

Tuesday, August 9, 2011

The Board of County Commissioners met in regular session on Tuesday, August 9, 2011 at 10:25 AM with the following members present:

Maureen T. Frederick

Christopher Smeiles

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Absent: Tommie Jo Marsilio

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the August 4, 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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**THE WOODLANDS AT ROBINSON**

Present: Christa Mayes, Allison Goudy, Karen U'Halie, Denise Smith

The Nursing Home Administrator reported a census of 88 today. Ms. Mayes also reported that the Nursing Home hosted a breakfast recently, which went well.

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10:28 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 hiring issue. **Also present:** Christa Mayes, Human Resources Department Director Karen U'Halie, and Attorney Denise Smith. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Absent; Maureen T. Frederick, Yea.

10:45 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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**REGIONAL PLANNING COMMISSION**

Present: Todd Peetz

Mr. Peetz thanked the Board of Commissioners for dedicating the county's overpaid dues for the Subdivision Regulations update. He noted that it will equate to 200 TA hours.

## **WORK PROGRAM**

### **July, 2011 RPC Work Program Report**

1. Staff continues to provide the necessary support for the Farmland Preservation Plan. Applications were submitted by the April 6, 2011 deadline. The Regional Planning Commission has been approached by the Western Reserve Land Conservancy to be a part of a panel to implement future farmland preservation opportunities.
2. Staff is working with Shalersville Township on their Comprehensive Plan.
3. The update of the Portage County Subdivision Regulations continues
4. The Regional Planning Commission received only three applications for subdivisions in July.
5. The next quarterly Zoning Inspectors' Meeting will be held on August 18<sup>th</sup>. Attorney Chris Meduri will be the speaker. All Township Zoning Board and Board of Appeals Chairs are invited to attend.
6. The Regional Planning Commission received an environmental grant focusing on rain gardens and bioretention swales.
7. The draft agreement for the storm water septic tank program is completed and sent to the County Engineer, Soil & Water and the Health Department for comment.
8. Regional Planning Commission has applied for a grant to develop and organize a local food hub similar to the one in Wooster.
9. There will be an October 20<sup>th</sup> Visioning in Portage event at the Ravenna Elks. The VIP meetings continue.
10. Regional Planning Commission is working with Hiram College on a grant for a campus master plan. The Director hopes to involve both the Village and Township in this project.

### **July, 2011 CDBG Program Report**

Work is being completed on the 2010 formula grant. The 2011 grant application was submitted to the state on time.

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## **PROSECUTOR**

Present: Denise Smith

### **Review of Prosecutor's Pending List**

1. Denise Smith is waiting to hear from an Information Technology Association about the Sourcing Office proposal, as recommended by Brian Kelley.
2. Attorney Meduri has been assigned the Lakeside Sand and Gravel proposal for review.
3. Attorney Smith will contact the Kent Law Director to discuss the acquisition of the Main Street site.
4. Staff is waiting to hear back from Beck Energy and One Community on their requests.

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**Prosecutor’s Correspondence**

- 1. August 4, 2011 correspondence from Denise Smith to Ben Sutton, regarding potential litigation (Polando)/Information only.
- 2. August 4, 2011 correspondence from Denise Smith to Ben Sutton, regarding potential litigation (Brockett)/Information only.

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**DEPARTMENT OF BUDGET & FINANCE**

Present: Audrey Tillis

RESOLUTIONS

- 1. General Fund Amendments to the Annual Appropriation Resolution/11-0699
  - a. Veterans Services Commission, Transfer – Adjust budget to projected.
- 2. Other Funds Amendments to the Annual Appropriation Resolution/11-0700
  - a. 1010, Computerization Clerk Muni Ct – Supplemental, Change in health benefit election
  - b. 1101 Enforcement and Education – Supplemental, Increase in appropriation for 2011
  - c. 1415, Child Welfare – Special Levy – Supplemental/ Transfer, Projected Need

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11:45 AM Lunch Recess

1:00 PM Board of Commissioners reconvened

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**ROBINSON MEMORIAL HOSPITAL**

Present: CEO Steve Colecchi, RMH Board Chairman Gordon Ober

President and CEO Colecchi and Mr. Ober are attending today to propose a change in structure at the hospital due to changes in the health care arena. The Robinson Memorial Hospital presence in Portage County will continue and the hospital will remain viable and healthy. The hospital asks that the Commissioners consider changing the hospital’s ownership status from county-owned to not-for-profit. Mr. Colecchi asked for a commitment from Board of Commissioners that this proposal merits consideration.

