

Thursday, October 13, 2011

The Board of County Commissioners met in regular session on **Thursday, October 13, 2011 at 8:05 AM** with the following members present:

Maureen T. Frederick

Tommie Jo Marsilio

Christopher Smeiles

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It was moved by Christopher Smeiles, seconded by Maureen T. Frederick to approve the meeting minutes of the October 11, 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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OSU EXTENSION ADVISORY COMMITTEE OF PORTAGE COUNTY

Present: Extension Advisory Committee Members Kerry Macomber; Jo Mihnovets; Kelly Ferry; Ann Taft; Dave Dawson; Dan Tronge; Wendelin Taylor; Debi Heppe

OSU Extension Professionals: Heather Neikirk, Ed Werner, Jeannie Yount and Yvette Graham; Pat, Seth and Sara Allen; Katie Mazanek; Judee Genetin; Scott Lazzara; Wendelin Taylor, Portage County Master Gardeners

Welcome

Debi Heppe, Portage County Farm Bureau

Ms. Heppe introduced herself and thanked the Board of Commissioners for meeting with the group.

Testimonials

- Expanded Food and Nutrition Education Program
 - Judee Genetin, Director, Department of Job and Family Services, Portage County
Ms. Genetin stated that she has worked with the OSU in Portage County for the past year. She noted that her daughter works for the program for Stark County. The Director brought the program to Mahoning County when she worked there. The program classes do good things with teaching how to stretch food dollars, nutrition, and cooking tips.
 - Scott Lazzara, Children's Services, Department of Job and Family Services, Portage County
JFS Supervisor Scott Lazzara spoke about the Foster Parent Program, which works in the JFS and is a great program.
 - Yvette Graham is a Specialist funded through the USDA. She noted that the OSU Extension must exist to use that funding source.
- Agriculture and Natural Resources/Community Development
 - Kerry Macomber, Economic Development Director, City of Ravenna
Ms. Macomber is a new member on the OSU Board but has worked with the organization in the past and is pleased to incorporate the OSU in the Economic Development plan in Ravenna. With jobs creation driving the market and Portage County

having highly recognized tech training schools and educational facilities, our quality of life will attract residents and businesses. However, employees are missing soft skills; OSU provides training for soft skills building healthy productive citizens.

- Tanya Kunze, Director, Portage/Summit Farm Service Agency
Ms. Kunze noted that she helps to distribute and manage farm funding with 955 farms in Portage County. She added that only 548 farms signed up for a yearly program not tapping into federal funding. \$427,000 was distributed this year so far. Eligible farmers need to be educated on the funding availability. A workshop was organized with Soil & Water, the County Auditor and the Extension Office to educate the new land owners about commodity production. Commissioner Frederick asked if farms that are now in existence were split from larger farms? Ms. Kunze responded that the farms that did not sign up have been broken up from larger farms. 105 of the non-participating farms are in chunks; the remaining not participating
- Jo Mihnovets, Adult Education Director, Maplewood Career Center
Jo Mihnovets of Maplewood Career Center spoke about funding for the Extension Office, which is vital to the county. She noted that soft skills are essential to but missing from potential employees in Portage County.
- Kelly Ferry, Market Manager, Haymaker Market, noted that the extension has been in her life over the past two years in three overlapping programs. The Extension Office provides education and links between schools and farms.
- 4-H Youth Development
 - Pat Allen and her children Seth and Sara Allen, spoke as to how 4-H has influenced their lives
 - Katie Mazanek spoke about her involvement in 4-H. She is a student at Akron University and believes that she is doing so well because of her history with 4-H.
- Wendelin Taylor, Portage County Extension Advisory Committee member and Master Gardner volunteer. She summarized the programs that OSU has in place and noted that the programs add value to Portage County residents' lives. She thanked the Board of Commissioners for their time today and encouraged continued support for the Portage County OSU Extension Service office.

Commissioner Smeiles thanked the group for their presentation, noting the work that went into the presentation. He added that the OSU Extension Office adds great value to Portage County life. The Board of Commissioners has always been supportive of the OSU Extension Office and believes that investment in youth would be a wise investment. He commented that the Board of Commissioners must meet mandates by law and, although this organization is a priority, 4-H and OSU Extension Office would be a priority after the mandated spending is met. Great presentation!

Commissioner Marsilio thanked the group for the time and effort spent on the presentations. She does not like the funding mandates but the OSU Extension Office, as an external agency, is her highest priority.

