

Tuesday, September 6, 2011

The Board of County Commissioners met in regular session on **Tuesday, September 6, 2011 at 9:40 AM** with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

Absent: Commissioner Smeiles

* * * * *

It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick to approve the meeting minutes of the September 1, 2011 meeting. Commissioner Smeiles absent, motion carries

* * * * *

Also attending throughout the day: Tom Gallick, Record-Courier; Hank Dunckel

* * * * *

Commissioner Frederick advised the Board that she has asked the Executive Assistant to prepare a Proclamation honoring Hank Dunckel's parents who are celebrating their 70th wedding anniversary today.

* * * * *

THE WOODLANDS AT ROBINSON

Present: Christa Mayes, Allison Goudy

The Nursing Home Administrator reported a census of 89 with 16 Medicare residents and two private pay residents.

Ms. Mayes noted that the weeds are out of control and the issue needs to be addressed immediately. The Nursing Home Administrator advised that there will be a Car Show on September 18th at 2:30 PM and she would like the facility to look as good as possible for that event. The Board of Commissioners agreed to contact Maintenance to make sure that staff investigated the issue.

* * *

10:00 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Maureen T. Frederick** that the Board of Commissioners move into executive session to consider discipline issues. **Also present:** Christa Mayes and Allison Goudy. Roll call vote: Christopher Smeiles, Absent; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

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

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

* * * * *

10:10 AM Commissioner Smeiles attending

* * * * *

PROSECUTOR

Present: Denise Smith

Prosecutor's Correspondence

1. August 31, 2011 e-mail from Leigh Prugh, regarding Pleasant Lakes LLC/Information only at this time.

* * *

Prosecutor's Pending List

1. 911 Questions

Denise Smith advised that the Board of Commissioners is in charge of the Portage County PSAP; the monies must be spent by the Portage County Sheriff. The Board of Commissioners has gotten acknowledgement of the receipt of the Certification to the PUCO and the Board of Commissioners has agreed that \$100,000 can be transferred to the Sheriff for use in the Dispatch area.

Attorney Smith noted that the 911 Portage County PSAP funds can only be spent of dispatchers not COs or Deputies; she added that Dispatchers in Portage County are the same as 911 call takers.

911/AT&T Lease

The five PSAPs are independent of each other and any cooperative action must be approved by a Plan amendment. If the county signs an agreement with AT&T and plans to enter into a sublease with the other PSAPs there would need to be an approved Plan amendment.

2. The Internal Services Director is working on signage for the former County Engineer's Facility on Cleveland Road. The Board of Commissioners has approved signage, warnings and the use of an agreement for allowed parkers.
3. Attorney Smith understands that the Board of Commissioners has agreed to move forward with a confinement cost policy with the Sheriff. Attorney Hawkes will work on the agreement and resolution. Commissioner Marsilio commented that Attorney Hawkes did a nice job on the review of the question for the Board of Directors.

* * *

Adult Protective Services

Commissioner Frederick advised that there was a situation in the Administration Building with an elderly resident on Friday. Attorney Smith noted that Adult Protective Services met with an elderly individual on the first floor who refused assistance to locate housing after being evicted that day. APS had advised that they had attempted to contact the resident prior to an eviction but she refused assistance. The deputy brought the resident to the Administration Building since she had nowhere to go. The resident was picked up late in the day on Friday by a friend and the situation was resolved.

* * * * *

10:40 AM Recessed to Solid Waste Management District
11:00 am Reconvened

* * * * *

DEPARTMENT OF BUDGET & FINANCIAL MANAGEMENT

Present: Audrey Tillis

RESOLUTIONS

1. Resolution authorizing the necessary property tax levies and certifying them to the County Auditor at rates estimated by the County Auditor and approved by the County Budget Commission – ORC 5705.34 for fiscal 2012/11-0770
2. Transfer – From Fund 5200, PCS General Administration to Fund 5316, PCS W Branch Mobile Home Park/11-0771
3. Transfer – From Fund 5200, PCS General Administration to Fund 5317, PCS Aurora Meadows Subdivision/11-0772
4. Create Fund 1901, Hiram College/11-0773
5. Cash Advance from Fund 5200, PCS General Administration to Fund 5317, PCS Aurora Meadows Subdivision/11-0774

UPDATES

6. The Director transfer the cash from Fund 4004 to the General Fund by processing a BUA in accordance with a Journal Entry on 5/24/11
7. Due to a new law, the Director will close the Senior Center fund before the end of the year and transfer the money to a checking account via Family & Community Services with restrictions. There is a balance of \$7,599 in the fund, which came from donations from the seniors.