Mr. Colecchi presented the Robinson Memorial Hospital conversion to not-for-profit status case statement, noting that the preferred business model is not a publicly owned hospital. The next step would be for the hospital to put together a detailed term sheet to be presented to the Board of Commissioners to start the review process. Mr. Colecchi commented that this change would provide the best opportunity to maintain the hospital’s long-term financial viability and still meet the healthcare needs of Portage County.

Commissioner Frederick stated that the Board of Commissioners is looking at the same issues with The Woodlands at Robinson.

Commissioner Smeiles asked if the current Summa contract will expire should this move forward. Mr. Colecchi responded that the contract expires December 31, 2012 and the hospital would take another look at that relationship at that time.

Commissioner Smeiles asked if the Board of Trustees is planning in public meetings in the community; the response was yes.

Commissioner Frederick asked what the makeup of the new Board of Trustees would be. Mr. Colecchi responded that the Board of Trustees would be self-appointing; perhaps a larger board would come about. He added that there would be no statutory authority for the Board of Commissioners to appoint the Board of Trustees under the not-for-profit status.

The Board of Commissioners agreed that they would be comfortable moving to next step/Journal Entry.

Mike Sever asked what the Board of Commissioners must do to make this change; Mr. Colecchi responded that there would be a legal document/lease agreement with the newly formed not-for-profit. ORC Chapter 140 covers this type of lease agreement, which effectuates the change in legal status. He added that there is no ballot requirement to make this change. The county will continue to own the property for use as a county hospital. Mr. Colecchi reported that it would take between six to 12 months to accomplish this change.

Mr. Colecchi also reported that he has met with Mr. Weisberg of Saber Healthcare about how Robinson Memorial Hospital could be involved with the nursing home. Commissioner Smeiles responded that there have been some legal complications to sort through. Mr. Colecchi replied that Robinson Memorial Hospital would like to remain part of the solution in this matter to meet the needs of residents.

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**ANIMAL PROTECTIVE LEAGUE & HUMANE OFFICER**

Present: APL Board President Karen Carmany and Humane Office Steven Chapman; Dave McIntyre, Dog Warden; Audrey Tillis

Ms. Carmany attending to introduce the new Humane Officer to the Board of Commissioners. Mr. Chapman commented that he has been in law enforcement for 17 years in a variety of roles in Massachusetts; police officer, deputy sheriff, humane officer, conservation officer, and animal control officer. Ms. Carmany stated that another Humane Officer is being trained to provide some relief to Mr. Chapman. Calls that come in after hours are reviewed to determine priority. She added that education is a priority for the Humane Officer; the APL will focus on getting into the community for presentations similar to how a DARE Officer goes to schools to prevent some issues from occurring. The public needs to be educated as to what responsible pet ownership is.

Mr. Chapman presented his monthly report for May – July 2011 and then the month of July 2011.

Ms. Carmany noted that the Board of Commissioners agreed to reinstate the funding for the remainder of the year. Audrey Tillis stated that the Board of Commissioners prepays the Humane Officer and wondered if the Board of Commissioners wanted to change that. Ms. Carmany responded that the Summit County Humane Society gives money directly to the agency. Commissioner Smeiles replied that Summit County is a charter county and our Prosecutor has advised that Portage County cannot. Commissioner Smeiles welcomed the Humane Officer noting that he seems well qualified.

Audrey Tillis to check the ORC to determine if the Board of Commissioners can make payment to the Humane Officer twice a month or at the end of the month/Journal Entry.

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**WATER RESOURCES**

Present: Jeff Lonzrick

- 1. RESOLUTION** - Amending Resolution No. 09-0006, Requiring Permits to the Portage County Regional Sewer District: Establishing Connection Charges (Aurora Meadows); Providing for the Payments of Such Charges in Installments and Providing for the Certification of Unpaid Connection Charges to the County Auditor/11-0698

The Director noted that the Mantua Township Trustees are aware of the extension of the deadline to connect to July 1, 2012.

