

Thursday, September 22, 2011

The Board of County Commissioners met in regular session on **Thursday, September 22, 2011 at 9:50 AM** with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

Christopher Smeiles

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It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles to approve the meeting minutes of the September 20, 2011 meeting. All in favor, motion carries.

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Also attending throughout the day: Mike Sever, Record-Courier; Hank Dunckel

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INTERNAL SERVICES

Present: JoAnn Townend

DISCUSSION

1. There are three X-ray machines and four metal detectors located in the Courthouses (Kent, Ravenna and Juvenile Court). There is an invoice that the Board of Commissioners sent to Judge Pittman earlier this year for the maintenance of the equipment. She will check with Jon Barber to determine if the invoice was paid by him. Captain McRitchie would like clarification as to who pays for the maintenance associated with this machinery. The Board of Commissioners agreed that the maintenance costs should belong to the courts since court funding was used for their purchase. Commissioner Frederick asked the Director to send a memo to the Safety Committee including the information about this maintenance issue.
2. The Director suggested that the Board of Commissioners consider revising the current Vehicle Policy to make it clear that the department director is able to approve or disapprove the use of privately owned vehicles in lieu of county owned vehicles for employees for whom it makes more sense to leave from home when traveling on county business instead of coming to the office and leaving from the office in a county vehicle.
3. The Director advised that she has been working with realtor Frank DeLuca on the use of the former Bar 10 area. The Board agreed that they are open to any use of the space. Commissioner Marsilio suggested that the Director contact Mayor Bica to discuss his preference for the use of the space. The Board agreed that the area will need to be gutted before being used.
4. NACo Prescription Program
The Director advised that CareMark will create posters and flyers for Portage County, and has some media information that can be used. The Board agreed to use all media available for free to rollout the information. Commissioner Smeiles noted that the remaining marketing campaign is the responsibility of the county. JoAnn Townend suggested using the townships to hand-out the information with a proposed November 1, 2011 start date. There is a telephone

line that can be dedicated for a message for the program with details. Mike Sever suggested a free public service announcement be used, although there is no guarantee about when it will air.

Commissioner Marsilio suggested sending a letter to all of the Portage County communities with the details. Is there any reason that the pharmacies could not distribute the cards?

JoAnn Townend agreed to get spots for the radio, give Mike Sever the information and work with the Clerk to draft a letter to the political subdivisions.

Mike Sever suggested including Family & Community Services, Community Action Council, etc.

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RESOLUTIONS

1. Enter into amendment no. 2 with United Way of Portage County dba United Way 211 for Title XX information and referral services. No increase to the contract this is a correction to the stated program costs./11-0829
2. Enter into an agreement with Greenleaf Family Center for sign language interpreting services. 9/1/11 through 8/31/12 – annual service \$1,500.00./11-0830
3. Enter into amendment no. 1 with the Portage County Prosecutor for legal services for the storm water district. 9/2/11 through 9/1/12 – annual service \$15,000.00./11-0831
4. Enter into an agreement with Time Warner on behalf of the Portage County Water Resources Department for an additional IP address and broadband high-speed data service for twelve (12) months @ \$149.99 per month./11-0832

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EXECUTIVE ASSISTANT

Present: Charlene Badger

1. Veterans Day Memorial

The Executive Assistant updated the Board on the agenda for the 2011 memorial event. The bricks that are fading will be replaced all at one time since a construction company will have to be brought in. Commissioner Smeiles noted that when the bricks were purchased, the county was assured that the bricks would “last forever”. The Executive Assistant to contact former Executive Assistant to see if she can remember what company was used when the bricks were first installed. Orders are still coming in for brick placement.

The Executive Assistant suggested placing an ad in the Record-Courier and will need to purchase other items for the event. The Board of Commissioners approved the Executive Assistant’s request for funding up to \$500 for Veterans Day, there is a balance of about \$4,000 in the account/Journal Entry.

2. Human Resources assistance

The Executive Assistant is learning how to use the ID badge machinery and noted that she would be able to assist with other Human Resources issues should the department need that assistance.

3. Board appointments

- A. Solid Waste Management District Advisory Committee opening – citizen position.
Commissioner Marsilio suggested appointing Mrs. Petty to that committee. Commissioner Smeiles wondered if there would be a conflict of interest since her daughter had worked at the Solid Waste Management District in the past. Commissioner Frederick reported that the Policy Committee has expressed concerns about the employees concerns. Ms. Badger will contact Mrs. Petty and offer the appointment should her calendar allow it.
- B. There is one Airport Board opening; the Executive Assistant has advertised several times already with no response. The Executive Assistant will get the Board of Commissioners the make-up of the Board at this time.
- C. There is an opening on the Law Library Board since Dennis Zavinski had served; that term expires on December 31, 2014. Ms. Badger to get the information to Mike Sever and to the other news agencies. The appointment does not have to be an attorney but must be a county resident. Commissioner Marsilio suggested that the Board consider appointing a woman attorney since the Board is composed of men. The Board will talk to women who they think might be interested in serving, not necessarily an attorney, with the proper background to appoint.
- D. There will be a GAPP opening as of the end of October; Nick Racin’s term as a business appointment expires. Commissioner Marsilio noted that the committee only meets quarterly now.

4. CCAO Natural Gas Program

The Executive Assistant attends this annual meeting; the county received got \$12,000 last year from this group in a savings analysis. The Board of Commissioners agreed that Ms. Badger should attend the next meeting in Columbus.

