of services as well as meeting the needs of privacy, peer support, access to amenities and opportunities for community integration.

COUNTYWIDE HOME REPAIR PROGRAM - \$69,100

This activity will provide home repairs for six (6) LMI households in Portage County Townships and Villages. The Home Repair funds will be given as a grant and the maximum amount will be \$11,000 (Includes soft costs) per household. We will coordinate with OHPO for any unit if the repair will affect the aesthetics of the unit or involve disturbance of the earth. All work will meet OHCP Residential Rehab Standards and State and local Health Department requirements.

DEMOLITION/CLEARANCE, PALMS MOTEL, 9184 STATE ROUTE 43, STREETSBORO, OHIO - \$35,700 (CDBG) + \$1,900 (Streetsboro RLF)

The City of Streetsboro will use \$35,700 of the 2011 CDBG Formula Grant funds and \$1,900 from the Streetsboro RLF for a demolition program to remove a dilapidated motel located at 9184 State Route 43 in the City of Streetsboro. The motel is located in Census Tract 6004.01, Block Group 9, which is 25.4% LMI.

In 2000, the City of Streetsboro initiated an action against the operator of the Palms Motel requiring the operator to tie into the local sewer system. The parties entered into a consent judgment in August 2002 wherein the operator agreed to comply with all Ohio Environmental Protection Agency (OEPA) regulations and R.C. 6111.04 and further not to create or maintain a nuisance with respect to the discharge of sewage from the Motel. However, the operator has not complied with the consent judgment. In 2005, the OEPA issued findings and orders against the operator specifying that he is operating a semi-public disposal system that discharges sewage into Tinkers Creek, evidently in violation of R.C. 6111.04. In November 2009 the Streetsboro Zoning Department declared the property a public nuisance for discharging of sewage into the surface waters of the State of Ohio. To date no connection has been made to the existing sanitary sewer. Prior to demolition the City of Streetsboro will obtain authorization from the owner. The City of Streetsboro has passed a resolution declaring the motel a slum and blight.

An asbestos survey was conducted by Diamond Environmental in March 2011. It was determined that no sampled material contained asbestos however, it was determined the roofing material and the floor tile was positive for asbestos and is considered Category 1 - non-friable.

The cost estimate for the proposed demolition, removal of the debris and to fill, grade and seed the area with Davis Bacon Prevailing Wages is \$37,525.

FAIR HOUSING - \$7,000

Fair Housing services including landlord tenant information, discrimination complaints, training, posters, brochures will be provided for the residents of Portage County, excluding the Cities of Kent and Ravenna.

ADMINISTRATION AND IMPLEMENTATION OF THE CDBG GRANT - \$61,000

Administration and Implementation of the grant includes grant preparation, project management and bidding, completion of reports and day-to-day oversight of the projects.

NOTE 1: If one or more of the projects above is not funded the money will be allocated to the Countywide Home Repair Program.

NOTE 2: If CDBG funds are not needed in the Demolition/Clearance Activity then the Home Building Repair Program in the City of Streetsboro will be increased by \$35,700.

Based upon the City of Streetsboro's existing Economic Development RLF balance and past activity, OHCP is requiring the City of Streetsboro to commit \$42,000 toward eligible Community Development Program activities + \$6,300 towards the administration of the required RLF contribution.

The proposed Streetsboro RLF activities include:

DEMOLITION/CLEARANCE, PALMS MOTEL, 9184 STATE ROUTE 43, STREETSBORO, OHIO - \$1,900

Remainder of the cost associated with the demolition of the Palms Motel located in the City of Streetsboro to remove a slum and blight.

PUBLIC SERVICE, CITY OF STREETSBORO - \$6,300

The Streetsboro Senior Center is an integral part of the day-to-day life of many seniors in the Streetsboro area. The City of Streetsboro will use \$6,300 from the Streetsboro RLF to lease a 12-passenger (then purchasing for a \$1.00 after a 3-year period) 2011 Ford E350 vehicle for the Streetsboro Senior Center so that more seniors can attend senior activities and have a smaller chance of becoming disconnected from their community. The City of Streetsboro has agreed to contribute \$15,334 over the next 3 years towards the lease then eventual purchase of the vehicle.

The outcome of the lease and purchase of the vehicle would be an increase in the number of seniors who attend senior center activities as well as an increase in the number of activities the Senior Center can provide for their population. Each day the Center serves an average of 50 seniors and has served 11,982 seniors in 2010. Furthermore, many of the seniors are considered low-income as they fall below 150% of the federal poverty guidelines.