- 2. SIGNATURES/ - Delinquent Time Tap Payments/Journal Entry**  
**JOURNAL ENTRY**
- 3.** The Director has reviewed the Lakeside Sand and Gravel Mining Proposal near the Shalersville Water Treatment Plant. He noted his concern about the risk to the well fields and the aquifer of the well field during excavation, which might undermine the wells. Commissioner Smeiles responded that former Director Harold Huff had suggested that the Board of Commissioners consider recharge basins. He asked if the contractor provides an engineer to be onsite, would that change anything; the Director responded that the county would then provide an engineer as well, should the Board move forward. Commissioner Frederick asked if there could be insurance coverage for this kind of project. The Director is unsure of that. The Commissioners noted that the Prosecutor's Office is reviewing the proposal at this time. The Commissioners also agreed that any revenue generated would go the Water Resources Department and not the General Fund. The Director will bring this back to the Board of Commissioners next week.
- 4. Shut-Off Policy**  
Staff has prepared a delinquent account report, a sample of which the Director presented. There is a water shut off policy in place but not a sewer shut off policy. The Director contacted the Ohio EPA who confirmed that the county may turn off sewer for mobile home parks in arrears, but they would prefer that a solution be worked out prior to turn off. The Board of Commissioners agreed that the Prosecutor's Office should send letters to all delinquent

customers requesting immediate payment. The Director will prepare a standard operating procedure for any account in arrears so that the balance does not get too large.

5. Ohio EPA Letter

The Director presented the department response to the July 29<sup>th</sup> correspondence from the EPA concerning the June 28, 2011 sewage sludge inspection at the Streetsboro-Hudson WWTP. The Director noted that all of the concerns are being addressed.

6. The Board of Commissioners agreed to review the Windham Village water and sewer agreement, noting that the rates charged have gone up since December 2009.

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**RESOLUTION No. 11-0693 - 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 August 9, 2011 in the total payment amount of **\$295,440.42 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, Absent; Christopher Smeiles, Yea;

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**RESOLUTION No. 11-0694 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

It was moved by Christopher Smeiles, 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:

08/09/11	418	\$ 153.60
08/09/11	417	240.68
08/09/11	404	8,000.00
08/04/11	262	11,643.72
08/08/11	353	5,205,062.62
08/08/11	346	1,317,475.48
Total		\$ 6,542,576.10

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, Absent; Christopher Smeiles, Yea;

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**RESOLUTION No. 11-0695 - 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 **\$66,903.72** as set forth in Exhibit "A" dated **August 8, 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. 11-0696 - RE: DECLARE MS CONSULTANTS, INC. MOST QUALIFIED FIRM AS A RESULT OF REVIEW AND ANALYSIS OF QUALIFICATIONS AND ENTER INTO NEGOTIATIONS FOR PROFESSIONAL SERVICES FOR THE PROJECT KNOWN AS CONSTRUCTION TESTING/INSPECTION FOR THE COIT ROAD BRIDGE REPLACEMENT PROJECT**

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

**WHEREAS,** Resolution 11-0445 authorized the announcement of the request for proposals for professional services for the project known as the Construction Testing / Inspection for the Coit Road Bridge Replacement Project, and

**WHEREAS,** the announcement requesting proposals for said project was posted on the Ohio Department of Transportation website and published in the Record Courier on May 23, 2011, and

**WHEREAS,** qualifications were received from nine (9) engineering firms for providing professional services for the Construction Testing / Inspection for the Coit Road Bridge Replacement Project, and

**WHEREAS,** the qualifications were reviewed and rated according to the consultant selection process of the Ohio Department of Transportation, and

**WHEREAS,** after review and rating, the firm of ms consultants, inc. was rated highest; now therefore be it

**RESOLVED,** that the Portage County Engineer recommends that the qualifications of ms consultants, inc. be accepted, and be it further

**RESOLVED,** that the Portage County Commissioners authorize the Portage County Engineer to enter into contract negotiations between the Portage County Commissioners and ms consultants, inc. to provide professional services for the Construction Testing / Inspection for the Coit Road Bridge Replacement Project in accordance with ORC 153.69, Sub. Sec. A, and be it further

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

Voice vote as follows:

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

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**RESOLUTION No. 11-0697** - **RE: DECLARE QUALITY CONTROL INSPECTION, INC. MOST QUALIFIED FIRM AS A RESULT OF REVIEW AND ANALYSIS OF QUALIFICATIONS AND ENTER INTO NEGOTIATIONS FOR PROFESSIONAL SERVICES FOR THE PROJECT KNOWN AS CONSTRUCTION TESTING/INSPECTION FOR THE EBERLY ROAD BRIDGE REPLACEMENT PROJECT**