Ms. Neikirk presented the 2010 profile, which talks about the value added impact of funding for the Extension Office. She has provided the funding breakdown as well.

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Commissioner Frederick presented proposed changes to the courthouse blueprints, as presented by Joseph Zurzolo. She noted that the proposal includes a full basement where utilities could go. Commissioner Frederick gave the drawings to JoAnn Townend to get to the architect.

Commissioner Marsilio asked what the next step would be for the project; set aside some time with Judges etc to keep moving forward?.

Commissioner Smeiles noted that the Board has approved a range of square footage that could still be tweaked to avoid wasting space. The Sheriff met with the architect several weeks ago to discuss secure pods/holding cells to avoid two separate pods requiring two sets of staff.

The Board of Commissioners agreed to schedule a meeting with the with architect, Board of Commissioners, Judges etc.

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Homeland Security and Emergency Management Office Director Barber is attending to provide additional information regarding the travel request he presented for the HAZMAT Team. HAZMAT sustainment dollars will be used to pay. The staff is taking two vehicles so that if the trailer has to be left, they can return. The Board of Commissioners approved the travel request.

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Hank Gibson is attending to ask for a letter of support for the Portage County Adult Probation's proposal to the Ohio Department of Rehabilitation and Correction Bureau of Community Sanctions for the Probation Improvement Incentive Grant for the Repeat Offender Cognitive Intervention Program (ROCIP. Mr. Gibson noted that additional funding is available at this time. Dr. Kohl does the Dual Diagnosis program and will spearhead this effort for high risk offenders which may result in 18-24 months of funding may be available. If the program is successful, money may continue/Journal Entry

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INTERNAL SERVICES

Present: JoAnn Townend

Discussion

1. Woodlands

The Wershale contract has been approved by the Prosecutor and signed by the company.

Saber received the final draft of the agreement but the Director has not heard any comment back yet.

The bid for the sale of the facility is scheduled to be published Sunday, October 16, 2011. There is a need for a pre-bid meeting for a walkthrough and a question and answer session; the Board asked that the Director work with the Nursing Home Administrator on the best time for the walkthrough.

The Director will contact the city about the issue with the city. Commissioner Marsilio spoke with Mr. Finney about the road dedication and he advised that his piece is completed and must go before the mayor.

2. Conversion to heat

The conversion is starting now – Maintenance staff is making great progress

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Resolutions

1. Authorize the sale of the Woodlands at Robinson/11-0905
2. Enter into an agreement to provide professional consulting services with Maximus Consulting Services for the Board of Elections. \$8,900.00./11-0904
3. Enter into a lease agreement with Simon and Sicuro for lease of 213 S. Chestnut Street for \$933.78 per month./11-0905

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THE WOODLANDS AT ROBINSON

Present: Christa Mayes, Allison Goudy, Charlene Badger

10:25 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** that the Board of Commissioners move into executive session to discuss a discipline issue. **Also present:** Nursing Home Administrator, Allison Goudy, Executive Assistant. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:59 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 two actions by Journal Entry.

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HUMAN RESOURCES

Present: Karen U’Halie; Brian Muldoon, Willis of Ohio

The Board of Commissioners met with the Human Resources Department Director and Willis of Ohio to discuss the 2012 forecast and contributing model for health benefits in 2012.

Commissioner Smeiles noted that the cost of hospitalization and cost of pharmacies has gone up. The Board needs to preserve the reserve funds since the county is self insured.

The Board of Commissioners agreed to move to the tiered system and to remove the PPO B option.

Commissioner Marsilio would be in favor of approving the 15% employee contribution. Commissioner Frederick would be in favor of the 10% employee contribution. Commissioner Smeiles suggested a stepped increase to the 15% going to 10% this year, then 12.5% next year and then to 15%.

Commissioner Frederick asked how this action will affect the reserve knowing that everything else is increasing; the Board of Commissioners must protect the reserve. Karen U’Halie responded that the reserve will be okay with close monitoring. Commissioner Smeiles noted that the increased rates will preserve the reserve fund.

Director U’Halie noted that the county demographics show that we are not getting younger. The reserve would be affected by \$1.5 million if the Board of Commissioners takes no action to increase the employee premiums. Commissioner Smeiles responded that the County spends \$10 million per year for this self-insured plan. The Board has held the increases low due to frugal management.