* * * * *

11:40 AM recessed for lunch
1:05 PM Board of Commissioners reconvened

* * * * *

DOG WARDEN

Present: Dave McIntyre, Jon Barber, John Mason, Jeff Lonrick

The Board of Commissioners agreed that they would like to hear what events are coming up that the Dog Warden is involved in so that they could attend if they are interested.

Updates:

Kennel YTD as of 9/3/11

- Intakes of Dogs is at 674, only a handful of the dogs have a dog license
- Intakes of Pit Bull Dogs is at 70
- Intakes of cats is at 192 – the Dog Warden tries to find homes for all cats
- Calls for service is at 1,172 (not included below)
- Adoptions Year to Date- 195; Rescued -141; Returned to Owner - 186

License Renewal printout

- The Dog Warden has “found” 2996 licenses from owners canvassed in past years but were still not current, and officers are following up on bad phone numbers.
- Still 1,930 addresses to follow up as a second contact, besides routine calls for service
- The Dog License Comparison Sheet YTD shows that the summer collections were at record numbers, which is good for the office although the Dog Warden would prefer that residents buy their licenses in December, as required by law.

Canvassed areas

- Aurora City, Franklin Township, and Suffield Township have been canvassed and staff is finishing up Randolph Township. Still left is Rootstown and areas east of Ravenna.

Randolph Fair

- 16 dogs were adopted out at the Fair
- NorthCoast Medical Academy gave the Dog Warden a donation of \$300 to assist with adoptions at the Fair/the Board of Commissioners agreed that the Dog Warden should work with the Executive Assistant to prepare a thank-you to NorthCoast Medical
- The Dog Warden advised that there was a raffle of a donated dog bed, which raised money.
- There were many questions at the Fair about the mobile spay/neuter program through PetFix

Joy Keaton -Schooling

- Facility Keeper Joy Keaton is a full-time employee who goes back to school this week. The Board of Commissioners agreed that the Dog Warden may work with her to allow her to use flex time every other week to allow her to attend classes. Touch base with the Human Resources Department Director on the use of flex time for this employee.

Vehicle Update

- The Dog Warden is in need of a new and worked with DBFM Director Audrey Tillis on the budget; there is money in the budget. The department currently has a 2004 truck, a 2005 truck and a 2009 truck with caps. The recommendation is to purchase a new full-size pickup truck and a \$7,000 chassis mount and slide in unit with ramps to be loaded onto the back of the Dog Warden’s current truck. The new pickup truck would be used by the Dog Warden. The Dog Warden noted that pickups work well for staff since vans do not do well in driveways. There was discussion of the size of the vehicle to be purchased; Commissioner Frederick asked what the difference in cost would be between the ½ ton and ¾ ton pickup truck/Journal Entry.

The Board of Commissioners asked Water Resources Department Interim Director Jeff Lonzrick if his department could plow the Dog Warden’s site. The Director responded that he is unsure why the agreement that had been in place ended. Commissioner Marsilio noted that it seems inefficient that there are county buildings in such close proximity and everyone does their own plowing.

Jon Barber stated that he is not sure who is plowing the Justice Center this winter but noted that it is not being done as efficiently as should be. The Dog Warden stated that he is fine with buying a smaller pickup truck if the Board can guarantee that the plowing would be done at a low cost. Commissioner Marsilio suggested that Jon Barber, the Dog Warden and Jeff Lonzrick work with JoAnn Townend to find a way to get the Justice Center, Water Resources Department/Dog Warden areas plowed more efficiently, making a recommendation on snow plowing involving the Sheriff. Jon Barber noted that three of the operations on Infirmary Road are 24/7 and snow must be removed throughout the night not beginning at 6:00 AM. Jon Barber added that there is an outside agency [the APL] that also uses the shared driveway that is in the mix, as well.

The Dog Warden updated the Board of Commissioners and advised that the Rootstown Township case of the pit bulls that attacked a woman and her dog goes to hearing on Monday.