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HUMAN RESOURCES

Present: Karen U’Halie, Vickie Steiner

10:55 AM 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 health benefits and protected health information. Also present: Director Karen U’Halie; PHR Vickie Steiner. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

11:05 AM Department of Budget & Financial Management Director Tillis attending

11:45 AM Director Tillis and Ms. Steiner left the meeting

11:50 AM Upon conclusion of the above referenced discussion, it was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

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

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Comp Management, Inc. Executive Summary Presentation

Bobbijo Werren, Account Executive for CompManagement, Inc.

Ms. Werren reported that the total number of claims filed for Portage County has decreased since 2009 to 2010. Lost time claims decreased by 33%, medical only claims decreased by 14% and the total claims decreased by 19%.

Claims have dropped \$295,000 from 2009 to 2010, which is huge. This is due to staff managing the claims well, fewer claims, and the focusing on transitional duty to get folks back to work sooner.

Ms. Werren attributes the drop in the number of claims to the efforts of the Human Resources Department staff. She works with staff as a team to manage claims to get employees back to work sooner with a decrease in costs. She champions Michelle Ripley and Karen U’Halie in their work. This is good news!

The County should see a large savings in retro premium for the policy year 2002. The participation in the individual retrospective rating plan will save \$400,000 in 2010. For 2003, there will be large savings with participation. Thru handicap reimbursements, the county was able to reduce premiums by \$120,000 for 2010 and \$600,000 in retro claims costs. This is a group effort with CompManagement partnering with the Human Resources Department staff in a hands on approach– the numbers reflect that.

The Board of Commissioners noted that they also appreciate the work the Human Resources Department has done.

Director U’Halie responded that CompManagement is responsive to any questions – they are always right there to provide service.

Commissioner Marsilio noted that CompManagement Hearing Reps do a fabulous job at hearings and are well prepared, which make a big difference in the hearing.

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Application for the Retrospective Rating Plan under the Ohio Workers’ Compensation System for policy year 2012 – Application needs Board signature and Resolution required./11-0833

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Noon Recessed to attend the Family & Community Services Portage/Summit Senior Volunteer Recognition Luncheon at the Ravenna Elks.

1:45 PM Board of Commissioners reconvened
Commissioner Frederick not attending

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COUNTY ENGINEER

Present: Mickey Marozzi, Anthony Zumbo

Summit/Powdermill Road Roundabout

The County Engineer reported that this intersection ranked the fourth highest in the 2005 AMATS study. In July 06, he changed the two way stop to a four way stop. A safety study was ordered and completed in July 2007. The study determined that the one to two year accident history of the four way stop showed right angle crashes similar to the two way stop scenario. He doubled the signage and applied for funding to improve the safety of the intersection. The study's long-term recommendation was the implementation of a roundabout. ODOT had no funding available but in December 2008, he was awarded \$681,000 from the County Engineer's Association HSIP funding for the roundabout. He hired Burgess and Niple to design the roundabout, which is getting underway. In the meantime, he has installed 36" stop signs with high intensity reflectivity on the face, as a countermeasure. The next step is the public meeting to announce the preliminary details of the project.

Commissioner Smeiles asked if the county water facility on the NW corner will interfere with the roundabout. The County Engineer responded that there is an offset in the design of a roundabout so that the driver cannot see the other side of the roadway. This roundabout will be offset to the south away from the water facility and will allow traffic to go through much quicker.

Commissioner Frederick attending

Subdivision Regulations Update

The Board of Commissioners had asked the County Engineer to look at the streets, ditches etc. The County Engineer wondered if the Board of Commissioners still wanted him to look at this issue. He would update this section in the regulations (Improvements) to match the regs that he currently uses. The County Engineer will share his recommendations on this section with the Regional Planning Commission.

Commissioner Smeiles suggested that the storm water requirements be included along with the fee information, as well. The County Engineer agreed and will get that information to the RPC.

Hiram College Hike and Bike Trail Project

Mr. Marozzi noted that he serves as the LPA with ODOT for this project, since the college did not qualify to be an LPA. This is a feasibility study and not a construction project. Mr. Zumbo noted that the office involvement will be limited but he will provide oversight and facilitate the project working with CT, ODOT and the college.

The county has no financial involvement, only administrative involvement.

Pleasant Lakes Association

This subdivision in Brimfield Township off Howe Road does not have completed roadways. Residents have been contacting the County Engineer urging the county to have the roads finished. There is

money in the account with a Trustee overseeing that money since the Developer is in foreclosure. Leigh Prugh has sent a letter to the Trustee advising that the roads must be completed – an overlay must be done and there are some repairs. This is not that big of a project.

Timberstone Subdivision – Freedom Township

The County Engineer recalled that the Board of Commissioners has been concerned that the bank released the project money but no development has been done. There were problems with the land, wetlands etc. and the developer has no money left in this project. In order to avoid the potential of having to build a road if the lots are sold, the county must vacate this. Leigh Prugh recommended that the Board of Commissioners vacate the road. However, the County Engineer suggested that the lots, which currently exist, will revert to the adjoining parcels and could still be sold. If the lots exist on the tax duplicate, a transfer of land could occur and a home could be built. Commissioner Smeiles suggested that the entire plat be vacated – not just the road – so that the property becomes one parcel. The Board of Commissioners agreed to ask the Prosecutor for the process to vacate the entire plat.

Commissioner Smeiles noted that the Board of Commissioners has been working on this issue for two years.