Commissioner Frederick likes the idea of a step increase to the 15% spread out over three years.

Commissioner Marsilio asked if the Board of Commissioners intends to plan a schedule for future increases when the Board knows that the amounts need to be increased now. Commissioner Smeiles responded that the tiered increase will more than double the cost of health insurance for employees. Commissioner Marsilio asked what double means in the real world? Mike Sever stated that the employees’ real world is that the Board will take double from their paychecks. He added that employees do not have access to more money.

Commissioner Marsilio responded that the she knows people who make less money than county employees who do not have access to a retirement program. The reality is that we need to bring health care costs in line.

Commissioner Frederick liked Commissioner Smeiles’ suggestion for a gradual increase from 10% and then to 15%. Director U’Halie commented that the Board of Commissioners has not wanted to pass on increases in the past two years and the employees have appreciated that/Resolution 11-0906

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11:55 AM Recessed
1:15 PM Reconvened

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COUNTY ENGINEER
Present: Mickey Marozzi

Cotton Corners Project

The County Engineer updated the Commissioners on the ODOT Safety project scheduled for the improvement of the Cotton Corners intersection in Ravenna Township. There is no board action necessary but the project will bring a major improvement at Cotton Corners since the intersection has a high level of accidents. Mr. Marozzi discussed the details of this project and added that the ODOT is paying entirely for the project.

The Engineer reminded the Board of Commissioners that there was interest in the past in erecting an antenna tower on his property there.

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SR 5 Bypass/New Milford Road

The SR 5 Bypass intersection with New Milford Road has a history of intersection T-bone accidents with serious injuries and fatalities. ODOT proposes to improve the road with the installation of islands and barriers. Southbound traffic on New Milford will only be able to turn right; northbound traffic will only be able to turn right. The County Engineer noted that a traffic light would add more problems with the entrance from SR 14 to the bypass so close.

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EXECUTIVE ASSISTANT

Present: Charlene Badger

1. Discussion of appointments to various boards:
 - A. Patricia Petty is willing to serve on the Solid Waste Management District Policy Committee. The Executive Assistant has two other letters of interest in serving. Bill Steiner will add this issue to the October 25th Policy Committee agenda for discussion.
 - B. John Siman and Tim Hartong are interested in serving on the Airport Board of Trustees/Clerk to schedule a meeting with Mr. Siman to discuss his interest.
 - C. The Law Library Board has recommended Attorney Chad Murdock's appointment to the Board. Commissioner Frederick and Commissioner Marsilio have talked to several women who are interested. They will ask those interested to send a letter of interest.
 - D. There is a vacancy in the labor rep category on GAPP.
 - E. The Board of Commissioners received an October 6, 2011 memo from Portage Development Board, regarding appointments to various boards/Executive Assistant to prepare resolutions
 - a. NEOTEC has an opening
 - b. Port Authority has the Ex Officio member open
 - c. CIC is an offshoot of the Akron Chamber – there is an opening there
 - d. Cascade Capital Corporation is a non-profit board under the Akron Chamber
 - e. Appointed to the NEFCO Board and the CEDS committee
 - F. The Storm Water Task Force met this week; the Executive Assistant attended. There was good attendance
 - G. The Executive Assistant reported \$19,951 in savings for Portage County buildings that participated in the CCAO Gas Program.
At the September meeting, the CCAO discussed fracturing and a possible increase to Recorder fees. They also discussed tax implications of income tax and surcharges,

working with the County Engineer on road damage; oil companies should be made to pay for the road damage. In Pennsylvania, there is a \$40,000 fee per well paid to local governments.

H. The Board of Commissioners had asked that the Executive Assistant prepare a birthday card as suggested by the CCAO for the state of Ohio as it turns 150 years old. The Executive Assistant reported that this is an art project and not a simple card. The Executive Assistant contacted the vendor who prepared the Annual Report and owns the photos associated with the county. He quoted \$280.00 for a CD and hard copy/Journal Entry

2. October 5, 2011 correspondence from Harrison Frantz, Chesapeake Energy, regarding oil & gas lease covering Portage County. Replies requested before Thursday, October 20, 2011/Executive Assistant to contact and get additional information.
3. September 30, 2011 correspondence from Joseph Testa, Ohio Department of Taxation, regarding a final determination for parcel number 31-313-00-00-004-990/This is hospital property that is now exempt.