* * * * *

HOMELAND SECURITY & EMERGENCY MANAGEMENT

Present: Jon Barber, John Mason

1:55 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to discuss employment matters and to discuss specialized details of security arrangements if disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law. **Also present:** Office of Homeland Security and Emergency Management Director Jon Barber and Assistant Director John Mason. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

2:20 PM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners moves out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

After exiting executive session, the Board took no action.

* * * * *

WATER RESOURCES

Present: Jeff Lonzrick

1. Journal Entry: Approval of revised Office Assistant job description.
2. Discussion: Review of the new draft Procedure for Processing Sewer Backup Claims. Commissioner Smeiles asked if the policy could be based on a case-by-case basis. Commissioner Marsilio responded that the Board agreed to move in the direction of a general policy and move from a case-by-case basis. She would recommend not differentiating between a resident with insurance or without insurance as detailed in the draft policy. Commissioner Smeiles replied that there are differences between a finished basement and an unfinished basement. Commissioner Frederick added that some of the claims can be fairly high although she likes having a set dollar amount; Commissioner Smeiles would prefer

to keep the policy on a case by case basis without setting a limit as to what the county will pay. The insurance company will most likely reject a claim and the homeowner will most likely blame the county. Commissioner Frederick wants to remove the subjectivity from the policy but knows that there must be some limits. The Board of Commissioners agreed that the process is good but Commissioner Marsilio's suggestion of a \$2,000 maximum may not be enough. Commissioner Smeiles suggested using the maximum numbers suggested by the Director but also that the Board would agree to consider waivers to the policy. Commissioner Marsilio disagreed. Commissioner Frederick does not have a dollar amount in mind but thinks that, based on the cases that the Board has considered, is low. Commissioner Smeiles commented that the Water Resources Department staff does a great job in these instances but at times there are backups that go beyond what staff can handle.

Commissioner Marsilio stated that the Board agrees that the county does not have to pay for these claims unless the county is at fault. Commissioner Smeiles would like to continue to pay on a case-by-case basis, using the maximum dollar limits suggested by staff. Common sense says that residents will say: your pump station flooded and the county should have known that it was going to flood despite the county's best efforts. Commissioner Marsilio responded that the resident can always hire counsel.

Commissioner Frederick stated again that she does not care for the maximum limits. Commissioner Marsilio agreed that the maximums numbers should come out of the draft and a \$4,000 number should be inserted as the "not to exceed" amount. Commissioner Smeiles agreed that there should be a policy in place. Director Lonzrick to make the changes as suggested and bring the final draft to the Board of Commissioners for final consideration. Commissioner Frederick will ask the Safety/Loss Control Coordinator if she has an average number from the claims that have been paid in the past.

3. Discussion: Green's Funeral Home in Mantua crossed an adjacent property without an easement to get to the village sewer. Mr. Green wants to connect legally to the county sewer but is in the village service area. The Board of Commissioners agreed that, since the funeral home is in the village service area, this is a moot point. Leigh Prugh to advise Attorney David Sed that the village has the jurisdiction not the Board of Commissioners.
4. The Director presented the letter of resignation from Biologist Claudia Kotich with the Portage County Water Resources Department, effective October 1, 2011. The Board of Commissioners also authorized the advertisement of the position/Journal Entry.
5. The Director reported that the new bookkeeping department is working well.
6. The Director reported that he spoke with the Windham Mayor about the higher water rates being charged for the Army connection. The Mayor advised that the rates will even out once the water meters are replaced. The Board agreed that the department should not pay the bill for the tap in for this project until the tap-in is completed.
7. The Director agreed to get the Streetsboro water agreements to Commissioner Marsilio for her review.

8. There has been no resolution to the situation with the concrete on the mezzanine of the O&M Building. The Director advised that neither the contractor nor the sub-contractor will take responsibility. The Board of Commissioners agreed to ask Attorney Prugh for an update on this situation.

The Director has not yet had a chance to talk to the Human Resources Department Director regarding the new position in his department.