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2:10 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1) and (G)(6), it was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles that the Board of Commissioners move into executive session to discuss classified security information and a potential employee discipline. Also present: Office of Homeland Security and Emergency Management Assistant Director John Mason. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

2:35 PM Mr. Mason left the meeting

2:50 PM Upon conclusion of the above referenced discussion, it was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

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

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JOB & FAMILY SERVICES

Present: Judee Genetin, Kevin Gowan

Commissioner Marsilio thanked staff for their great effort and work on the resolution of the 2007 audit issues, noting that the Board of Commissioners received a copy of the Ohio Department of Job & Family Services letter today.

Ms. Burns presented the revised PRC Plan, effective 10/1/11/11-0834

Mr. Gowan presented the PA and CSEA Performance Charts for August 2011, noting that the numbers are off the charts for Support Order Establishment, near the goal due to the economy in Current

Support Collections, and right on target in Arrears Collections. Commissioner Marsilio thanked the JFS staff for a job well done.

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**2010 PORTAGE COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING
PROPOSED AMENDMENT**

Portage County Commissioners' Board Room
449 South Meridian Street
Ravenna, Ohio 44266
Thursday, September 22, 2011
Convened at 3:00 PM

Present: Commissioners Frederick, Marsilio and Smeiles; Lisa Reeves of the Regional Planning Commission; Christine Craycroft, Portage Park District; Commissioners' Clerk Deborah Mazanec

I. Introduction – Portage County Commissioner Frederick

II. Purpose of the Hearing– Lisa Reeves

The Portage County Board of Commissioners will consider the amendment of the 2010 Community Development Block Grant Formula Allocation Grant Activity #3 (Parks & Rec. Facilities); Activity #4 (Demolition/Clearance) and Activity #5 (Home/Building Repair).

The Parks & Rec. Facilities, Activity #3 is demolition of a single-family residential unit owned by the Portage Park District.

In May 2011 Ohio EPA and the U.S. Environmental Protection Agency provided additional guidance regarding the applicability of the National Emission Standard for Hazardous Air Pollutants (NESHAP) when a municipality, government entity or other owner/operator considers the demolition during a specific planning period. Demolition/renovation of individual residential buildings is subject to the asbestos NESHAP if they are being demolished/renovated as part of a larger project or if the residence meets the definition of an installation.

“Installation” means any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the control of the same owner or operator, or owner or operator under common control. Since this project meets the definition of “installation”, an asbestos assessment was completed and asbestos abatement is estimated at \$15,000.

The cost estimate for this demolition project is as follows:

- \$1,920.00 (Asbestos Assessment Services)
 - \$15,000 (Asbestos Abatement/Removal)
 - \$2,500 (Preparation of the specifications for removal of the asbestos)
 - \$637.50 (Visual Inspection, Final Clearance Services and Professional Services)
 - \$8,000 (Demolition)
- Total = \$28,057.50***

The Demolition/Clearance, Activity #4 is demolition of six (6) multi-family buildings containing 30 units in the Village of Windham Maple Grove neighborhood. The project included: asbestos removal, demolition and fill, grade and seed the disturbed area.

The Village of Windham has been able to secure funding for the demolition through the NSP 2 Program and would like to amend the grant to use the 2010 Formula Grant funds for acquisition of six buildings containing 34 units. The addresses are as follow: (1) 8995 Oak Court (2) 9158 Maple Grove Road (3) 9518 Community Road (4) 9601 Community Road (5) 9713 East Center Street and (6) 9153 Maple Grove Road.

The cost estimate for the acquisition is estimated at \$95,200 and the proposed cost estimate for the demolition of these units with Davis Bacon Prevailing Wages, asbestos assessment and removal and testing is \$120,000.

Budget

Acquisition:

- 8995 Oak Court (6 Units)
- 9153 Maple Grove Road (6 Units)
- 9158 Maple Grove Road (6 Units)
- 9518 Community Road (4 Units)
- 9601 Community Road (6 Units)
- 9713 East Center Street (6 Units)

TOTAL = \$95,200

Demolition:

- 6 Buildings a@ \$20,000 per building = \$120,000
- Contingencies = \$14,000

TOTAL = \$134,000

CDBG Funds (Acquisition) = \$95,200

NSP 2 Funds = \$134,000

TOTAL PROJECT COST= \$229,200

The Portage County Board of Commissioners proposes to amend the 2010 Community Development Block Grant Formula Allocation Grant as follows:

Original CDBG Budget, Activity #3 (Parks & Rec. Facilities)	\$10,000
INCREASE CDBG Budget for Activity #3 (Parks & Rec. Facilities)	\$20,000
Total CDBG Budget	\$30,000

The outcome for Activity #3 (Parks & Rec. Facilities) will remain the same.

Original CDBG Budget, Activity #4 (Demolition/Clearance) \$105,200

DECREASE CDBG Budget, Activity #4 (Demolition/Clearance)	\$ 10,000
Total CDBG Budget	\$ 95,200

The \$10,000 will be moved to Activity #3 (Parks & Rec. Facilities)

The outcome for Activity #4 (Demolition/Clearance) will remain the same.

Original CDBG Budget, Activity #5 (Home/Building Repair)	\$71,100
DECREASE CDBG Budget, Activity #5 (Home/Building Repair)	\$10,000
Total CDBG Budget	\$61,100

The \$10,000 will be moved to Activity #3 (Parks & Rec. Facilities)

The outcome for Activity #5 (Home/Building Repair) will be changed from eight (8) home repairs to seven (7) home repairs.