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JOB & FAMILY SERVICES

Present: Judee Genetin, Karen U'Halie, Michelle Ripley

1. The Board of Commissioners wants to list the PIC (Person in Charge) in associated buildings that are not in the Administration Building complex in the Evacuation Plan. The Director advised she wants to be a part of the PIC listing for the Child Support and the One Stop and not have her Assistant Director or supervisors listed first.

Commissioner Marsilio asked what the Director's suggestion would be. Director Genetin would like to be listed as number one for the Riddle Block, the Annex and the One Stop buildings. Director U'Halie asked what would happen if the Director is listed first on the list and not in the building. Director Genetin responded that her people know what they are permitted to do and when they need to contact her. Commissioner Frederick asked if the Director simply wants notice of an event or if she wants to be the first on the list for the JFS facility buildings.

Commissioner Smeiles stated that common sense is that in an immediate threat, evacuation is in order. If not an immediate threat, the Director should be contacted for direction.

The Director noted that she is okay with a PIC list without her being the first in the list. She now understands the reasoning behind the PIC listing. The Director will work with the Human Resources Department staff to get the proper titles for the list.

Michelle Ripley noted that the county needs to hold mock training for all buildings so that there can be a run-through to work out the kinks. Ms. Ripley noted that the Fire Code requires a PIC line. The Board of Commissioners agreed that a mock drill should be scheduled as soon as possible. Ms. Ripley suggested that the Board get a good PIC line in

place, distribute the Evacuation Policy and then she would work with departments before moving to a mock trial before December 1, 2011.

2. Deposition for Mahoning County

Director Genetin has received a Subpoena for a deposition for an attorney lawsuit. The Board of Commissioners agreed that the Director should attend.

3. The Director presented the CSEA Performance for Years 2009-2011.

4. One Stop Move – the Director noted that she has recommended moving the staff from the One Stop to the Administration Building. She is developing a time line with all of the necessary details to be worked out. The proposal for rooms in the Administration Building should be ready by her next meeting with the Board of Commissioners. She would anticipate moving no earlier than mid-February 2012 or later. The Board of Commissioners agreed that they like the concept and agreed to a spring move.

The Director proposed that she install a huge flat screen TV and projector on the back wall and other equipment for use by the JFS on occasion but also available for other departments to use for training. The Board of Commissioners liked this idea, as well.

5. 2009 Audit Report – the Director received a copy of the two letters from the state, which are corrective action plan requests. She will respond to both correspondences.

A. October 5, 2011 correspondence from Edna Frezgi, Ohio Department of Job & Family Services to Director Judee Genetin, Job & Family Services, regarding Audit Tracking No. CXT-09-00076.

B. October 5, 2011 correspondence from Edna Frezgi, Ohio Department of Job & Family Services to Administrator Kevin Gowan, Job & Family Services, regarding Audit Tracking No. CXT-09-00076.

6. The Director had recommended a payment plan for the 2007 Audit, which was accepted by the state. She presented a copy of the proposed contract from the Ohio Department of Job & Family Services has sent a proposed repayment agreement for the 2007 Audit.

The Board of Commissioners agreed that the Prosecutor need not review the agreement as presented, although a copy has been sent to Denise Smith/11-0907.

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PUBLIC HEARING REIGER DRIVE VACATION

Reconvened from January 31, 2008 at 3:00 PM

Present: Commissioners Frederick, Marsilio, and Smeiles; Mickey Marozzi, County Engineer; Portage County Assistant Prosecuting Attorney Chris Meduri; Surveyor Jerry Rockney; property owners listed on attached sign-in sheet; Deborah Mazanec, Clerk

I. OPENING – Commissioner Frederick

The Board of County Commissioners may locate, establish, alter, widen, straighten, vacate or change the direction of roads as provided in sections 5553.03 to 5553.16 of the Ohio Revised Code. This power extends to all roads within the County, except that as to roads on the state highway system the approval of the director of transportation shall be had.

Ohio Revised Code Section 5553.045 further indicates that a Board of Township Trustees may petition the Board of Commissioners to vacate township road or portion of a township road. This portion of the code will be followed for the road vacation of Reiger Drive.

II. PURPOSE OF THE HEARING – Clerk

To hear any testimony bearing upon the necessity of the improvement for the public convenience or welfare and offered either for or against proceeding with the improvement by any interested persons.