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

**WHEREAS,** Resolution 11-0446 authorized the announcement of the request for proposals for professional services for the project known as the Construction Testing / Inspection for the Eberly Road Bridge Replacement Project, and

**WHEREAS,** the announcement requesting proposals for said project was posted on the Ohio Department of Transportation website and published in the Record Courier on May 23, 2011, and

**WHEREAS,** qualifications were received from nine (9) engineering firms for providing professional services for the Construction Testing / Inspection for the Eberly Road Bridge Replacement Project, and

**WHEREAS,** the qualifications were reviewed and rated according to the consultant selection process of the Ohio Department of Transportation, and



**WHEREAS,** the substantial completion date of the PROJECT has been delayed approximately two (2) months due to construction conflicts and material supply delays; and

**WHEREAS,** due to these delays, this Board desires to extend the connection deadline to allow for sufficient suitable weather in which the residences can connect; now therefore be it

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

**SECTION 1.** That Resolution No. 09-0006 shall be amended as follows:

Section 12-3 A special rate for properties provided sanitary sewer service with the construction of the Aurora Meadows Subdivision Sanitary Improvements Project No. M-1 (06-190).

A. All existing residences (as of the October 18, 2010 Public Meeting) located in the Aurora Meadows Subdivision No. 1 (See Vol. 10 Page 40 of the Portage County Records of Plats) and Aurora Meadows Subdivision No. 2 (See Vol. 11 Page 5 of the Portage County Records of Plats) that tie into the Aurora Meadows Subdivision Sanitary Improvements Project No. M-1 (06-190) prior to July 1, 2012 will not be required to pay the "normal" local service, lateral, trunk and plant charges; the connection charge shall instead be \$100.00. This is due to the availability of USDA funding.

B. All existing residents within the Aurora Meadows Subdivision No. 1 and the Aurora Meadows Subdivision No. 2 who do not tie into the sewer system before July 1, 2012 will be required to pay the "normal" local service, lateral, trunk and plant charges; these charges shall also apply to any homes constructed after October 18, 2010.

C. All connections to the force main installed for the Aurora Meadows Subdivision Sanitary Improvements Project No. M-1 (06-190) will be subject to trunk and plant charges as calculated by the Water Resources Department.

**SECTION 2.** 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 as Follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Absent;

Christopher Smeiles, Yea;

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RESOLUTION No. 11-0699

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

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

RESOLVED, that it has become necessary to amend the General Fund 2011 Annual Appropriation in the amounts and for the purposes set forth in the enumeration shown below:

	<i>Increase</i>	<i>Decrease</i>
	<u>                    </u>	<u>                    </u>
Fund: 0001 General Fund		
903 Veterans Services Commission		
09034 Veterans Services CS	3,000	-
09035 Veterans Services MS	0	3,000
<b>MEMO TOTAL</b>	<u><u>\$ 3,000</u></u>	<u><u>\$ 3,000</u></u>

Note: Adjust to Projected Need

<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<u><u>\$ 3,000</u></u>	<u><u>\$ 3,000</u></u>
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; and be it further

RESOLVED, that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

RESOLVED, that a certified copy of this resolution be filed with the County Auditor; and be it further

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

Roll call as Follows:

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

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**RESOLVED,** that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor; and be it further

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

Roll call as Follows:

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

**RESOLUTION No. 11-0701 - RE: ADOPTION OF PROTOCOL FOR INSURANCE CLAIM REIMBURSEMENT.**

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

**WHEREAS,** the Board of Commissioners wishes to set a policy for insurance claim reimbursement and payment of approved expenses related to vehicle accidents and other incidents that are submitted to CORSA by the Portage County Human Resources Department on behalf of all county departments; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners establishes and adopts the following policy, which goes into effect immediately, and shall be used in conjunction with all other policies:

#### **PROTOCOL FOR INSURANCE CLAIM REIMBURSEMENT**

1. In case of a motor vehicle accident, regardless of fault or degree of damage:
  - Immediately stop the vehicle. Do not leave the scene of the accident.
  - Take whatever steps may safely be taken to prevent another accident from occurring.
  - Notify law enforcement, one's supervisor, and the Motor Pool Director immediately.