STREETSBORO HOME REPAIR PROGRAM - \$33,800

This activity will provide home repairs for seven LMI households in the City of Streetsboro through a combination of low interest or deferred loans and grants. Each household will be given sixty-five percent (65%) of the funds as grants and thirty-five percent (35%) will be a deferred loan to be paid

back when the property is sold. The maximum amount will be \$5,000 per household. Soft costs up to a maximum of 22% of the repair amount will be allowed but not included in the owner's amount and are in addition to the \$5,000 repair amount. We will coordinate with OHPO for any unit if the repair will affect the aesthetics of the unit or involve disturbance of the earth. Replacement of roofs, electrical system, furnaces, installation of water laterals, etc. will benefit 100% LMI households. All work will meet OHCP Residential Rehab Standards.

ADMINISTRATION AND IMPLEMENTATION OF THE STREETSBORO RLF - \$6,300

Administration and Implementation of the grant includes grant preparation, project management and bidding, completion of reports and day-to-day oversight of the projects.

NOTE: If RLF funds are not needed in the Demolition/Clearance Activity then the Home/Building Repair Program in the City of Streetsboro will be increased by \$1,900

NEIGHBORHOOD REVITALIZATION

Jen King noted that the project will include a sidewalk improvement, fire protection, flood and drainage facilities, street improvements, sewer facility improvements, clearance activities and administration. The total application is for \$300,000 with the match of \$250,000 (\$100,000 from the FY2011 Formula and \$150,000 in NSP 2 funding) Ms. King presented a service area map.

Hearing no public comment, the Public Hearing adjourned at 3:26 PM

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Ms. King will bring the necessary resolution on July 26th, Lisa Reeves will present the necessary resolution to the Board of Commissioners on July 21st.

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The Board of Commissioners discussed the request from The Woodlands at Robinson for a decision as to whether or not to accept a settlement of an outstanding balance/Journal Entry

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RESOLUTION No. 11-0627 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, 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 19, 2011 in the total payment amount of **\$627,859.00 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

RESOLUTION No. 11-0629 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Christopher Smeiles, 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 **\$3,493.08** as set forth in Exhibit “A” dated **July 19, 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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 11-0630 - RE: ACCEPT PROPOSAL OF BURGESS & NIPLE, INC. AND ENTER INTO AGREEMENT FOR PROVIDING PROFESSIONAL SERVICES FOR THE DESIGN OF A ROUNDABOUT AT THE SUMMIT ROAD/POWDERMILL ROAD INTERSECTION IN FRANKLIN TOWNSHIP, PORTAGE COUNTY.

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick that the following Resolution be adopted:

WHEREAS, the Portage County Board of Commissioners, by Resolution No. 09-0870, authorized the announcement of the request for proposals for professional services

for the Design of a Roundabout at the Summit Road/Powdermill Road Intersection in Franklin Township, Portage County; and

WHEREAS, the Portage County Board of Commissioners authorized the Portage County Engineer, by Resolution No. 10-0830, to enter into contract negotiations between the Portage County Commissioners and Burgess & Niple, Inc. for providing professional services for the Design of a Roundabout at the Summit Road/Powdermill Road Intersection in Franklin Township, Portage County; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby accept the proposal of Burgess & Niple, Inc. and authorizes the Portage County Engineer to enter into an engineering agreement for providing professional services for the Design of a Roundabout at the Summit Road/Powdermill Road Intersection in Franklin Township, Portage County, and be it further

RESOLVED, that said professional services will be performed by Burgess & Niple, Inc., 50 South Main Street, Suite 600, Akron, Ohio 44308 at a cost of \$141,600.00 plus an additional amount of "if authorized" fees of \$14,640.00, and be it further

RESOLVED, that the Portage County 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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 11-0631

- RE: ENTER INTO LICENSE AGREEMENT BETWEEN THE PORTAGE COUNTY COMMISSIONERS AND ALLIANCE STAFFING.