III. SWEARING IN OF THOSE WHO ARE SPEAKING - Commissioner Frederick

Please raise your right hand

- Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth?

Please respond: I Do.

IV. RECAP FROM THE JANUARY 31, 2008 MEETING

The County Engineer’s office indicated the proposed vacation submitted lacked the vacation plat/replat showing and describing the vacated area and consolidating parcels on both sides of Reiger Drive to prevent a future potential of landlocked parcels.

The County Engineer recommended the Board of Commissioners not approve the vacation until such a vacation plat/replat is submitted and approved.

Portage County Attorney Chris Meduri noted that the vacation application as submitted was incorrect. He recommended that the Board of Commissioners recess the public hearing to allow the landowners to hire a surveyor and obtain the required replat.

V. COUNTY ENGINEER’S STATEMENT DATED SEPTEMBER 23, 2011

The Portage County Engineer’s Office reviewed the petition for content for a second time against the previously provided comments. The following is offered in regards to the acceptance of said vacation:

- A. The submittal does include a vacation plat for Reiger Drive; however, it does not include any consolidation of the parcels. This omission will create landlocked parcels, which is not permissible under Portage County's Subdivision Regulations, Section 421, Item No. 3.

The Portage County Engineer's office recommended not approving this vacation as submitted until such time as it includes a replat of the effected portion of the W.A. Hawthorne Allotment, Plat No. 2, which consolidates all of the potentially landlocked parcels in such a manner as providing for access to a public highway.

- B. The County Engineer presented an October 12, 2011 correspondence to the Board of Commissioners noting that Surveyor Jerry Rockney presented a revised plat that has been reviewed. He recommended that the Board of Commissioners not approve the vacation as submitted until it is revised again.

VI. WRITTEN COMMENT

The Board of Commissioners acknowledged the receipt of an October 12, 2011 email from the Deerfield Township Trustees stating that the Trustees are in favor of vacating Reiger Drive if the property owners are in compliance with all requirements.

VII. PUBLIC COMMENT

- John Soloski commented that he is with the Berlin Leisure Time and concerned that the proposed vacation would land lock lots 105 and 108, noting that those lots use the driveway on lots 57 and 58.
- The County Engineer responded that lots 105 and 108 would not be landlocked since they would enjoy contiguous ownership with lots 57 and 58.
- Claudia James of the Portage County Regional Planning Commission presented an aerial photo of the area.
- Mike Infante, owner of lots 53 and 54 wants to vacate the roadway, which is now a paper road
- Mary Reno, owner of lots 61 and 103, hired the surveyor to begin this process. She and her husband simply want to vacate the paper road to build a home to replace a summer cabin on the lots now.
- Lawrence Harding, owner of lots 63 and 101, urged the Board of Commissioners to use common sense and asked why the road cannot simply be erased.
- Jim Rotherbaum of Berlin Leisure Time stated that the members have not yet discussed this issue formally and the association is opposed to the vacation. The next meeting is Sunday, October 16, 2011. The members have to meet to discuss the issue and are also concerned about the expense to resurvey and replat the lots. He wondered what the benefit would be to the corporation.
- Surveyor Jerry Rockney stated that he resubmitted the plat as a partial vacation since Berlin Leisure Time did not agree to vacate. He added that he told the Berlin Leisure Time that it would cost between \$200-300 for their portion of the survey.
- Claudia James noted that the Regional Planning Commission has investigated this issue since it started as a replat. She added that the Health Department may have to sign off if there are more than three trailers on a lot; at that time the mobile home park rules apply and the EPA would become involved.

- Jim Rotherbaum added that there are 10 trailers on six lots in the subdivision.
- Commissioner Smeiles commented that this procedure began in 2008. Jim Rotherbaum responded that he first saw the drawing on September 30, 2011.
- Mary Reno stated that the Berlin Leisure Time came to them and said that there was no problem with the proposed vacation. She added that this is just a paper road that they want to vacate.
- Commissioner Smeiles stated that the Board of Commissioners cannot approve the plat as submitted.
- Commissioner Marsilio asked the County Engineer what the downside would be to vacating the whole road?
- The County Engineer responded that there is no downside
- Don Reno stated that there is no road in place now.
- Commissioner Smeiles responded that the law would require the county to build a road if the area was developed.
- Mr. Harding noted that 90% of residents want to vacate the road
- Commissioner Smeiles stated that he likes the idea of cleaning up the area, additional taxes for the county and creating whole lots. He suggested recessing to allow the Berlin Leisure Time to meet and discuss the vacation and the County Engineer to work with the Surveyor to discuss the plat and then reconvene.
- Commissioner Marsilio noted that the Board of Commissioners has no authority to approve the plat as presented and would consider recessing to a date within the next month.
- Claudia James stated that the residents should consider vacating all of the lots in the subdivision to avoid having to have the County Engineer, the Health Department and the EPA sign off on a replat.

