

Tuesday, September 13, 2011

The Board of County Commissioners met in regular session on Tuesday, September 13, 2011 at 8:35 AM with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

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Absent: Commissioner Christopher Smeiles

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It was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick to approve the meeting minutes of the September 8, 2011 meeting. Commissioner Smeiles absent, motion carries

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The Board of Commissioners met briefly to conduct routine business before attending the CCAO conference in Akron.

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INTERNAL SERVICES

Present: JoAnn Townend

Internal Services Director attending to discuss lower level water concerns at Woodlands at Robinson. The Maintenance Department believes the water could be coming from the top terrace area also. Director Townend indicated Commissioner Smeiles suggested The Woodlands contact a contractor for suggestions on how to address the problem. The Board agrees that the water problem must first be corrected before addressing any internal concerns.

Director Christa Mayes from The Woodlands contacted Director Townend to indicate the facility is going to be full and currently they don't have enough furniture. In order to purchase additional furniture, it could take up to eight weeks. Director Townend suggests some of the current residents could share furniture in the interim.

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RESOLUTION No. 11-0782 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on September 13, 2011 in the total payment amount of **\$434,515.94 for Funds 0001-8101** as set forth in the Accounts

WHEREAS, the Portage County EMA Advisory Council assists and provides direction to the Portage County Emergency Management Agency to reduce the loss of life and property and protects institutions from all hazards by leading and supporting Portage County in a comprehensive, risk-based emergency management program; and

WHEREAS, In accordance with Portage County Commissioners Resolution 89-122 creating the Portage County Emergency Management Agency, and the Ohio Revised Code, the Board of Commissioners agreed that the Council will be comprised of the specified officials and private citizens appointed or required; and

WHEREAS, the Board of Commissioners accepted the recommendation of the Office of Homeland Security & Emergency Management Director and the General Services Director and adopted Resolution 07-603 updating the mandated disciplines to be represented on the Portage County Emergency Management Agency Advisory Committee; and

WHEREAS Bryan Ford had been appointed in resolution 11-681 to represent the County Engineer, but Mr. Ford no longer is employed by the County Engineer,

Now therefore be it

RESOLVED, that the following is hereby appointed to serve a two year term commencing August 7, 2011 through August 1, 2013 and representing the following:

<u>Name</u>	<u>Representing</u>	<u>Representing</u>
Michael Marozzi	County Engineer	County Engineer

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;

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RESOLUTION No. 11-0786

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RE: RECOMMENDATION FOR APPOINTMENT TO THE PORTAGE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).

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

WHEREAS, Ohio Revised Code section 3750.03 designates Local Emergency Planning Districts to prepare and implement district chemical emergency response and preparedness plans, and

WHEREAS, ORC 3750.03 describes the required member organizations or groups to be represented on the Local Emergency Planning Committee (LEPC) of each emergency planning district, and

WHEREAS, the State Emergency Response Commission, which is under the Ohio EPA, shall appoint the members from a list submitted by the Portage County Board of Commissioners to serve on the Portage County Local Emergency Planning Committee for a two-year term; and

WHEREAS, Bryan Ford had been appointed in resolution 11-680 to the LEPC to represent the County Engineer, but Mr. Ford no longer is employed by the County Engineer

now therefore be it

RESOLVED, that the Board of Commissioners does hereby recommend the following to serve on the Portage County LEPC for the term starting August 14, 2011 and ending August 15, 2013:

<u>Nominee</u>	<u>Representing</u>
County Engineer Michael Marozzi	County Engineer

and be it further

RESOLVED, that all Applications for Appointment to the Portage County LEPC will be forwarded to the State Emergency Response Commission (SERC); P.O. Box 1049; Columbus Ohio 43216-1049; and be it further

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

Voice Vote as follows:

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

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RESOLUTION No. 11-0787 - RE: ACCEPT PROPOSAL FROM JOHN WACKERLY INSPECTION, LLC FOR PROVIDING PROFESSIONAL SERVICES FOR THE PORTAGE COUNTY ANNUAL BRIDGE INSPECTION PROGRAM.