Hearing no public comment, the Public Hearing adjourned at 3:07 PM.

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The Board of Commissioners authorized Commissioner Frederick to sign the amendment paperwork/Journal Entry.

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3:10 PM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1) and (G)(6), it was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles that the Board of Commissioners move into executive session to discuss classified security information and a potential employee discipline. Also present: Office of Homeland Security and Emergency Management Director Jon Barber. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

3:45 PM Upon conclusion of the above referenced discussion, it was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio that the Board of Commissioners move out of executive session. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

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

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RESOLUTION No. 11-0818 - **RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.**

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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 22, 2011 in the total payment amount of **\$348,110.05 for Funds 0001-7102** 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;

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RESOLUTION No. 11-0819 - RE: WIRE TRANSFER APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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 22, 2011 in the total payment amount as follows:

- 1. \$190,162.88 for Medical Mutual Claims-Fund 7101; and

as set forth in the Accounts Payable Warrant Report on file in the office of the Portage County Auditor; and be it further

RESOLVED, that the Board of Commissioners authorizes the wire transfer for the charges relating to health benefits, as presented by the Portage County Auditor’s Office:

Wire Transfer on Friday, September 23, 2011 \$190,162.88

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;

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RESOLUTION No. 11-0820 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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:

09/22/11	776	\$ 540,242.32
09/22/11	738	396.00
09/22/11	748	144,157.36
Total		\$ 684,795.68

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;

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RESOLUTION No. 11-0821 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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

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;

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RESOLUTION No. 11-0823 - **RE: ACCEPT PROPOSAL OF TIMMERMAN GEOTECHNICAL GROUP, INC. AND ENTER INTO AGREEMENT TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO PERFORM CONSTRUCTION INSPECTION AND TESTING FOR THE KNAPP ROAD SLIDE REMEDIATION PROJECT IN CHARLESTOWN TOWNSHIP, PORTAGE COUNTY.**

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

WHEREAS, The County Engineer is serving as technical advisor to the Charlestown Township Trustees for the project known as the ***Knapp Road Slide Remediation Project***; and

WHEREAS, the Portage County Engineer has determined it will be necessary to acquire the services of a consultant to perform construction inspection and testing services for said project, and

WHEREAS, a technical and fee proposal to provide professional engineering services to perform construction inspection and testing for said project was received by the Portage County Engineer from **Timmerman Geotechnical Group, Inc.**, and

WHEREAS, the Portage County Engineer, upon review of the proposal from **Timmerman Geotechnical Group, Inc.**, recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby accept the proposal of **Timmerman Geotechnical Group, Inc.**, to provide construction inspection and testing for the ***Knapp Road Slide Remediation Project***, and be it further

RESOLVED, that said services will be performed by **Timmerman Geotechnical Group, Inc.**, 2685 Gilchrist Road, Akron, OH 44305, at a cost not to exceed \$4,910.00, and be it further

RESOLVED, that the cost for said professional services will be paid to **Timmerman Geotechnical Group, Inc.** by the Portage County Engineer and will be reimbursed to the Portage County Engineer by the Charlestown Township Trustees, 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, Yea;

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RESOLUTION No. 11-0824 - **RE: ACCEPT PROPOSAL OF TIMMERMAN GEOTECHNICAL GROUP, INC. AND ENTER INTO AGREEMENT TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO PERFORM CONSTRUCTION INSPECTION AND TESTING FOR THE HOMMON ROAD SLIDE REMEDIATION PROJECT IN RAVENNA TOWNSHIP, PORTAGE COUNTY.**

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

WHEREAS, The County Engineer is serving as technical advisor to the Ravenna Township Trustees for the project known as the Hommon Road Slide Remediation Project; and

WHEREAS, the Portage County Engineer has determined it will be necessary to acquire the services of a consultant to perform construction inspection and testing services for said project, and

WHEREAS, a technical and fee proposal to provide professional engineering services to perform construction inspection and testing for said project was received by the Portage County Engineer from **Timmerman Geotechnical Group, Inc.**, and

WHEREAS, the Portage County Engineer, upon review of the proposal from **Timmerman Geotechnical Group, Inc.**, recommends that said proposal be accepted by the Board of Portage County Commissioners; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby accept the proposal of **Timmerman Geotechnical Group, Inc.**, to provide construction inspection and testing for the Hommon Road Slide Remediation Project, and be it further

RESOLVED, that said services will be performed by **Timmerman Geotechnical Group, Inc.**, 2685 Gilchrist Road, Akron, OH 44305, at a cost not to exceed \$4,910.00, and be it further

RESOLVED, that the cost for said professional services will be paid to **Timmerman Geotechnical Group, Inc.** by the Portage County Engineer and will be reimbursed to the Portage County Engineer by the Ravenna Township Trustees, 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, Yea;

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RESOLUTION No. 11- 0825 - RE: ACCEPT CONTRACT CHANGE ORDER NO. 1 AND FINAL FOR LAKE ERIE CONSTRUCTION COMPANY COVERING THE 2011 GUARDRAIL UPGRADING PROJECT.