VII. PUBLIC HEARING RECESSED

Public Hearing recessed at 3:45 PM and will reconvene on November 3, 2011 at Noon.

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RESOLUTION No. 11-0900 - 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 October 13, 2011 in the total payment amount of **\$532,182.82 for Funds 0001-8300** 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. 11-0901 - 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 October 13, 2011 in the total payment amount as follows:

1. \$ 231,054.94 for Medical Mutual Claims-Fund 7101; and
2. \$ 5,265.24 to Take Care by WageWorks, Inc. for processing claims for Medical Mutual; and
3. \$ 650.00 to Take Care by WageWorks, Inc. for processing claims for Medical Mutual; 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, October 14, 2011	\$ 231,054.94
Wire Transfer on Friday, October 14, 2011	\$ 5,265.24
Wire Transfer on Friday, October 14, 2011	\$ 650.00

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.

Roll call vote as follows:

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

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RESOLUTION No. 11-0902 - RE: ENTER INTO REAL ESTATE LEASE AGREEMENT AMENDMENT NO. 1 FOR THE PROPERTY LOCATED AT 213 SOUTH CHESTNUT STREET, RAVENNA, OHIO.

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

WHEREAS, the Board of Commissioners wishes to lease real estate property situated in the County of Portage, known for street numbering purposes as 213 South Chestnut Street, Ravenna, Ohio; and

WHEREAS, Attorneys Thomas J. Sicuro and William G. Simon have an interest in leasing said property; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a Lease Agreement for the property listed above with Attorneys Thomas J. Sicuro and William G. Simon for a term of one (1) year, beginning August 1, 2011 and ending July 31, 2012; and be it further

RESOLVED, that the amount of rent shall be Nine hundred thirty-three and 78/100 dollars (\$933.78) per month; 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. 11-0903 - 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 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 **\$4,475.85** as set forth in Exhibit "A" dated **October 13, 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, Yea;

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RESOLUTION No. 11-0904

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RE: ENTER INTO A CONSULTING AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS AND MAXIMUS, INC. FOR CONSULTING SERVICES FOR THE BOARD OF ELECTIONS.

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

WHEREAS, the Board of Elections is in need of consulting services to calculate all allowable expenses related to the May 3, 2011 primary election, the August 2, 2011 special election and the November 8, 2011 general election; and

WHEREAS, Maximus shall further calculate the cost per precinct and prorate this cost to the various political subdivisions participating in each election pursuant to the rules as stated in O.R.C. 3501.17 (C); and

WHEREAS, Maximus, Inc. is staffed with personnel knowledgeable and experienced in the requirements of establishing such costs, now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into an agreement by and between the Board of Commissioners and Maximus, Inc.,

7523 Fredle Dr., Concord Twp., OH 44077, to provide the necessary consulting services to calculate all allowable expenses related to the May 3, 2011 primary election, August 2, 2011 special election and the November 8, 2011 general election for the Board of Elections; and be it further

RESOLVED, that the Board agrees to pay the Consultant an amount not to exceed Eight thousand nine hundred and 00/100 dollars (\$8,900.00); 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 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, Yea;

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RESOLUTION No. 11-0905 - RE: AUTHORIZE THE SALE OF REAL AND PERSONAL PROPERTY KNOWN AS THE WOODLANDS AT ROBINSON.