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

WHEREAS, the Portage County Engineer received a proposal from John Wackerly Inspection, LLC to perform bridge inspections on the County’s 173 bridges; and

WHEREAS, it is the recommendation of the Portage County Engineer that the proposal of John Wackerly Inspection, LLC be accepted to perform said bridge inspections; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby accept the proposal of John Wackerly Inspection, LLC, 6270 Legends Ct, Westerville, OH 43082, perform bridge inspections on the County’s 173 bridges at a cost of \$12,865.00 and be it further

RESOLVED, that a purchase order will be created in the amount of \$12,865.00 to cover the cost of said inspections (\$65.00 per bridge x 161 bridges = \$200 per truss bridge x 12 bridges); 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, Yea; Christopher Smeiles, Absent;

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RESOLUTION No. 11-0788

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

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RESOLUTION No. 11-0789

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

It was moved by Tommie Jo Marsilio, 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:

	<u>Increase</u>	<u>Decrease</u>
Fund: 0001 General Fund		
010 Commissioners Other		
00107 Commissioner Other OE	0	48,797
MEMO TOTAL	\$ -	\$ 48,797

Note: BOC APPR JE #8 8/30/11 Coroner Sep T Decker Temp Adj Through Transition

011 Budget & Financial Management		
00113 DBFM Fringes	900	-
00114 DBFM CS	1,000	-
0011D DBFM Full Time	10,300	-
MEMO TOTAL	\$ 12,200	\$ -

Note: Temp Adj Through

600 Coroner		
06003 Coroner Fringes	60	-
06004 Coroner CS	25,000	-
06000 Coroner Payout/Retirement	11,537	-
MEMO TOTAL	\$ 36,597	\$ -

Note: T.E. Decker Payoff BOC APPR JE #8 8/30/11

TOTAL MEMO BALANCE ALL AMENDMENTS	\$ 48,797	\$ 48,797
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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, Yea;

Christopher Smeiles, Absent;

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RESOLUTION No. 11-0790

RE: AMENDMENT TO THE NON GENERAL FUND
2011 ANNUAL APPROPRIATION RESOLUTION
NO. 10-1143 ADOPTED DECEMBER 16, 2010.

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

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

	<u><i>Increase</i></u>	<u><i>Decrease</i></u>
Fund: 1014 Common Pleas Tech Spec Proj		
530 Common Pleas Court		
10145 Common Pleas Tech Spec Proj MS	2,946	-
10146 Common Pleas Tech Spec Proj CO	-	2,946
MEMO TOTAL	<u><u>\$ 2,946</u></u>	<u><u>\$ 2,946</u></u>

Note: Projected need

Fund: 1160 Hazmat Operations		
930 Emergency Management Agency		
11604 Hazmat Operation CS	7,000	-
MEMO TOTAL	<u><u>\$ 7,000</u></u>	<u><u>\$ -</u></u>

Note: Set up budget for contract

Fund: 1210 Safety Studies		
800 Engineer's Department		
12104 Safety Studies CS	49,818	-
MEMO TOTAL	<u><u>\$ 49,818</u></u>	<u><u>\$ -</u></u>

Note: TRANSYSTEMS contract

		<i>Increase</i>	<i>Decrease</i>
Fund: 1310	Mental Health & Recovery Board		
	<i>904 Mental Health & Recovery Board</i>		
13103	Mental Health&Recovery Fringes	-	8,000
13104	Mental Health & Recovery CS	393,000	-
1310D	MHRB Full Time	-	15,000
1310E	MHRB Part Time	15,000	-
	MEMO TOTAL	\$ 408,000	\$ 23,000

Note: A FT staff member went to PT, increase contract services

Fund: 1340	PCBDD General Administration		
	<i>905 Mental Ret & Dev Disability Bd</i>		
13403	MRDD General Admin Fringes	3,700	3,700
13404	MRDD General Admin CS	-	7,550
13405	MRDD General Admin MS	9,550	-
13406	MRDD General Admin CO	-	2,000
1340D	MRDD General Admin Full Time	4,200	60,600
1340E	MRDD General Admin Part Time	55,000	-
1340I	MRDD General Admin Substitute	1,400	-
	MEMO TOTAL	\$ 73,850	\$ 73,850

Note: MODIFICATION

Fund: 1390	Women Infants And Children		
	<i>053 Women, Infants & Children</i>		
13903	Women Infant Children Fringes	550	-
13904	Women Infants & Children CS	2,100	-
	MEMO TOTAL	\$ 2,650	\$ -

Note: Balance grant expenses

Fund: 4001	Training Facility Range		
	<i>700 Sheriff's Department</i>		
40015	Training Facility Range MS	3,287	-
	MEMO TOTAL	\$ 3,287	\$ -

Note: Shooting range ammunition

	<i>Increase</i>	<i>Decrease</i>
Fund: 4004 Fin Sys Flag Impl Capital		
010 <i>Commissioners Other</i>		
40046 Fin Sys Flag Imp Capital CO	40,407	-
40049 Fin Sys Flag Imp Capital ME	-	40,407
MEMO TOTAL	<u><u>\$ 40,407</u></u>	<u><u>\$ 40,407</u></u>

Note: Computer Equipment

Fund: 4008 Wireless 911 Upgrades		
700 <i>Sheriff's Department</i>		
40083 Wireless 911 Upgrades Fringes	13,383	-
4008D Wireless 911 Upgrades Full Time	86,618	-
MEMO TOTAL	<u><u>\$ 100,001</u></u>	<u><u>\$ -</u></u>