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

WHEREAS, Resolution No. 11-0367 accepted and awarded the bid of Lake Erie Construction Company for furnishing all labor, materials and equipment necessary to complete the project known as the **2011 Guardrail Upgrading Project** for the Portage County Engineer, and

WHEREAS, a contract was entered into with Lake Erie Construction Company in the total amount of \$246,425.00, and

WHEREAS, cost underruns on this project totaled \$2,086.63, now therefore be it

RESOLVED, that the Board of Portage County Commissioners hereby accept Contract Change Order No. 1 and Final for Lake Erie Construction Company decreasing the amount of the original contract from \$246,425.00 to \$244,338.37, 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.

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

WHEREAS, the Board of Portage County Commissioners strongly supports the concept of DARE and the resultant important information disseminated to young people; and

WHEREAS, the Portage County Commissioners adopted Resolution No. 11-0395 on May 3, 2011 authorizing the Portage County Sheriff's Department to apply to the State Attorney General's Office for the Ohio Drug Use Prevention Grant Program; and

WHEREAS, the Portage County Sheriff is willing to continue the DARE Grant Program and agrees to provide the necessary funding from his funds, utilizing the four deputies that are already employed and assigned to teach the DARE curriculum in grades Kindergarten through 8th grade, and signed the Grant Recipient Organization Agreement on June 30, 2011; now therefore be it

RESOLVED, that the Board of Commissioners does hereby accept the FY 2011 - 2012 Ohio Drug Use Prevention Grant Award for the grant period of September 1, 2011 through August 31, 2012 in the amount of **\$29,195.21** with a required 100% match being provided from the Portage County Sheriff's budget. **The total grant amount is \$58,390.42;** and be it further

RESOLVED, that a copy of this resolution be filed with the Portage County Auditor, the Department of Budget & Financial Management, and the Portage County Sheriff; 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 was as follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 11-0828

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RE:

AUTHORIZE THE PORTAGE COUNTY PROSECUTOR TO SEEK AUTHORIZATION FROM THE COURT OF COMMON PLEAS FOR THE EXPENDITURE OF FUNDS FOR OUTSIDE COUNSEL IN ACCORDANCE WITH OHIO REVISED CODE 309.09.

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

WHEREAS, the Board of Commissioners intends to pursue the sale of the Portage County Nursing Home facility The Woodlands at Robinson; and

WHEREAS, Robinson Memorial Hospital has proposed to the Board of Commissioners a conversion of the hospital from a County-owned hospital to a private, not-for-profit entity; and

WHEREAS, there are a variety of legal issues that are highly technical and specialized areas of law to be investigated including the impact of the sale of the Nursing Home on the tax-exempt bonds, bond divestiture and/or defeasance, and state and federal laws concerning medical acquisitions and mergers, etc. that the Prosecutor has recommended be addressed by outside counsel; and

WHEREAS, the Board of Commissioners has received a cost estimate in an amount not to exceed \$95,000 from Squire, Sanders & Dempsey LLP to provide legal services in these matters; now therefore be it

RESOLVED, that the Board of Commissioners agrees that the Portage County Prosecutor should seek authorization from the Court of Common Pleas for the expenditure of funds for outside counsel not to exceed \$95,000, in accordance with Ohio Revised Code 309.09 (C) and 309.14, unless otherwise revised by the Board of Commissioners; and be it further

RESOLVED, that the Board of Commissioners finds and determines that all formal actions of this Board concerning end 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 an 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;

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RESOLUTION No. 11-0829 - RE: ENTER INTO AMENDMENT NO. 2 BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES AND UNITED WAY OF PORTAGE COUNTY dba UNITED WAY 211 PORTAGE TO PROVIDE INFORMATION AND REFERRAL SERVICES.

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

AND GREENLEAF FAMILY CENTER COMMUNITY SERVICES FOR AND OF THE DEAF PROGRAM.

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

WHEREAS, The Portage County Department of Job and Family Services (PCDJFS) is in need of qualified interpreters and sign language interpreting services to individuals identified by PCDJFS to ensure that meaningful access to program information, benefits and services are available to the residents of Portage County; and

WHEREAS, Greenleaf Family Center Community Services for and of the Deaf Program, with its principal place of business located at 212 East Exchange Street, Akron Ohio 44304, has agreed to provide said qualified interpreters and sign language interpreting services to PCDJFS; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a Sign Language Interpreting Services Agreement between the Board of Commissioners on behalf of the Portage County Department of Job & Family Services and Greenleaf Family Center Community Services for and of the Deaf Program, for a total cost not to exceed One Thousand Five Hundred and 00/100 dollars (\$1,500.00) for a period of one (1) year commencing on September 1, 2011 through August 31, 2012; and be it further

RESOLVED, that the agreement may be renewed for one (1) additional one-year term by mutual consent of the parties through written notice of intent to renew to the other party at least thirty (30) days prior to the expiration of the term; 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;

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RESOLUTION No. 11-0831

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RE:

ENTER INTO AMENDMENT NO. 1 BETWEEN THE BOARD OF COMMISSIONERS AND THE PORTAGE COUNTY PROSECUTING ATTORNEY FOR LEGAL SERVICES FOR THE STORM WATER DISTRICT.