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick that the following Resolution be adopted:

WHEREAS, the County owns property located at 1081 W. Main St., Ravenna, Ohio known as the Portage County One Stop; and

WHEREAS, Alliance Staffing wishes to use the One Stop Building on Thursday, July 28, 2011 from 9:00 a.m. to 3:00 p.m. for recruitment and promotion of their services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a License Agreement between the Board and Alliance Staffing, 1385 Russell Dr., Streetsboro, OH 44241 for use of the One Stop Building on July 28, 2011 from 9:00 a.m. to 3:00 p.m. for recruitment and promotion of their services; 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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 11-0632 - **RE: A RESOLUTION TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO EXECUTE A LETTER FORM AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) APPROVING THE ENGINEERING CONSULTANT AND ENGINEERING FEE OF CT CONSULTANTS TO PROVIDE ENGINEERING SERVICES FOR THE PROJECT KNOWN AS THE HIRAM HIKE AND BIKE TRAIL FEASIBILITY STUDY**

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick that the following Resolution be adopted:

WHEREAS, Hiram College has secured 100% Federal Funding to perform a feasibility study to evaluate alternative locations for a Hike and Bike Trail from Hiram College to Headwater Trail with connection with the Barrow Biological Field Station, and

WHEREAS, Resolution 11-0086 authorized the Portage County Engineer to act, on behalf of the Portage County Commissioners, as the LPA for the **Hiram Hike and Bike Trail Feasibility Study**, and

WHEREAS, the Portage County Engineer requested a technical and fee proposal from CT Consultants to provide engineering services for the **Hiram Hike and Bike Trail Feasibility Study**, and

WHEREAS, the Ohio Department of Transportation (ODOT), upon review of the proposal from CT Consultants, recommends that the consultant be approved for the project, and

WHEREAS, compensation to the consultant has been approved by ODOT as follows:

Part 1: Steps 1 thru 2 at \$39,227.00
Part 2: Project Meeting at \$2,863.00
Part 3: Step 3 at \$53,371.00,

for a total of \$95,461.00, and

WHEREAS, ODOT has submitted to the Portage County Engineer a Letter Form Agreement to be executed acknowledging their approval; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby accept the Letter Form Agreement and authorizes the Portage County Engineer to execute said Letter Form Agreement acknowledging ODOT's approval of engineering services for the **Hiram Hike and Bike Trail Feasibility Study**; and be it further

RESOLVED, that the Portage County 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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 11-0633 - RE: ACCEPT PROPOSAL OF CT CONSULTANTS AND ENTER INTO AGREEMENT FOR PROVIDING PROFESSIONAL SERVICES FOR THE PROJECT KNOWN AS THE HIRAM HIKE AND BIKE TRAIL FEASIBILITY STUDY.

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick that the following Resolution be adopted:

WHEREAS, the announcement requesting proposals for the Hiram Hike and Bike Trail Feasibility Study was posted on the Ohio Department of Transportation website, and

WHEREAS, the Portage County Board of Commissioners authorized the Portage County Engineer, by Resolution No. 11-0394, to enter into contract negotiations between the Portage County Commissioners and CT Consultants for providing professional services for the project known as the Hiram Hike and Bike Trail Feasibility Study; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby accept the proposal of CT Consultants and authorizes the Portage County Engineer to enter into an engineering agreement for providing professional services for the project known as the Hiram Hike and Bike Trail Feasibility Study, and be it further

RESOLVED, that said professional services will be performed by CT Consultants, 8150 Sterling Court, Mentor, Ohio 44060 at a cost not to exceed \$95,461.00, and be it further

RESOLVED, that the Portage County 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, Absent; Christopher Smeiles, Yea;

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RESOLUTION No. 11-0634 - **RE: ACCEPT GRANT FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC) – OPWC PROJECT NUMBER CG250 - FOR THE PORTAGE COUNTY ENGINEER COVERING THE OLD FORGE ROAD BRIDGE REPLACEMENT PROJECT (ROO 62 CH82E), LOCATED IN ROOTSTOWN TOWNSHIP, PORTAGE COUNTY.**

It was moved by Christopher Smeiles, seconded by Maureen T. Frederick that the following Resolution be adopted:

WHEREAS, the Portage County Board of Commissioners authorized the Portage County Engineer to submit a grant application to the Ohio Public Works Commission for the Old Forge Road Bridge Replacement Project (ROO 62 CH82E), located in Rootstown Township, Portage County, Ohio, by adopting Resolution 10-0898 on September 28, 2010; now therefore be it

RESOLVED, that the Board of Portage County Commissioners hereby accepts the Ohio Public Works Commission grant award of \$434,000 – OPWC Project Number CG250 -- and designates the President of the Board of Commissioners as the authorized official to execute said grant for the Portage County Engineer as required by the Ohio Public Works Commission; 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

2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management/11-0627
3. Approve the Journal Vouchers, as presented by the County Auditor/11-0628.
4. Approve the Then & Now Certification, as presented by the County Auditor/11-0629.
5. Recommendation for appointment to the Portage County Local Emergency Planning Committee (LEPC)