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

WHEREAS, it is the intention of the Board of Portage County Commissioners to sell the County owned real and personal property known as the Woodlands at Robinson in accordance with requirements established by the Ohio Revised Code; now therefore be it

RESOLVED, that the Board of Portage County Commissioners hereby authorizes the sale of the following County owned property under the jurisdiction of the Board of Commissioners to the highest responsible bidder:

The Woodlands at Robinson, 6831 N. Chestnut Street, Ravenna Ohio, part of lot no. 13 of the South division, Ravenna Township.

and be it further

RESOLVED, that sealed bids, therefore, will be accepted by the Portage County Director of Internal Services, 7th floor-room 701, Portage County Administration Building, 449 South Meridian St., Ravenna, Ohio until 2:00 p.m. on November 16, 2011; and be it further

RESOLVED, that the notice of receiving bids shall be published in the Record Courier on October 16, 23, 30, and November 6, 2011 and a copy thereof be posted on the County's website and bulletin board of the Board forthwith; 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. 11-0906 - RE: ESTABLISH EMPLOYER AND EMPLOYEE BI-WEEKLY RATES FOR THE PORTAGE COUNTY EMPLOYEE HEALTH BENEFIT PLAN FOR CALENDAR YEAR 2012.

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

WHEREAS, the Portage County Board of Commissioners desires to provide the best value in benefits possible in terms of cost and coverage for the employees of Portage County; and

WHEREAS, the Board of Commissioners recognize the escalating costs in medical services, on-going increases in medical and prescription claims, more expensive drug therapies, and costs associated with health care reform initiatives; and

WHEREAS, the Board of Commissioners also recognizes the necessity of planning for the future with regard to the health care industry in general to ensure a viable and properly funded plan; and

WHEREAS, the Board of Commissioners acknowledges that the rates may be impacted as a result of the upcoming ballot initiative- Senate Bill 5; now therefore be it

RESOLVED, that the Portage County Board of Commissioners agrees to remove the PPO B option from the Portage County Employee Health Benefit Plan; and be it further

RESOLVED, that the Board of Commissioners agrees to move to a three-tiered plan design; and be it further

RESOLVED, that the Board of Commissioners agrees to increase the employee funding contribution from 8% to 10%; and be it further

RESOLVED,

that the Board of Portage County Commissioners does hereby accept the 2012 Portage County Employee Health Benefit Plan bi-weekly rates for calendar year 2012, as calculated by Medical Mutual of Ohio as follows:

<u>Medical Plan</u>	<u>Coverage</u>	<u>Employee</u>	<u>Employer</u>
PPO	Single	\$ 22.09	\$ 198.82
	Two-Person	\$ 44.18	\$ 397.64
	Family	\$ 60.75	\$ 546.75
HMO	Single	\$ 24.19	\$ 217.71
	Two-Person	\$ 48.38	\$ 435.42
	Family	\$ 66.52	\$ 598.69

; and be it further

RESOLVED,

that the funding contribution by employees for calendar year 2013 will be 12.5% and 15% for calendar year 2014; 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. 11-0907

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RE:

ENTER REPAYMENT AGREEMENT BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS, PORTAGE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES, AND THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES.

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

WHEREAS,

the Auditor of State conducted the Portage County 2007 Regular Audit and reported findings of \$771,934.97; and

WHEREAS,

by letter of September 23, 2011, and after meetings between the Ohio Department of Job & Family Services and Portage County and a review of additional materials provided by the county, the Ohio Department of Job & Family Services notified Portage County that the audit finding amount was revised to \$132,708.64; now

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INCOMING CORRESPONDENCE

October 13, 2011

1. October 6, 2011 memo from Portage Development Board, regarding appointments to various boards/Executive Assistant to report to the Board of Commissioners today.
2. October 5, 2011 correspondence from Edna Frezgi, Ohio Department of Job & Family Services to Director Judee Genetin, Job & Family Services, regarding Audit Tracking No. CXT-09-00076/Director Genetin to comment to the Board of Commissioners.
3. October 5, 2011 correspondence from Edna Frezgi, Ohio Department of Job & Family Services to Administrator Kevin Gowan, Job & Family Services, regarding Audit Tracking No. CXT-09-00076/Director Genetin to comment to the Board of Commissioners.
4. October 5, 2011 correspondence from Harrison Frantz, Chesapeake Energy, regarding oil & gas lease covering Portage County. Replies requested before Thursday, October 20, 2011. Referred to Executive Assistant.
5. September 30, 2011 correspondence from Joseph Testa, Ohio Department of Taxation, regarding a final determination for parcel number 31-313-00-00-004-990. Referred to Executive Assistant.
6. October 7, 2011 correspondence from Jon Husted, Ohio Secretary of State, regarding statewide ballot issue information available and accessible to all Ohio voters in the 2011 State Issues Report at www.ohiosecretaryofstate.gov. The Commissioners are encouraged to direct interested voters to the site and/or include a link on the County website/The County Auditor confirmed that the link is on the county website
7. October 11, 2011 correspondence from Anne Marie Mann, Family & Community Services, Inc., regarding the One Stop/Clerk to draft response. Board of Commissioners to discuss with the JFS Director today.
8. October 11, 2011 e-mail from JoAnn Townend, Internal Services, regarding courthouse x-ray machines/The Board of Commissioners agreed that the Sheriff's budget should be responsible for this payment.