* * * * *
RESOLUTION No. 11-0765 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on September 6, 2011 in the total payment amount of **\$40,445.51 for Funds 0001-1201** as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

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

Roll call vote as follows:

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

* * * * *
RESOLUTION No. 11-0766 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

WHEREAS, the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

WHEREAS, there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

WHEREAS, the Journal Vouchers/Entries are recommended by the County Auditor's Office for review and approval by the Board of Commissioners; now therefore be it

RESOLVED, that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor's Office:

09/06/11	101	\$ 51,054.00
09/06/11	100	29,889.15
Total		\$ 80,943.15

and be it further

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

Roll call vote as follows:

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

*

*

*

*

*

RESOLUTION No. 11-0767 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

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

WHEREAS, Ohio Revised Code Section 5705.41 (D)(1) authorizes the expenditure of moneys, provided a certificate of the County Auditor is supplied stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (Then and Now Certification), and

WHEREAS, the Then and Now Certification is recommended by the State Auditor's Office, the Portage County Auditor's Office, and the Portage County Prosecutor's Office, and

WHEREAS, a listing of expenditures, attached hereto as Exhibit "A" and incorporated herein by reference, has been certified by the County Auditor according to Ohio Revised Code section 5705.41 (D)(1); now therefore be it

RESOLVED, that the expenditures listed herein are properly certified by the County Auditor in the amount of **\$336.00** as set forth in Exhibit "A" dated September 6, 2011 shall be paid; and be it further

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

Voice Vote as Follows:

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

* * * * *

RESOLUTION No. 11-0768 - **RE: ACCEPT EXTENSION #1 OF THE GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS FOR THE 2010 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM (B-F-10-1CJ-1) (PORTAGE COUNTY REGIONAL PLANNING COMMISSION)**

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

WHEREAS, the Board of Commissioners adopted Resolution 10-0982 on October 21, 2010 accepting the grant from the State of Ohio for the Community Development Block Grant for FY 2010; and

WHEREAS, on July 28, 2011, the Board of Commissioners accepted the Portage County Regional Planning Commission’s recommendation and requested an extension of the completion date, which has been approved by the Ohio Department of Development; now therefore be it

RESOLVED, the Board of Commissioners accepts Extension #1 of the Grant Agreement with the Ohio Department of Development, Office of Housing and Community Partnerships for the 2010 Small Community Development Block Grant (CDBG)(B-F-10-1CJ-1) with a project completion date of June 30, 2012, payment requests made no later than July 31, 2012 and final performance reports due on August 31, 2012 as proposed by the State of Ohio for the Community Development Block Grant (CDBG) (Grant No. B-F-10-1CJ-1); and be it further

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

Voice vote as follows:

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

* * * * *

RESOLUTION No. 11-0769 - RE: THE PORTAGE COUNTY BOARD OF COMMISSIONERS CERTIFIES TO THE PORTAGE COUNTY AUDITOR ANNUAL MAINTENANCE ASSESSMENTS FOR COUNTY ASSESSED DITCHES TO BE LEVIED ON THE 2011 TAX DUPLICATE PAYABLE IN 2012.

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

- WHEREAS,** the Portage County Board of Commissioners wishes to certify to the Portage County Auditor Annual Maintenance Assessments for County Assessed Ditches which are to be levied on the 2011 tax duplicate payable in 2012, now therefore be it
- RESOLVED,** that this Board hereby certifies to the Portage County Auditor Annual Maintenance Assessments for County Assessed Ditches which are to be levied on the 2011 tax duplicate payable in 2012 as indicated on the attached lists; and be it further
- RESOLVED,** that a copy of this Resolution be filed with the Portage County Auditor’s office; and be it further
- RESOLVED,** that the Board of Commissioners finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code..

Voice vote as follows:

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

* * * * *

RESOLUTION No. 11-0770 - RE: RESOLUTION AUTHORIZING THE NECESSARY PROPERTY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AT RATES ESTIMATED BY THE COUNTY AUDITOR AND APPROVED BY THE COUNTY BUDGET COMMISSION - ORC 5705.34 FOR FISCAL 2012.