Executive Assistant attending. The Board of Commissioners called the Department of Homeland Security & Emergency Management Office and spoke with John Mason regarding the makeup of this board. He suggested that the Board should have more business participation. Commissioner Frederick noted that Margaret Garman may not be attending the meetings regularly; the Executive Assistant responded that Ms. Garman did participate in the exercise last year;. She suggested that the members who do not attend regularly be sent a letter about the necessity of attending. John Mason will investigate and report back to the Board of Commissioners/11-HOLD

6. Adoption of the Residential Code of Ohio for one, two and three family dwellings – 2006 Edition and rescinding Resolution No.05-0371/11-HOLD to determine what the changes are from the 2004 version and if there is a newer version that should be adopted.
7. Authorize the Portage County Engineer to execute a letter form agreement with the Ohio Department of Transportation (ODOT) approving the engineering consultant and engineering fee of CT Consultants to provide engineering services for the project known as the Hiram Hike & Bike Trail Feasibility Study (County Engineer)/11-0632
8. Accept proposal of CT Consultants and enter into agreement for providing professional services for the project known as the Hiram Hike & Bike Trail Feasibility Study. (County Engineer)/11-0633.
9. Accept proposal of Burgess & Niple, Inc. and enter into an agreement for providing professional services for the design of a roundabout at the Summit Road/Powdermill Road Intersection, Franklin Township, Portage County (County Engineer)/The Board of Commissioners agreed to meet with the County Engineer today/11-0630
10. Accept grant from the Ohio Public Works Commission (OPWC) Project No. CG250 for the Portage County Engineer covering the Old Forge Road Bridge Replacement Project (ROO 62 CH82E) located in Rootstown Township, Portage County (County Engineer)/11-0634.
11. Accept grant from the Ohio Public Works Commission (OPWC) Project No. CGW16 for the Portage County Engineer covering the Rock Spring Road Bridge Replacement Project (CHA 37 CH52C) located in Charlestown Township, Portage County (County Engineer)/11-0635.

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INVITATIONS

July 19, 2011

1. Invitation from the Aurora Chamber of Commerce for the 2011 Chamber Luncheon meeting on Thursday, August 11, 2011, 11:30 AM-1:00 PM, Hilton Garden Inn Twinsburg.
2. Invitation for Teletraining on Social Media Liability – How to Avoid Hidden Liability from Hidden Social Media Policy Gaps When Using Personal Smartphones, Facebook, blogs & e-mails, Thursday, July 21, 2011, 2:00 PM.
3. Notice of the United Way of Portage County’s Key Leadership Breakfast on Thursday, July 21, 2011 at 7:30 AM at NEOUCOM.

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INCOMING CORRESPONDENCE

July 19, 2011

1. Discussion: House Bill 86, which is intended to divert some nonviolent offenders to community programs and will require that Portage County establish a halfway house. On July 5th, the Commissioners discussed the use of the former Nursing Home, current Records Center, as a possible location/Commissioner Frederick noted that Hank Gibson was to contact Mark Frisone to discuss this issue/Hold
2. 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/Information only – Commissioner Frederick to review
3. July 11, 2011 correspondence from Nancy Cowan, Deerfield Township, regarding Reiger Drive road vacation. Attorney Chris Meduri has advised the Board of Commissioners must wait for the plat to reconvene the public hearing/The Board of Commissioners agreed to wait for the Plat before reconvening.
4. June 27, 2011 correspondence from Kevin Zolgus, regarding an overpayment on a mortgage in 1995 discovered in 2006 through Neighborhood Development Services/Hold for additional information.
5. July 14, 2011 e-mail from Todd Peetz, Regional Planning Commission, regarding the Northeast Ohio Sustainable Communities Consortium membership/Information only at this time.
6. Commissioner Smeiles noted that he is happy to see that the Regional Planning Commission is offering refunds for overpaid dues as he has been arguing for years about the Portage County population.
7. Undated correspondence (received July 14, 2011) from several of the employees from the Solid Waste, requesting a meeting with the Solid Waste Board/Clerk to draft a response.
8. July 14, 2011 e-mail from Larry Long, County Commissioners’ Association of Ohio, regarding Sourcing office/Information only.