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JOURNAL ENTRY

October 13, 2011

1. September 21, 2011 Notice from Ohio Division of Liquor Control of a request for a new liquor license for Dolgen Midwest LLC dba Dollar General Store 7707, Brimfield Township. Does Board of Commissioners wish to request a hearing? The Brimfield Township Trustees ***are requesting a hearing.*** (October 11, 2011 e-mail to Chris Meduri, Prosecutor's Office).

2. Board of Commissioners' signature requested on the Journal Entry to reimburse the Regional Planning Commission from the New Horizons Grant for period August 8, 2011 to September 18, 2011 for \$1,136.75 as requested by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.

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REFERRED

October 13, 2011

1. October 9, 2011 correspondence from John Siman, requesting consideration of appointment to the Portage County Regional Airport Authority. Referred to the Executive Assistant.
2. October 5, 2011 correspondence from Donald Collins, State Employment Relations Board, SERB, to Chris Pavone, Teamsters Local 436 and the Board of Commissioners, regarding Case No. 11-MED-09-1323 (Dog Warden). Referred to the Human Resources Department.
3. The Board of Commissioners received a resume from John Brovarone requesting appointment to the Solid Waste Policy Committee. Referred to Executive Assistant.

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INFORMATION ONLY

October 13, 2011

1. October 3, 2011 correspondence from Matthew Sutherland, Ohio Department of Development, including a copy of Ohio's Community Reinvestment Area Program, City of Aurora, Aurora Community Reinvestment Area No. 2, Amended Confirmation – Area No. 133-03086-1. No action is required by the Board.

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PROSECUTOR

October 13, 2011

1. October 11, 2011 e-mail from Denise Smith, regarding The Woodlands at Robinson/Information only.

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JOURNAL ENTRY

October 13, 2011

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

1. In response to the September 21, 2011 Notice from Ohio Division of Liquor Control of a request for a new liquor license for Dolgen Midwest LLC dba Dollar General Store 7707, Brimfield Township, the Board of Commissioners agreed to request a hearing, noting that the Brimfield Township Trustees are also requesting a hearing.

2. The Board of Commissioners signed the Journal Entry to reimburse the Regional Planning Commission from the New Horizons Grant for the time period August 8, 2011 to September 18, 2011 for \$1,136.75, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Financial Management with no exceptions noted.
3. The Board of Commissioners signed the letter of support for the Portage County Adult Probation's proposal to the Ohio Department of Rehabilitation and Correction Bureau of Community Sanctions for the Probation Improvement Incentive Grant for the Repeat Offender Cognitive Intervention Program (ROCIP), as presented by Hank Gibson, Portage County Adult Probation Office.
4. The State of Ohio has invited local governments to help celebrate the 150th birthday of the Ohio Statehouse by sending a "birthday greeting" to mark this historic occasion on November 15, the actual day the Capitol Building was completed in 1861. Each birthday greeting will be displayed during the "Ohio Statehouse 150th Birthday Celebration Open House and Capitol Artists Fair" scheduled for November 15 and will become part of the permanent collection of the Ohio Statehouse. Each greeting will be preserved and displayed during the Statehouse's 200th anniversary in the year 2061.

The Board of Commissioners accepted the recommendation of the Executive Assistant and approved the proposal from the Art Armory of Kent to prepare an electronic and glossy birthday card for Portage County to present to the State of Ohio at a cost of \$280.

5. The Board of Commissioners approved the job description for The Woodlands at Robinson Director of Community Relations, as presented by the nursing home staff.
6. After meeting in an Executive Session today with The Woodlands at Robinson staff, the Board of Commissioners accepted staff recommendation and approved a two (2) day unpaid suspension for an Environmental Supervisor at the nursing home on Wednesday, October 12, 2011 and Thursday, October 13, 2011.

All in favor, 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 **October 13, 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 **3:50 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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