Note: Approp \$ to 911 fund

Fund: 8102 Senior Center Activities		
055 <i>Senior Center</i>		
81024 Senior Center Activities CS	7,600	-
MEMO TOTAL	<u><u>\$ 7,600</u></u>	<u><u>\$ -</u></u>

Note: To FCS for senior activities

TOTAL MEMO BALANCE FOR ALL FUNDS	<u><u>\$ 695,559</u></u>	<u><u>\$ 140,203</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, Yea;

Christopher Smeiles, Absent;

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RESOLUTION No. 11-0791 - RE: CASH ADVANCE - FROM FUND 0001, GENERAL FUND TO FUND 1251, CDBG COUNTY FORMULA

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

WHEREAS, Fund 1251 is in need of interim cash until grant revenues are received; now therefore be it

RESOLVED, that the following cash advance be made in the amount of \$ 8,000.00:

FROM:
FUND 0001, GENERAL FUND
ORGCODE- 00100009
Debit Expense Account
Object 920000 - Advances-Out \$ 8,000.00

TO:
FUND 1251, CDBG COUNTY FORMULA
ORGCODE -12510812
Credit Revenue Account
Revenue Source 290000 - Advances-In \$ 8,000.00

and be it further

RESOLVED, that the advance will be repaid to the General Fund 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, Regional Planning 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, Absent;

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RESOLUTION No. 11-0792 - RE: CASH ADVANCE REPAYMENT - FROM FUND 6800, STORM WATER MANAGEMENT TO FUND 0001, GENERAL FUND

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

WHEREAS, Resolution No. 09-0070, adopted on January 27, 2009, authorized a cash advance in the amount of \$ 225,000.00 until revenues were received from the Storm Water Management Utility Program, and

WHEREAS, Resolution No. 10-1093, adopted on November 30, 2010 authorized a partial cash advance repayment of \$ 50,000.00, leaving a balance of \$ 175,000.00 due to the General Fund; now therefore be it

RESOLVED, that the following cash advance repayment be made in the amount of \$175,000.00:

FROM:

FUND 6800, STORM WATER MANAGEMENT

ORGCODE - 68008009

Debit Expense Account

Object 921000 – Advance Out>Returns \$ 175,000.00

TO:

FUND 0001, GENERAL FUND

ORGCODE - 00100002

Credit Revenue Account

Object 291000 – Advance In - Repayment \$ 175,000.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Portage County Engineer’s Office, 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, Absent;

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RESOLUTIONS

September 13, 2011

1. Approval of the meeting minutes from the September 8, 2011 regular Board meeting.
2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management/11-0782
3. Approve the Journal Vouchers, as presented by the County Auditor./11-0783
4. Approve the Then & Now Certification, as presented by the County Auditor./11-0784
5. Appointment to the Portage County EMA Advisory Council – Mickey Marozzi./11/0785
6. Recommendation for appointment to the Portage County LEPC – Mickey Marozzi/11-0786
7. Accept proposal from John Wackerly Inspection, LLC for providing professional services for the Portage County Annual Bridge Inspection Program (County Engineer)./11-0787
8. Agree to enter into a grant agreement with the Federal Aviation Administration for the Portage County Airport (AIP Project No. 3-39-0099-2511)./The Grant agreement has not be signed by counsel or reviewed by Department of Budget & Financial Management. Hold for Thursday, September 15, 2011.
9. The Department of Budget & Financial Management presents the following Resolutions for Board consideration:
 1. General Fund Amendments to the Annual Appropriation Resolution:/11-0789
 - a. Commissioner Other, Transfer –
 - i. Coroner Sep T Decker, Supplemental BOC J/E #8 8/30/11 Temporary Adjustment through transition
 - ii. Budget & Finance Management, Supplemental – Temporary Adjustment through transition
 - b. Budget & Financial Management, Supplemental– Temporary Adjustment through transition
 - c. Coroner, Supplemental, Supplemental BOC J/E #8 8/30/11, T.E., Decker Payoff
 2. Other Funds Amendments to the Annual Appropriation Resolution:/11-0790
 - a. Fund 1014 Common Pleas, Tech Spec Proj – Transfer, Projected need
 - b. Fund 1160 Hazmat Operations – Supplemental, Set Up Budget
 - c. Fund 1210 Safety Studies – Supplemental, Transystems
 - d. Fund 1310 Mental Health & Recovery Board – Supplemental, Increase Contract Services, Full-time to part-time
 - e. Fund 1340 PCBDD General Administration – Transfer, Modification