Employees must report any accident, whether or not at fault, and all traffic citations for moving violations for DUI offenses to their supervisor and the Safety and Loss Control Coordinator ("SLCC") on the County Accident Report Form as soon as possible but no later within 24 hours of the event. This requirement applies to both on-the-job and off-the-job occurrences.

- Get information from other drivers. Exchange information with other people involved in the accident. Be sure to obtain the names and addresses of any witnesses. Be sure to write down basic contact information for every involved, including:
  - Name
  - Address
  - Phone number
  - License plate number
  - Driver's license number
  - Insurance company and policy number
- If you have a camera with you, take photos of the scene and the damage to the vehicles to help document the crash.
- The vehicle must be towed back to the Portage County Motor Pool.

2. In case of incidents involving county owned property (water damage, fire, theft, etc.) or involving the public on county owned property (slips, trips, falls, sewer back-up claims, etc.), employees must report any incident to their supervisor and the SLCC on the County Accident Report Form as soon as possible but no later within 24 hours of the event. This requirement applies to both on-the-job and off-the-job occurrences.
3. The Human Resources Department SLCC will report the accident to the Portage County Commissioners' Office and the County's insurance carrier/or agent upon learning of the accident.
4. All reports for claim reimbursement will be reviewed and approved by the Human Resources Department SLCC prior to payment of a claim.
5. The insurance check will be forwarded by the Human Resources Department to the appropriate department for deposit into the County Treasury.
6. The departments will be responsible for any costs in excess of the insurance reimbursement, including the deductible.
7. The Human Resources Department will work with the County Auditor's Office to pay reimbursement checks that affect multiple departments into the County Treasury. The split of the check on multiple claims will be calculated by the Human Resources Department based on claim information and deductibles.
8. The department will also be responsible for third party deductibles when the department is at

fault. Once approved by CORSA, these invoices will be forwarded to departments for prompt payment; 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. 11-0702 - RE: CONVENE THE PORTAGE COUNTY 9-1-1 PLANNING COMMITTEE.**

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

**WHEREAS,** Ohio Revised Code Section 4931.42 requires that the Board of Commissioners adopt a resolution to convene the Portage County 9-1-1 Planning Committee; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners agrees to convene the Portage County 9-1-1 Planning Committee on Wednesday, September 7, 2011 at 10:00 AM in the Portage County Emergency Operations Center (EOC) to discuss whether or not the County should purchase a single IP based Next Generation Solution, lease a seat(s) from AT&T, or purchase multiple solutions as we have now; 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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**RESOLUTIONS**  
August 9, 2011

1. Approval of the meeting minutes from the August 4, 2011 regular Board meeting.

2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management./11-0693
3. Approve the Journal Vouchers, as presented by the County Auditor./11-0694
4. Approve the Then & Now Certification, as presented by the County Auditor./11-0695
5. Declare MS Consultants, Inc. most qualified firm as a result of review and analysis of qualifications and enter into negotiations for professional services for the project known as Construction Testing/Inspection for the Coit Road Bridge Replacement Project./11-0696
6. Declare Quality Control Inspection, Inc. most qualified firm as a result of review and analysis of qualifications and enter into negotiations for professional services for the project known as Construction Testing/Inspection for the Eberly Road Bridge Replacement Project./11-0697

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**INVITATIONS**

August 9, 2011

1. Invitation from Rural Community Assistance Program for the one day workshop for local officials concerned about current energy costs and budgeting with a focus on water and wastewater facilities. Workshop to be held September 8, 2011, 10:00 AM-3:15 PM at the Ohio Department of Agriculture, Reynoldsburg, OH.
2. Meeting notice for the AMATS Policy Committee Meeting Wednesday, August 17, 2011, 1:30 PM at the Martin University Center South Room, Akron.
3. Meeting notice for all political subdivisions who submitted pre-applications for the Ohio Public Works Infrastructure Program (Formerly Issue 2) Round 26 Funding meeting on Monday, August 15, 2011 at the Portage County Engineer’s Facility, 2:00 PM. (Commissioner Frederick attending).
4. Invitation from the Portage County Regional Planning Commission for the Green Infrastructure Showcase on Wednesday, August 31, 2011, 6:30 PM at the Regional Planning Commission office.
5. Meeting notice Change of venue: AMATS Citizens Involvement Committee on Thursday, August 11, 2011, 7:00 PM at the METRO Intermodal Transit Center, Akron.
6. Invitation from Portage Soil & Water Conservation District for the Annual Election & Breakfast on Thursday, September 8, 2011, Garden Meeting Room 6970 SR 88, Ravenna, 8:30 AM.