9. July 15, 2011 e-mail from David Akers, regarding Portage County's participation with Sourcing Office/Information only

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JOURNAL ENTRY

July 19, 2011

1. The Board of Commissioners acknowledged receipt of the July 13, 2011 Certificate of the 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.
2. The Board of Commissioners authorized Commissioner Maureen T. Frederick, President of the Board to sign the Satisfaction of Mortgage for Shawn Donahue as requested by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted./**Hold**.
3. The Board of Commissioners authorized Commissioner Maureen T. Frederick, President of the Board to sign the Satisfaction of Mortgage for 1880 Buffalo Ranch as requested by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
4. Board of Commissioners' signature requested on the payment authorization form for Thompson Publishing for annual renewal for Local/State Funding Report for \$379.00 as requested by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #8 Administration is funding this expense.
5. The Board of Commissioners received the Portage County Investment Reconciliation for the month of June 2011 as presented by the County Auditor and County Treasurer.
6. The Board of Commissioners presents the quarterly progress report for the JAG/Byrne stimulus grant no. 2009-RA-A02-2323 Courtroom Deputies for April 1, 2011-June 30, 2011 submitted electronically on July 13, 2011 by Department of Budget & Financial Management on behalf of the Sheriff's Department.
7. The Board of Commissioners received the Transportation of Prisoner report for May 2011 as presented by Sheriff's Department.
8. Board of Commissioners' signature requested on the purchase requisition for the Record Publishing for BID advertising for 2 projects in the B-F-10 Formula Grant Kevin Coleman house rehab at 133 Vine Street and demolition of the White Rubber building for a total of \$140.00 as requested by the Regional Planning Commission. The B-F-10-1CJ-1 Formula grant Activity#1 Demolition and Activity #2 Conversion/Rehab is funding this expense.

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REFERRED

July 19, 2011

1. July 15, 2011 e-mail from Ron Rost, Sheriff's Department, regarding the Sheriff's request for authorization to use \$100,000 of the funds in Fund 4008 (911 Fund) to the Sheriff's Dispatch Referred to Department of Budget & Financial Management/Board of Commissioners to wait for a response from Attorney Denise Smith regarding the use of these funds.
2. Undated correspondence (received July 15, 2011) from County Auditor Janet Esposito to All Commercial and Industrial Property Real Estate owners regarding Portage County 2012 revaluation.

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INFORMATION ONLY

July 19, 2011

1. July 12, 2011 correspondence from Ben Sutton, Sutton Insurance, regarding a Headwater Race injury at the Adventure Race on July 9, 2011 (Lewis).
2. July 8, 2011 correspondence from Bruce Stevenson, Ohio Department of Commerce Division of Liquor Control, indicating all permits to sell alcoholic beverage in Portage County will expire on October 1, 2011.
3. July 14, 2011 memo from Charlene Badger, Executive Assistant, regarding assigned counsel payments January-June 2011.

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PLEASE ADD TO THE AGENDA

July 19, 2011

1. July 15, 2011 correspondence from Robinson Memorial Hospital President and CEO Steve Colecchi regarding The Woodlands at Robinson/copy handed to Attorney Denise Smith this morning. The Board of Commissioners agreed to draft a request to companies interested in the management of the Nursing Home/Hold the discussion until Commissioner Marsilio returns.
2. July 14, 2011 correspondence from Attorney Denise Smith regarding the GAPP 2007 Audit/Discussed today in Executive Session.
3. July 16, 2011 email from Regional Planning Commission Director Todd Peetz in response to the Board of Commissioners' inquiry regarding the number of hours it will take to complete the Subdivision Regulations Update/The Board of Commissioners asked the County Engineer to look at the Subdivision Regulations to determine how much more work is needed on the streets, ditches etc sections.
4. July 15, 2011 email from Human Resources Department Director Karen U'Halie regarding employee ID badges and building access/Information only.
5. July 15, 2011 email from Internal Services Director JoAnn Townend regarding PCAB Security/Information only.

6. Discussion: UPS replacement issue as requested by the IT Department/The Board of Commissioners to discuss with Director Audrey Tillis next week:
 - A. JoAnn Townend's July 15, 2011 email regarding the processing of the requisition
 - B. July 18, 2011 from Audrey Tillis regarding the purchase of the UPS
7. July 18, 2011 email from Attorney Leigh Prugh regarding a Water Resources Department issue/Information only.
8. July 15, 2011 email from Michelle Ripley regarding CORSA coverage for the Soil & Water Conservation District/The Board of Commissioners agreed to continue coverage under CORSA/Clerk to draft a letter to Mr. Bierlair.
9. July 18, 2011 email from Karen U'Halie regarding Jon Barber's access to the PCAB/The Board of Commissioners agreed to discuss this issue with Jon Barber on August 2nd.
10. July 18, 2011 draft correspondence to Chesapeake Energy regarding the first fracking well operations, as presented by Jon Barber for Board of Commissioners' comment/Board of Commissioners approved the letter.