- f. Fund 1390 Women Infants And Children – Supplemental, Balance Grant Expenses
 - g. Fund 4001 Training Facility Range – Supplemental, Shooting Range Ammunition
 - h. Fund 4004 Fin Sys Flag Impl Capital – Transfer, Computer Equipment
 - i. Fund 4008 Wireless 911 Upgrades – Supplemental, Approp \$ to 911 Fund
 - j. Fund 8102 Senior Center Activities – Supplemental, To FCS for Senior Activities
3. Cash Advance from Fund 0001 General Fund to Fund 1251, CDBG County Formula/11-0791
 4. Cash Advance Repayment From Fund 6800, Storm Water Management To Fund 0001, General Fund./11-0792

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INVITATIONS

September 13, 2011

1. Invitation to Commissioner Frederick for the Community Corrections Board meeting on Friday, September 23, 2011, 8:00 AM in Judge Enlow’s Jury Room.
2. Invitation from Fund for Our Economic Future for the Efficient Gov Network Regional Collaboration Conference on Thursday, October 13, 2011, 8:30 AM, The John S. Knight Center, Akron.
3. Invitation from Jaycees, The Kent Ohio Junior Chamber for the Business After Hours event on Thursday, September 15, 2011 from 5:00-7:00 PM at the Train Car located on Franklin Avenue, south of the Pufferbelly Restaurant.
4. Invitation from Kent State University to the International and Intercultural Education’s (CIIE) retreat on International Mindedness for Moving Ohio Forward on Monday, October 17, 2011 at Bertram Inn, Aurora, 9:00 AM-1:00 PM.
5. Invitation from the Portage County Gardeners’ for the Autumn Boutique on Thursday, October 13, 2011, 5:00-8:00 PM & Friday, October 14th & Saturday, October 15th 9:00 AM 2:00 PM.

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INCOMING CORRESPONDENCE

September 13, 2011

1. August 30, 2011 correspondence from Andrew Dorr, US Department of Justice to Major Dennis Missimi, indicating the 2011 Child Sexual Predator Program (CSPP) application was not selected for funding. NOTE: This application did not go through the Board of Commissioners./Information Only.

JOURNAL ENTRY

September 13, 2011

1. Board of Commissioners’ authorization requested to have Commissioner Maureen T. Frederick sign the Ohio Public Works Commission Appendix E Disbursement Request No. 1 for the OPWC Project No. CGR07 Frost Road Bridge Replacement as presented by the County Engineer.

2. In accordance with Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged receipt of the Monthly Record of Proceedings and Transactions for August 2011 as presented by the Portage County Sheriff's Department.

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REFERRED

September 13, 2011

1. September 2, 2011 correspondence from Michael Hiler, Ohio Department of Development, regarding FY 2011 Ohio Small Cities Community Development Block Grant (CDBG) Neighborhood Revitalizations Grant. Referred to Neighborhood Development Services and Department of Budget & Financial Management.

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INFORMATION ONLY

September 13, 2011

1. September 9, 2011 e-mail from Todd Peetz to Neighborhood Development Services, regarding Stormwater Septic Tank Program.

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PROSECUTOR

September 13, 2011

1. September 8, 2011 e-mail from Leigh Prugh, regarding Green Family Funeral Home. No Action
2. September 8, 2011 e-mail from the Commissioners' Clerk to Leigh Prugh, regarding Green Family Funeral Home. The Board would like to stay the course.
3. September 8, 2011 e-mail from Leigh Prugh, regarding the Water Resources Department O&M concrete issue. The Board would like to know its options including the possibility of calling in the bond. cc: Director Jeff Lonzrick

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Journal Entry

September 13, 2011

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

1. The Board of Commissioners authorized Commissioner Maureen T. Frederick to sign the Ohio Public Works Commission Appendix E Disbursement Request No. 1 for the OPWC Project No. CGR07 Frost Road Bridge Replacement as presented by the County Engineer.
2. In accordance with Ohio Revised Code Section 325.07, the Board of Commissioners acknowledged receipt of the Monthly Record of Proceedings and Transactions for August 2011 as presented by the Portage County Sheriff's Department.

3. The Board of Commissioners signed the Personnel Action form acknowledging the retirement of Judy Harper as Intake Clerk – Help Me Grow for the Portage County Department of Job and Family Services effective September 30, 2011 as presented by the Department of Job and Family Services Director Judee Genetin.

Christopher Smeiles Absent, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **September 13, 2011**. There being no further business to come before the Board, it was moved by Tommie Jo Marsilio, seconded by Maureen T. Frederick to adjourn the official meeting at **8:51 AM**. Commissioner Smeiles absent, motion carries.

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

ABSENT

Christopher Smeiles, Board Member

Amy Hutchinson, Acting Clerk

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