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## INCOMING CORRESPONDENCE

August 9, 2011

1. August 3, 2011 e-mail from Jon Barber, Office of Homeland Security and Emergency Management to Joe Dillon, Motor Pool, regarding e-checks and safety inspections/The Board of Commissioners agreed that the Homeland Security and Emergency Management Office vehicles should be serviced.
2. August 3, 2011 correspondence from Charles Stoltz, CommuniCare Family of Companies, regarding The Woodlands at Robinson/Forward to JoAnn Townend.
3. Invitation from NEOTEC to the Board to be their guests at the annual Logistics Conference at Firestone Country Club on Tuesday, August 30, 2011 from 7:45 AM – 12:30 PM/Each Commissioner to respond.
4. Discussion: Adoption of protocol for insurance claim reimbursement (Human Resources Department)/11-0701.
5. August 5, 2011 e-mail from Jon Barber, Office of Homeland Security and Emergency Management, regarding 911 recordings/Information only.
6. August 5, 2011 e-mail from Nicole Jones, Municipal Court, regarding the Kent Courthouse/The Board of Commissioners agreed to schedule a meeting with the Judges and architect as quickly as possible.
7. August 3, 2011 correspondence from Dennis Nealon, Ohio Department of Job & Family Services, to Vic Viglucci, Prosecutor's Office, regarding request for review of proposed action/Information only.
8. August 4, 2011 e-mail from County Engineer Mickey Marozzi, regarding the old Engineer's facility on Cleveland Road/JoAnn Townend to discuss this issue with the Board of Commissioners on August 11<sup>th</sup>.
9. Discussion: August 4, 2011 email from Commissioner Marsilio to the Board of Commissioners regarding her CCAO mileage reimbursement/Commissioner Marsilio reported that for a recent trip to Columbus for a CCAO seminar , she asked the County Auditor if she could use the county credit card to buy gas for her personal vehicle rather than collecting mileage as a means to save money. The Auditor advised her that she could do so. The Auditor's staff has now advised that this is not permissible and suggested that Commissioner Marsilio repay the county the amount for gas charged, which is \$82.01 and be paid the higher amount of \$161.16 for mileage. Commissioner Marsilio had noted her disappointment with the inability to save the county money. Commissioner Smeiles commented that it was a good thought but appears to be against policy.

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**PLEASE ADD TO THE AGENDA**  
**August 9, 2011**

1. Draft resolution to convene the Portage County 9-1-1 Planning Committee on Wednesday, September 7, 2011 at 10:00 AM in the Portage County Emergency Operations Center (EOC) to discuss whether or not the County should purchase a single IP based Next Generation Solution, lease a seat(s) from AT&T, or purchase multiple solutions as we have now/11-0702
2. August 5, 2011 notice from Jon Barber that the Sheriff's 911 recorder is back on line/Information only.
3. Since Commissioner Marsilio is meeting with Attorney Mike Sharb on Monday, August 15<sup>th</sup> at 10:00 AM, the Board of Commissioners agreed to cancel their meetings scheduled for that day.

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**JOURNAL ENTRY**  
**August 9, 2011**

1. In accordance with Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged receipt of the Monthly Record of Proceedings and Transactions for July 2011, as presented by the Portage County Sheriff's Department.
2. Board of Commissioners' authorization requested to allow use of The Woodlands At Robinson Meeting Room on Friday, October 7, 2011 from 8:00 AM-4:00 PM for a Health & Safety Class and on Monday, October 17, 2011 from 6:30 PM-8:30 PM for a Home Provider Quarterly meeting as requested by Alice Moore, Job & Family Services.
3. Board of Commissioners' authorization requested to allow payment of the July 2011 Statement for professional services rendered from July 6, 2011 through July 25, 2011 for \$6250.00 as presented by Ron Habowski.
4. July 15, 2011 Notice from Ohio Division of Liquor Control of a request for a new liquor license for the Dolgen Midwest LLC dba Dollar General Store 7707, Brimfield Township, Kent, Ohio. Does Board of Commissioners wish to request a hearing? The Brimfield Township Trustees have no objections and are not requesting a hearing. Board authorization requested to have the Clerk to sign and return the notice.