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

WHEREAS, on July 12, 2011 the Portage County Board of Commissioners, in accordance with the provisions of law, adopted Resolution 11-0612, the Fiscal 2012 Tax Budget, for the next succeeding fiscal year commencing January 1, 2012; and

WHEREAS, on August 30, 2011 the Budget Commission of Portage County, Ohio, certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without and within the ten mill tax limitation; now therefore it be

RESOLVED, by the Board of County Commissioners of Portage County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification for the fiscal year commencing January 1, 2012, are hereby accepted, and be it further

RESOLVED, that there be and is hereby levied on the tax duplicate of said County, the rate of each tax necessary to be levied within and without the ten mill limitation as displayed at the end of this Resolution; and be it further

RESOLVED, that a copy of this resolution be filed with the Portage County Budget Commission and the Department of Budget & Financial Management; and be it further

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

Roll Call Vote as Follows:

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

*

*

*

*

*

RESOLUTION No. 11-0771 - RE: TRANSFER - FROM FUND 5200, PCS GENERAL ADMINISTRATION TO FUND 5316, PCS W BRANCH MOBILE HOME PARK

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

WHEREAS, in order to pay the note principal and interest payment for the West Branch Mobile Home Park WWTP Improvements Construction Project, it is necessary to transfer funds in the amount of \$ 640,803.90 to Fund 5316, PCS W Branch Mobile Home Park; now therefore be it

RESOLVED, that the following transfer of funds in the amount of \$ 640,803.90 be and is hereby made:

FROM:

FUND 5200 PCS GENERAL ADMINISTRATION

ORGCODE - 52004009

Debit Expense Account

Object 910000 - TRANSFER OUT \$ 640,803.90

TO:

FUND 5316, PCS W BRANCH MOBILE HOME PARK

ORGCODE – 53160602

Project 08090

Credit Revenue Account

Revenue Source 280000 - TRANSFER IN \$ 640,803.90

and be it further

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

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

Roll call vote as follows:

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

* * * * *

RESOLUTION No. 11-0772 - RE: TRANSFER - FROM FUND 5200, PCS GENERAL ADMINISTRATION TO FUND 5317, PCS AURORA MEADOWS SUBDIVISION

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

WHEREAS, in order to pay our local portion of the project costs for the Aurora Meadows Subdivision Sanitary Improvements Construction Project, it is necessary to transfer funds in the amount of \$ 267,841.00 to Fund 5317, PCS Aurora Meadows Subdivision; now therefore be it

RESOLVED, that the following transfer of funds in the amount of \$ 267,841.00 be and is hereby made:

FROM:
FUND 5200 PCS GENERAL ADMINISTRATION

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

Voice vote as follows:

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

* * * * *
RESOLUTION No. 11 -0774 - RE: CASH ADVANCE - FROM FUND 5200, PCS GENERAL ADMINISTRATION TO FUND 5317, PCS AURORA MEADOWS SUBDIVISION

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

WHEREAS, the Aurora Meadows Subdivision Sanitary Improvements Construction Project is in need of interim financing until grant funds are received; now therefore be it

RESOLVED, that the following cash advance be authorized in the amount of \$ 350,000.00:

FROM:
FUND 5200, PCS GENERAL ADMINISTRATION,
ORGCODE – 52004009
Debit Expense Account
Object 920000 - Advances Out \$ 350,000.00

TO:
FUND 5317, PCS Aurora Meadows Subdivision
ORGCODE – 53170602
Credit Revenue Account
Revenue Source 290000 - Advances In \$ 350,000.00

and be it further

RESOLVED, that the cash advance will be repaid when grant funds are received, and be it further

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

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

Roll call vote as follows:

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

* * * * *
RESOLUTION No. 11-0775 - RE: PORTAGE COUNTY JOINS THE NATIONAL MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF SEPTEMBER 11TH

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

WHEREAS, the governing body of Portage County expresses their support of the United State Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 AM on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 AM, hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 AM, the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 AM, the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

- WHEREAS,** countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and
- WHEREAS,** the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and
- WHEREAS,** the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and
- WHEREAS,** the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and
- WHEREAS,** the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and
- WHEREAS,** 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and
- WHEREAS,** 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and
- WHEREAS,** on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and
- WHEREAS,** the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and
- WHEREAS,** in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat.1460); and
- WHEREAS,** in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and
- WHEREAS,** September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States; now therefore be it
- RESOLVED,** that the governing body of Portage County

- (1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and
- (2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and
- (3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and
- (4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and
- (5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and be it further

RESOLVED,

that on the 10th anniversary of this tragic day in United States history the governing body of Portage County calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and be it further