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

WHEREAS, the Board of Commissioners has engaged the Prosecutor to perform certain consultation and regulation enforcement services required by Portage County’s Ohio environmental Agency National Pollution Discharge Elimination System (NPDES) Phase II permit; and

WHEREAS, an agreement between the Board of Commissioners and the Portage County Prosecutor was entered into and known as Portage County Contract 20100362; and

WHEREAS, the parties desire to amend the Original Contract to continue such services; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an Amendment Agreement 1 between the Board and the Portage County Prosecuting Attorney for a period of one (1) year commencing September 2, 2011; and be it further

RESOLVED, that the total compensation under this Amendment No. 1 shall be Fifteen Thousand Dollars (\$15,000.00); 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, Yea;

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RESOLUTION No. 11-0832 - RE: ENTER INTO AN AGREEMENT FOR AN ADDITIONAL IP ADDRESS AND BROADBAND HIGH SPEED DATA SERVICE BETWEEN THE BOARD OF COMMISSIONERS OF PORTAGE COUNTY ON BEHALF ON THE PORTAGE COUNTY DEPARTMENT OF WATER RESOURCES AND TIME WARNER.

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

WHEREAS, the Portage County Water Resources Department requires an additional IP address and to upgrade to broadband high speed data service at its lab on Infirmaroy Road for various County network connections; and

- WHEREAS,** Time Warner is capable of providing said service and is the local carrier; now therefore be it
- RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and Time Warner, 530 South Main St., Suite 1751, Akron OH 44311; and be it further
- RESOLVED,** that the term of this agreement is for Twelve (12) months to commence October 1, 2011, in an amount not to exceed One hundred forty nine and 99/100 dollars (\$149.99) per month and a one-time installation fee of One hundred, twenty-five and 00/100 dollars (\$125.00); 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;

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RESOLUTION No. 11-0833 - RE: APPLICATION FOR THE RETROSPECTIVE RATING PLAN UNDER THE BUREAU of OHIO WORKER'S COMPENSATION SYSTEM FOR THE JANUARY 1, 2011 POLICY YEAR.

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

- WHEREAS,** an additional plan under the Ohio Worker's Compensation System was offered to Ohio employers who meet eligibility standards, as provided by Amended Substitute Senate Bill 307; and
- WHEREAS,** said plan is called "RETROSPECTIVE RATING PLAN" and is an alternative to the experience rating system previously in effect, and must be adopted annually; and
- WHEREAS,** The Board of County Commissioners has authority to choose the plan that is deemed to be the most beneficial to Portage County; now therefore, be it
- RESOLVED,** that the Board of Commissioners shall make application for the Retrospective Rating Plan for the calendar year 2012 and that there shall be a claim limit of \$200,000.00 and the maximum premium shall be 150% and said application for the Retrospective Rating Plan shall be filed in any office of the Ohio Bureau of Worker's Compensation

- WHEREAS,** Revision No. 4 of the Prevention-Retention-Contingency Plan was entered into on May 22, 2008 through Resolution No. 08-0469 and became effective July 1, 2008; and
- WHEREAS,** Revision No. 5 of the Prevention-Retention-Contingency Plan was entered into on September 25, 2008 through Resolution No. 08-0980 and became effective October 1, 2008; and
- WHEREAS,** Revision No. 6 of the Prevention-Retention-Contingency Plan was entered into on September 10, 2009 through Resolution No. 09-0841 and became effective October 1, 2009; and
- WHEREAS,** Revision No. 7 of the Prevention-Retention-Contingency Plan was entered into on November 24, 2009 through Resolution No. 09-1091 and became effective December 1, 2009; and
- WHEREAS,** Revision No. 8 of the Prevention-Retention-Contingency Plan was entered into on March 11, 2010 through Resolution No. 10-0252 and became effective July 1, 2010; and
- WHEREAS,** Revision No. 9 of the Prevention-Retention-Contingency Plan was entered into on April 29, 2010 through Resolution No. 10-0418 and became effective June 1, 2010; and
- WHEREAS,** Revision No. 10 of the Prevention-Retention-Contingency Plan was entered into on April 29, 2010 through Resolution No. 10-0419 and became effective July 1, 2010; and
- WHEREAS,** Revision No. 11 of the Prevention-Retention-Contingency Plan was entered into on May 13, 2010 through Resolution No. 10-0462 and became effective June 1, 2010; and
- WHEREAS,** Revision No. 12 of the Prevention-Retention-Contingency Plan was entered into on July 8, 2010 through Resolution No. 10-0641 and became effective July 12, 2010; and
- WHEREAS,** Revision No. 13 of the Prevention-Retention-Contingency Plan was entered into on February 24, 2011 through Resolution No. 11-0187 and became effective March 1, 2011; and
- WHEREAS,** Revision No. 14 of the Prevention-Retention-Contingency Plan was entered into on February 24, 2011 through Resolution No. 11-0188 and became effective April 1, 2011; and

WHEREAS, Revision No. 15 of the Prevention-Retention-Contingency Plan was entered into on June 9, 2011 through Resolution No. 11-0520 and became effective July 1, 2011; and

WHEREAS, the Director of the Portage County Department of Job & Family Services presented the Board of Commissioners with the Revised Prevention-Retention-Contingency Plan for the Portage County Department of Job & Family Services Division of Family Employment & Support Services, advising the Board of Commissioners that the Plan was revised in accordance with Substitute House Bill 408 and Chapter 5108 of the Ohio Revised and reviewed by the County Community Planning Committee; and,

WHEREAS, the Portage County Prosecutor's Office reviewed the revised Plan and advised that the proposed changes are consistent with the requirements of the applicable statutes and related regulations; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby certify that the Portage County Department of Job & Family Services complied with Chapter 5108 of the Ohio Revised Code in adopting the statement of policies and agrees to adopt this revised Prevention, Retention and Contingency (PRC) Plan in its entirety, as presented by the Director of the Portage County Department of Job and Family Services, effective October 1, 2011; 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, Yea;