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**JOURNAL ENTRY**  
**August 9, 2011**  
**Vol. 75, Page**

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

1. In accordance with Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged the receipt of the Monthly Record of Proceedings and Transactions for July 2011, as presented by the Portage County Sheriff.
2. The Board of Commissioners authorized the use of The Woodlands At Robinson Meeting Room on Friday, October 7, 2011 from 8:00 AM-4:00 PM for a Health & Safety Class and on Monday, October 17, 2011 from 6:30 PM-8:30 PM for a Home Provider Quarterly meeting, as requested by Alice Moore, Portage County Department of Job & Family Services.
3. The Board of Commissioners authorized payment of the July 2011 Statement for professional services rendered from July 6, 2011 through July 25, 2011 for \$6,250.00, as presented by Ron Habowski.
4. In response to the July 15, 2011 Notice from Ohio Division of Liquor Control of a request for a new liquor license for the Dolgen Midwest LLC dba Dollar General Store 7707, Brimfield Township, Kent, Ohio, the Board of Commissioners agreed not to request a hearing noting the Brimfield Township Trustees have no objections and are not requesting a hearing. The Board also authorized the Clerk to sign and return the notice.
5. The Board of Commissioners signed the August 9, 2011 correspondence to the following residents, notifying the customers that their delinquent time tap-in payment plan assessments will be collected with the real estate taxes if not received prior to August 22, 2011, as presented the Portage County Water Resources Department

John Ayers	6448 Spring Street Ravenna, OH 44266	29-309-30-00-038-000	\$ 316.78
Kevin Biltz	1653 Tallmadge Road Kent, Ohio 44240	04-031-00-00-016-000	\$ 770.29
Ronald Livezey	5600 Horning Road Kent, Ohio 44240	12-16-00-00-008-000	\$ 458.36

6. The Board of Commissioners signed the Personnel Action form acknowledging the resignation of Catherine Shipp as an Income Maintenance Aide 2 for the Portage County Department of Job and Family Services, effective August 19, 2011, as presented by the Department of Job and Family Services Director Judee Genetin.
7. 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	IM Aide 2 (Replacing Catherine Shipp)	B	Post Internally and Externally

8. The Board of Commissioners signed the Personnel Action Form authorizing the promotion of Marie Minard from an Income Maintenance Aide 2 to an Income Maintenance Worker 3, effective August 22, 2011 for the Portage County Department of Job & Family Services, as presented by the Department of Job & Family Services Director Judee Genetin.
9. 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	IM Aide 2 (Replacing Marie Minard)	B	Post Internally and Externally

10. The Board of Commissioners accepted the recommendation of the Nursing Home Administrator and agreed to move STNA Brenna Judy from full-time to part-time status, effective August 18, 2011.
11. The Board of Commissioners authorized The Woodlands at Robinson to advertise as follows:

DEPARTMENT	JOB TITLE	GRADE	ACTION
The Woodlands at Robinson	STNA Full-time replacement for Brenna Judy who moved to part-time status	NSAS/2	Post Internally

12. After meeting today with Animal Protective League Board President Karen Carmany and Humane Officer Steven Chapman, the Board of Commissioners agreed to reinstate the Humane Officer funding of \$2,184 per month, beginning in August 2011, for the remainder of 2011. The Board also agreed to pay the Humane Office on the 30<sup>th</sup> of each month ending on December 30, 2011.
13. The Board of Commissioners authorized reimbursement of \$144.25 to WIC Program Manager Nancy Dailey for supplies for the August 3, 2011 Ice Cream Social in Columbiana County to promote breastfeeding and nutrition education for WIC participants during World Breastfeeding Month. This event was by special invitation to all WIC breastfeeding and prenatal participants.  
  
The Board of Commissioners also authorized reimbursement not to exceed \$250.00 to Amy Cooper for a similar event scheduled for Friday, August 12, 2011 in the Portage County WIC parking lot.
14. After meeting today with Robinson Memorial Hospital President and CEO Steve Colecchi and Board of Trustees' Chairman Gordon Ober, the Board of Commissioners agreed to consider changing the hospital's ownership status from county-owned to not-for-profit. The hospital will

put together a detailed term sheet to be presented to the Board of Commissioners to begin this process.

Commissioner 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 **August 9, 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 **2:40 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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