RESOLVED,

that the governing body of Portage County encourages the observance of the moment of remembrance to last for one (1) minute beginning at 1:00 PM Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens; and be it further

RESOLVED,

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

Voice vote as follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

* * * * *

RESOLUTIONS

September 6, 2011

1. Approval of the meeting minutes from the September 1, 2011 regular Board meeting.
2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management/11-0765
3. Approve the Journal Vouchers, as presented by the County Auditor./11-0766
4. Approve the Then & Now Certification, as presented by the County Auditor./11-0767
5. Resolution presented by the Regional Planning Commission to accept Extension #1 of the Grant Agreement with the Ohio Department of Development for the 2010 Small Cities Community Development Block Grant (CDBG) Program (B-F-10-1CJ-1)./11-0768
6. Resolution to certify to the Portage County Auditor annual maintenance assessments for County assessed ditches to be levied on the 2011 tax duplicate payable in 2012 (County Engineer)./11-0769
7. Resolution to join the National Moment of Remembrance of the 10th Anniversary of September 11th/11-0775

* * * * *

INVITATIONS

September 6, 2011

1. Invitation from the Greater Akron Chamber for the Candidates and Elected officials reception on Thursday, October 27, 2011, 5:00-7:00 PM, Fairlawn Country Club, Akron.
2. Invitation from the Summa Health System for the Mission Medicine: The Voyage Continues reception/presentation on Wednesday, September 14, 2011, 4:30 PM Reception; 5:15 PM Presentation at the Ann & David Brennan Critical Care Center Lobby, Summa Akron City Hospital.
3. Invitation from ITAC & NEOTEC for the International Traffic & Arms Regulations (ITAR) Workshop on Tuesday, September 20, 2011, Embassy Suites Cleveland-Independence 8:30-4:30 PM.

* * * * *

INCOMING CORRESPONDENCE

September 6, 2011

1. August 31, 2011 e-mail from Michelle Ripley, Safety/Loss Control, regarding Berlin Lake Trail (Park District)/Information only.
2. Discussion: Meeting notice from AMATS for a special Policy Committee meeting on Thursday, September 15, 2011 at 1:30 PM at the CitiCenter Building 5th Floor Conference Room, 146 S. High St., Akron/Information only.

3. Discussion: Meeting notice from Northeast Ohio Medical University (NEOMED) for the STEM+M Retreat on Tuesday, September 20, 2011, 3:00-7:30 PM at The Great Hall NEOMED Campus/The Board of Commissioners agreed to add the event to the calendar and wait for additional information.

* * * * *

JOURNAL ENTRY

September 6, 2011

1. August 31, 2011 Certificate of the County Auditor that the Annual Appropriations from each fund do not exceed the Official Estimate of Resources for the fiscal year beginning January 1, 2011 as presented by the Portage County Auditor's Office.
2. Board of Commissioners' authorization requested to pay Invoice No. 2011-046 dated September 1, 2011 to the Portage County Regional Airport Authority for Fuel Flow Fee cost incurred during July and August 2011 for \$906.34. This payment is for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight not to exceed \$6,000 annually.
3. In accordance with the ORC Section 325.07, the Portage County Board of Commissioners acknowledged the receipt of the Transportation of Prisoners Report for July 2011 as presented by the Portage County Sheriff's Department. Forwarded to Department of Budget & Financial Management

* * * * *

PLEASE ADD TO THE AGENDA

September 6, 2011

1. September 2, 2011 e-mail from Michelle Ripley, Safety/Loss Control, regarding the Power On Weight Off Workout update/Journal Entry.
2. September 5, 2011 e-mail from Steve Colecchi, Robinson Memorial Hospital, regarding the public meeting on September 29th at 6:30 PM at Maplewood regarding the hospital proposal to move to a not-for-profit status/The Board of Commissioners agreed to a simple agenda with the Board of Commissioners opening the public meeting, allowing Mr. Colecchi to explain the proposal and then opening the floor for questions and answers. The Board of Commissioners agreed that the Executive Assistant should prepare a press release regarding this meeting.

* * * * *

INFORMATION ONLY

September 6, 2011

1. August 31, 2011 correspondence from Erik Jones, Corigall & Jones, including a check for \$450.00 to reimburse an Assigned Counsel fee application for the State of Ohio vs. McCusker, Case No. 2008 CR 00455.