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**RESOLUTIONS
September 22, 2011**

1. Approval of the meeting minutes from the September 20, 2011 regular Board meeting.
2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management/11-0818
3. Approve the wire transfers as presented by the County Auditor./11-0819
4. Approve the Journal Vouchers, as presented by the County Auditor./11-0820

5. Approve the Then & Now Certification, as presented by the County Auditor./11-0821
6. Resolution to declare obsolete and dispose of Portage County personal property, as proposed by the Portage County Board of Developmental Disabilities./11-0822
7. Resolution to accept the proposal of Tinnerman Geotechnical Group, Inc. and enter into an agreement to provide professional engineering services to perform construction inspection and testing for the Knapp Road Slide Remediation Project in Charlestown Township, as presented by the County Engineer./11-0823
8. Resolution to accept the proposal of Tinnerman Geotechnical Group, Inc. and enter into an agreement to provide professional engineering services to perform construction inspection and testing for the Hommon Road Slide Remediation Project in Ravenna Township, as presented by the County Engineer./11-0824
9. Resolution to accept the contract Change Order No. 1 and final for the Lake Erie Construction Company covering the 2011 Guardrail Upgrading Project, as presented by the County Engineer./11-0825
10. Resolution to accept and execute the final settlement agreement and release for Ohio Bureau of Workers' Compensation and Portage County in Case No. 2008CV1915 (Ashkanani), as presented by Attorney David Brode./11-0826
11. Resolution to accept the DARE Grant Award from the 2011-2012 Ohio Attorney General's Drug Prevention Grant (FKA DARE), as presented by the Sheriff. Documents reviewed by the DBFM with no concerns. /11-0827
12. Resolution to authorize the Portage County to seek authorization from the Court of Common Pleas for the expenditure of funds for outside counsel not to exceed \$95,000, so as not to include any sums paid toward the caps set forth in Ohio Revised Code 309.09 (C), unless otherwise revised by the Board of Commissioners, as requested by Denise Smith./11-0828

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INVITATIONS

September 22, 2011

1. Notice of the CCAO Annual Winter Conference on December 11-December 13, 2011 in Columbus.
2. Notice of the Aurora Chamber of Commerce Business After Hours featuring the Robinson Health Center at Aurora, 700 Walden Place, on Tuesday, October 4, 2011 from 5PM-6:30 PM.

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INCOMING CORRESPONDENCE

September 22, 2011

1. Notice from the CCAO of the elections of officers/Each Commissioner can respond if interested in serving.

2. September 21, 2011 email from EMA Director Jon Barber to the Board of Commissioners and the 911 Planning Committee regarding the oversight of Fund 4008 – Portage County PSAP/Forward to the Department of Budget & Financial Management Director for review and comment.
3. Does the Board of Commissioners want to attend the Leadership Portage County Elected Officials event on Thursday, November 3, 2011 from 8:45 AM – 9:20 AM (approximate times) at the Justice Center/Board of Commissioners will attend

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PLEASE ADD TO THE AGENDA

September 22, 2011

1. September 21, 2011 email from Homeland Security and Emergency Management Office Director Jon Barber regarding the 911 Coordinator information/Information only.
2. September 21, 2011 response from Denise Smith to the September 21, 2011 email from Homeland Security and Emergency Management Office Director Jon Barber regarding 911 Planning Committee Amendments/Information only.
3. September 21, 2011 email from Dave Vaughan regarding the proposed use of Section 17 funds by the Village of Mantua/ the Board of Commissioners agreed to accept the Mayor’s letter in lieu of the proposed Council Resolution as detailed in the September 20, 2011 Journal Entry.
4. September 23, 2011 correspondence from the Ohio Department of Job & Family Services regarding the 2007 Audit/Commissioner Marsilio stated that she is ready to approve payment of this final amount today. Commissioner Frederick stated that she would like to know where the repayment would come from and if there is recourse against the administration in place at the time of the audit before she agrees to accept this amount as the final amount. The Board of Commissioners agreed that they would prefer not to use General Fund monies for this payment. Commissioner Frederick also wondered if there is any relevance to the fact that no other Ohio County has been asked to repay funds, especially in this difficult financial period. Commissioner Smeiles stated that the issue is one of documentation at this point; staff cannot produce the documents needed to reduce the final amount. Commissioner Marsilio noted that the ODJFS has the final say in this matter and has the authority to make Portage County pay this amount. The ODJFS has reviewed the files four times and have reduced the amount – it is not relevant that other counties have not or will never have to repay funds. She added that there is no waiver available for hardship. Commissioner Marsilio noted that paying this amount does not mean that the Board of Commissioners agrees with the amount; however, staff is not able to produce additional documents to get the amount any lower. The Board of Commissioners agreed to accept the ODJFS final decision regarding the audit/Journal Entry

The Board of Commissioners thanked the Portage County JFS Director and staff for their tireless efforts in resolving this audit issue and agreed to issue a press release immediately.