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JOURNAL ENTRY
July 19, 2011

Motion by Christopher Smeiles, seconded by Maureen T. Frederick to approve the following actions:

1. The Board of Commissioners acknowledged the receipt of the July 13, 2011 Certificate of the 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.
2. The Board of Commissioners authorized payment by the Portage County Engineer of the July 5, 2011 Invoice from AMATS for Portage County's dues payment for membership for the time period July 1, 2011 through June 30, 2012 for \$15,168.00.
3. The Board of Commissioners authorized Commissioner Frederick to sign the Satisfaction of Mortgage for 1880 Buffalo Ranch, as presented by Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
4. The Board of Commissioners signed the payment authorization form for Thompson Publishing for the 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 #8 Administration is funding this expense.

5. The Board of Commissioners acknowledged the receipt of the Portage County Investment Reconciliation for the month of June 2011, as presented by the County Auditor and County Treasurer.
6. The Board of Commissioners acknowledged the electronic submittal of the quarterly progress report for the JAG/Byrne Stimulus Grant No. 2009-RA-A02-2323, Courtroom Deputies, for the time period April 1, 2011-June 30, 2011, submitted on July 13, 2011 by the Department of Budget & Financial Management on behalf of the Sheriff's Department.
7. The Board of Commissioners acknowledged the receipt of the Transportation of Prisoner report for May 2011, as presented by Sheriff Doak.
8. The Board of Commissioners signed the purchase requisition for the Record Publishing for bid advertising for two projects in the B-F-10 Formula Grant: Kevin Coleman house rehab at 133 Vine Street and the demolition of the White Rubber building, for a total of \$140.00, as presented by the Regional Planning Commission. The B-F-10-1CJ-1 Formula grant Activity#1 Demolition and Activity #2 Conversion/Rehab is funding this expense.
9. The Board of Commissioners signed the Personnel Action form acknowledging the resignation of Pamela Rohrbaugh as an Income Maintenance Worker 3 for the Portage County Department of Job and Family Services, effective August 9, 2011 as presented by the Department of Job and Family Services Director Judee Genetin.
10. The Board of Commissioners approved the following Personnel Requisition as presented by the Portage County Department of Job & Family Services Director Judee Genetin:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Job & Family Services	Income Maintenance Aide 2 (Replacing Vicki Twyman)	JFS B	Post Internally and Externally

11. The Board of Commissioners approved the following Personnel Requisition as presented by the Portage County Department of Job & Family Services Director Judee Genetin:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Job & Family Services	Income Maintenance Worker 3 (Replacing Pamela Rohrbaugh)	JFS H	Post Internally and Externally

12. The Board of Commissioners agreed to accept a \$4,000 settlement as payment in full of the outstanding balance of The Woodlands at Robinson Resident #1637.

13. 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	Full-time STNA Replacement for Nadine Bruce, last day worked June 28, 2011	NSAS 2	Post Internally
The Woodlands at Robinson	Full-time STNA Replacement for Dorothy Gordon who left employment on July 16, 2011	NSAS 3	Post Internally

14. The Board of Commissioners authorized the use of the One Stop, 1081 East Main Street in Ravenna on Thursday, July 28, 2011 from 9:00 AM – 3:00 PM for Alliance Staffing to take applications for several open positions, as presented by Brian Boykin. The Board of Commissioners also adopted Resolution 11-0631 authorizing the Internal Services Director to prepare the necessary agreement.

15. The Board of Commissioners accepted the recommendation of Water Resources Department Interim Director Jeff Lonzrick and agreed to deny the request of Timothy Smather, 4787 Estes Drive in Brimfield Township, for reimbursement for a sanitary sewer extension that he constructed in 2001. (Resolution 01-061)

16. The Board of Commissioners accepted the recommendation of Water Resources Department Interim Director Jeff Lonzrick and agreed to continue membership with NEFCO. The Board of Commissioners also agreed that, in the future, the Water Resources Department would pay 70% of the dues and the Solid Waste Management District would pay 30% of the membership dues.

Tommie Jo Marsilio, 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 19, 2011**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Maureen T. Frederick to adjourn the official meeting at **3:30 PM**. Commissioner Marsilio absent, motion carries.

Maureen T. Frederick, President ABSENT
Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member Deborah Mazanec, Clerk

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