- September 1, 2011 e-mail from Information Technology Services Director Brian Kelley, regarding the Digital Government Achievement Award (DGAA) from the Center for Digital Government.

* * * * *

JOURNAL ENTRY

September 6, 2011

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

- The Board of Commissioners acknowledged the receipt of the August 31, 2011 Certificate of the County Auditor that the Annual Appropriations from each fund do not exceed the Official Estimate of Resources for the fiscal year beginning January 1, 2011, as presented by the Portage County Auditor.
- The Board of Commissioners authorized payment of Invoice No. 2011-046 dated September 1, 2011 to the Portage County Regional Airport Authority for the Fuel Flow Fee cost incurred during July and August 2011 for \$906.34. This payment is for reimbursement of the 10 cents per gallon in fuel costs for the Metro Life Flight helicopter, as approved by the Board of Commissioners in a Journal Entry adopted July 8, 2008, for the life of the 60 month lease with Metro Life Flight not to exceed \$6,000 annually.
- In accordance with the Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged the receipt of the Transportation of Prisoners Report for July 2011, as presented by the Portage County Sheriff. Forwarded to Department of Budget & Financial Management.
- The Board of Commissioners accepted the recommendation of The Woodlands at Robinson staff and authorized the following terminations:
 - Part-time STNA for NCNS (No Call/No Show, effective August 8, 2011
 - Part-time STNA for NCNS (No Call/No Show, effective August 14, 2011
- The Board of Commissioners accepted the recommendation of The Woodlands at Robinson staff and accepted the resignation of STNA Hazel Davis, effective September 2, 2011.
- The Board of Commissioners signed the Personnel Requisition for The Woodlands at Robinson.

DEPARTMENT	JOB TITLE	GRADE	ACTION
The Woodlands at Robinson	STNA – FT Replacement for Hazel Davis	NSAS-2	Post Internally

- The Board of Commissioners accepted the recommendation of the Dog Warden and authorized Facility Keeper Joy Keaton to make the maximum use of flex time every other week to allow her to attend classes. The Board of Commissioners agreed that the Dog Warden should work with the Human Resources Department Director on the details of this use of flex time.
- The Board of Commissioners accepted the recommendation of the Dog Warden and authorized the purchase of a new ½ ton pickup truck and a chassis mount and slide in unit at an approximate cost of \$7,800. The Dog Warden will work with the Internal Services Director on the pricing of the two items, which should not exceed \$34,000.

9. The Board of Commissioners approved the revised Office Assistant job description, as presented by the Water Resources Department Director.
10. The Board of Commissioners acknowledged the receipt of the letter of resignation from Portage County Water Resources Department. Biologist Claudia Kotich, effective October 1, 2011.
11. The Board of Commissioners signed the Personnel Requisition for the Water Resources Department:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Water Resources Department	Biologist	BIO/1	Post Internally and Externally

12. On August 11, 2011, the Board of Commissioners accepted the recommendation of the Human Resources Department and authorized the Safety Loss Control Coordinator (SLCC) to offer Sheriff's Department employees a "Power On Weight Off Workout" Program at the Ravenna Athletic Center (RAC). This would be an eight week program requiring two sessions per week. The SLCC noted that the Safety Budget would be used to pay for this Program and not the General Fund.

The Board of Commissioners also agreed to authorize the purchase of a commercial treadmill for use at the Justice Center with a review of its use in six and twelve months to determine its effectiveness, also to be paid for from the Safety Budget.

Today, the Board of Commissioners authorized the purchase of two TRX (rubber band suspension systems) at \$189.00 each, Kettle Bells at an estimated cost of \$400.00, and a treadmill from Woodway Sales at \$7,600.00 to include shipping and assembly for a total cost of an estimated \$8,378.00. These items will be used to update the wellness and fitness Power On Weight Off Workout Program onsite at the Justice Center. The Board also agreed to authorize employee participation in the onsite program without a RAC membership for a \$10.00 fee to offset costs. The Safety Budget will be used to pay for this Program.

All in favor, motion carries.

* * * * *

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **September 6, 2011**. There being no further business to come before the Board, it was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles to adjourn the official meeting at **2:55 PM**. All in favor, motion carries.

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

* * * * *