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JOURNAL ENTRY

September 22, 2011

1. The Board of Commissioners acknowledged receipt of the September 16, 2011 Certificate of the County Auditor that the Total Appropriations from each fund does not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2011,t as presented by the Portage County Auditor's Office.
2. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for September 12, 2011through September 19, 2011, as presented by Dog Warden Dave McIntyre. The Dog Warden also presents the Intake Report for the same time period.
3. The Board of Commissioners authorized payment of the invoice for \$154.26 for Apiary Services provided during August 2011, as presented by Portage County Apiary Inspector, James Just. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
4. On July 26, 2011, the Board of Commissioners signed the July 26, 2011correspondence agreeing to release the mortgage on real property owned by Nora McGonagle located at 6640 Crescent Lane, Brady Lake, Ohio, as presented by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
5. Today, the Board of Commissioners signed the Satisfaction of Mortgage for Ms. McGonagle, as presented by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
6. The Board of Commissioners acknowledged the receipt of the Portage County Regional Airport Check No. 6937 for \$42,277.10 as payment #1 of 10 in accordance with Commissioners' Resolution No. 03-0029.
7. The Board of Commissioners authorized payment of the September 14, 2011 Invoice for Professional Services rendered during August 2011 (retainer) for \$175.00, as requested by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.
8. The Board of Commissioners authorized payment of the September 7, 2011 invoice from Bruce W. McClelland Insurance for the renewal of the Portage County Treasurer's Bond effective September 2, 2011 through September 1, 2014. Please note that a refund will be made is Treasurer Shanafelt leaves this position prior to the expiration of this bond.
9. The Board of Commissioners received the Portage County Health Department August 2011 Stormwater Program Statistics, as presented by the Health District.

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REFERRED

September 22, 2011

1. September 14, 2011 notice from the ODNR of the application of Shelly Materials Inc. for an industrial minerals permit application to expand an existing operation in Shalersville. Forwarded to the Water Resources Department for review and comment.

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JOURNAL ENTRY I

September 22, 2011

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

1. The Board of Commissioners acknowledged the receipt of the September 16, 2011 Certificate of the County Auditor that the Total Appropriations from each fund does not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2011, as presented by the Portage County Auditor's Office.
2. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for September 12, 2011 through September 19, 2011, as presented by Dog Warden Dave McIntyre. The Dog Warden also presents the Intake Report for the same time period.
3. The Board of Commissioners authorized payment of the invoice for \$154.26 for Apiary Services provided during August 2011, as presented by Portage County Apiary Inspector, James Just. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
4. The Board of Commissioners approved the Executive Assistant's request for funding up to \$500 for Veterans Day expenses for this year's memorial event.
5. The Board of Commissioners acknowledged the receipt of the Portage County Regional Airport Check No. 6937 for \$42,277.10 as payment #1 of 10 in accordance with Commissioners' Resolution No. 03-0029.
6. The Board of Commissioners authorized payment of the September 14, 2011 Invoice for Professional Services rendered during August 2011 (retainer) for \$175.00, as requested by Clemans-Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U'Halie.
7. The Board of Commissioners authorized payment of the September 7, 2011 invoice from Bruce W. McClelland Insurance for the renewal of the Portage County Treasurer's Bond effective September 2, 2011 through September 1, 2014. Please note that a refund will be made is Treasurer Shanafelt leaves this position prior to the expiration of this bond.
8. The Board of Commissioners received the Portage County Health Department August 2011 Stormwater Program Statistics, as presented by the Health District.

9. The Board of Commissioners signed the Personnel Requisition, as presented by the Department of Budget & Financial Management Director:

DEPARTMENT	JOB TITLE	GRADE	ACTION
Department of Budget & Financial Management	Data and Budget Entry Clerk Two part-time Positions to replace one full-time position	COMOT 4	Post Internally & Externally

10. The Board of Commissioners accepted the recommendation of JFS Director Judee Genetin and authorized the hire of the following as IM Aide 2 workers in the PA Division. The Board of Commissioners noted that these hires are contingent upon the applicants passing a pre-employment physical and drug screen and motor vehicle record check, if applicable:

- A. Paula Baker
- B. Wendy Knauer
- C. Armintha Collins

11. The Board of Commissioners accepted the recommendation of JFS Director Judee Genetin and authorized the hire of Kristin Wavrek as a Social Services Worker 3. The Board of Commissioners noted that this hire is contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable

12. After holding the required public hearing today, the Board of Commissioners authorized Commissioner Frederick to sign the Office of Housing and Community Partnerships FY 2010 CDBG Amendment No. 1.

13. After meeting in Executive Session today with the Human Resources Director, the Board of Commissioners signed a document authorizing the Portage County’s TPA, Comp Management, Inc. to pursue an increase in a settlement offer first approved by the Board of Commissioners on September 15, 2011. The recommended settlement is to be made within the financial guidelines approved by the Board of Commissioners for a Workers’ Compensation claim.

All in favor, motion carries.

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JOURNAL ENTRY II
September 22, 2011

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

On July 26, 2011, the Board of Commissioners signed the July 26, 2011 correspondence agreeing to release the mortgage on real property owned by Nora McGonagle located at 6640 Crescent Lane, Brady Lake, Ohio, as presented by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

Today, the Board of Commissioners signed the Satisfaction of Mortgage for Ms. McGonagle, as presented by the Neighborhood Development Services. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

Commissioner Smeiles abstaining, motion carries.

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JOURNAL ENTRY III

September 22, 2011

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

The Board of Commissioners agreed to accept the Ohio Department of Job and Family Services final due amount of \$132,708.64 for the 2007 Portage County Audit. The Board of Commissioners also directed the Portage County Department of Job & Family Services Director to explore potential repayment options.

Commissioner Smeiles abstaining, 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 22, 2011**. There being no further business to come before the Board, it was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio to adjourn the official meeting at **4:12 PM**. All in favor, motion carries.

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk

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