

**Thursday, October 20, 2011**

The Board of County Commissioners met in regular session on **Thursday, October 20, 2011 at 9:30 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 October 18, 2011 meeting. All in favor, motion carries

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

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### **Public Comment Period**

Members of the public are attending today to address their concerns about proposed hydraulic fracturing in Portage County.

Gwen Fischer is a retired Science Professor at Hiram College. She noted that this is a different type of drilling than is currently in the county and she is concerned about the chemical laced water used, truck traffic, possible water contamination, etc. She is concerned about the environmental issues that may be caused by hydraulic fracturing.

Lori Babbey commented that she is also concerned about the proposed hydraulic fracturing. She is a lifelong resident and is worried about the impact on the county both near term and long term. The fracturing would make Portage County an industrial county and the process may harm the environment and residents. She cited a number of issues with Chesapeake and lease payments to resident. Portage County is a rural, agricultural community and we need to protect health, property values, safety and life. Drilling is not worth ruining our lives.

Swanhild Voneida also spoke against the proposed hydraulic fracturing. She noted her concern about possible drilling near or on county parks. In addition, she wrote to the Ohio EPA and got information about how to have your well tested prior to drilling; cement and brine have been found in wells after drilling. She is concerned about the effect on water wells in Portage County and noted that the testing could cost up to \$1,000 per test.

Karl Liske urged the Board of Commissioners to be extremely cautious in moving forward and asked if we are rushing to pursue the Marcellus Shale?

The Board of Commissioners thanked the residents for attending today and making comments. The Commissioners noted that the residents should contact Jack Medved at the Portage County Health Department.

Commissioner Marsilio asked where water wells have been polluted in Ohio? Ms. Fischer responded that 20 families in Bainbridge Township lost their wells and Garrettsville Village has a concern about their wells since the land around the Village has been leased by farmers.

Ms. Babbey noted that local public meetings held have resulted in someone calling her afterwards to report that their wells have been contaminated. The Ohio EPA continues to say that there are no contaminations but residents do not know who to call with water issues. She has developed an emergency call sheet for residents to use if there are issues that come about during or after drilling.

Commissioner Marsilio asked if Ms. Babbey would shut down all drilling in the state? Ms. Babbey responded that drilling should be stopped until it can be done right. Fossil fuels will not last forever, the contamination will.

Ms. Fischer commented that there is no evidence that the industry is learning from their mistakes.

Commissioner Frederick asked where permits were revoked - Ms. Babbey responded in Texas, although she is not very familiar with the issue there.

Commissioner Smeiles applauded the group for their involvement in this issue. There are many issues from road damage to pollution. The County Engineer has taken steps needed to force the companies to repair any road damage. That is one thing that the Board of Commissioners has jurisdiction over. Other than that, the Board of Commissioners has no jurisdiction over the drilling process. What is being done in Columbus, since the county is at the mercy of the state.

Ms. Fischer responded that the Board of Commissioners should be very concerned since the Oath of Office taken by the Board of Commissioners requires that the Board act to protect their residents. If the local officials are powerless to protect its people, that is an outrage. This is a very serious issue of democracy as well as one of pollution. She would be happy to get more information to the Board of Commissioners.

Theodore Voneida stated that he is deeply concerned about environmental, human and economical issues. He has testified in Columbus against drilling in the parks; he added that the Director of the ODNR was the only witness to testify for the drilling. The state parks are a beautiful place for residents to go; they would be a great place to drill and jobs would follow. However, what damage would be done? Drilling is being banned in Albany, NY and other areas, as well as in France. Where does the water used come from? Our lakes and streams - we will have a problem with the lack of water in the future. He would like a federal moratorium until better regulations are in place.

Commissioner Frederick pointed out that the Board of Commissioners has no jurisdiction in this but intends to avail the services that we do have, like the Health Department, so that they are up to date with the facts that they will have available to the public. She is encouraged by the Portage County Health Department's efforts in assisting the public.

Mike Sever asked if the county resolution addresses the "gypsy" trucks found in Northern Portage County? He added that the Ohio State Patrol has the only scale that can weigh the trucks addressed in the resolution. Ms. Fischer stated that the bond is toothless without enforcement.

Tim Kasper, Hiram Township, who brought his young daughters with him, stated that this is a good spectrum of what the Board of Commissioners is faced with. The Board of Commissioners can only decide how to use county owned land. Can the Board of Commissioners guarantee that his children will have clean water available to them? Why not wait for the studies to be completed that identify how to proceed with the least amount of contamination? Wait for the data before agreeing to lease for drilling; once the Board of Commissioners signs a lease, the land is available for drilling. No need to hurry!

Mr. Voneida man asked how many inspectors are in Ohio to inspect wells? Ms. Babbey responded that there are 30 inspectors for thousands of wells.

The Board thanked the residents for attending and added that residents who could not attend can write to the Board at any time and could also email the Clerk with comments and information.

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**Judge Giulitto**

Present: Judge Giulitto, Audrey Tills, Bev Lowe

Implantation of a digital recording system for Domestic Court

The Board of Commissioners sent a request to the Judge asking if the remaining \$6,924.82 could come from the Court Technology fund. The Commissioners noted that the Judge has recommended using health benefits savings and the Common Pleas Computer Fund to pay for a portion of the purchase. In order to move this forward before the expiration date of the price for the notebooks, the Board asked the Judge to determine if the Court would consider an amendment to the current Court Order to include the.

Judge Giulitto advised the Board that there is no other funding source available to use since the Court Technology Fund is a Common Pleas fund shared by the courts and cannot be used for this purchase.

Commissioner Frederick noted that Director Tillis was a strong proponent of moving this forward. Judge Giulitto responded that she was happy that the Board of Commissioners asked her to check into the Fund. However, those funds cannot be used and the system is antiquated; the storage expense of the tapes is growing. This is the best pricing that can be found.

Commissioner Smeiles asked about the replacement of the laptops. He noted that Brian Kelley has deemed that the laptops are obsolete and asked what they are used for? The Judge responded that the laptops are functional but will not make the software work and do not support the digital recording. The laptops are used to interface with the computer and microphones. The laptop is the actual recording device and replaces the actual recorder.

Director Tillis applauded the Judge for taking all steps to find the money before coming to the Board of Commissioners.

The Board of Commissioners approved the \$6,925 by Journal Entry from the General Fund Contingency.

Commissioner Smeiles asked if the digital recording can replace Court Reporters as they do in the Bedford Muni Court? The Judge responded that the Reporters do more than just record and are great assistance to the Judges. She would not recommend replacing the Court Reporters with digital recorders.

The Judge added that she started doing remote video arraignments last week saving the Sheriff the cost of transporting prisoners. Commissioner Smeiles added that when the jail was built that was the notion. Judges Enlow and Pittman also use the video arraignment.

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### **Internal Services**

Present: JoAnn Townend

### **DISCUSSION**

1. The Director contacted Dan Smith about the Kent Courthouse. The agreement between the city of Kent and the Downtown Development Corp for the purchase of the new courthouse site is being worked; Kent Council will be ready by mid December to enter into that agreement. She added that the Jimmie Jon's lease up on October 31, 2011 and is looking for a new facility for that operation. Jimmie Jon's can go on a month-to-month lease if the terms can be finalized.

The Director has proposals for soil borings coming in; the Surveyor will be free in mid-November. Commissioner Smeiles asked if a survey is necessary to incorporate the parcels into one? The Director responded that she hopes that the city makes the parcels into one. Commissioner Smeiles responded that the architect needs a topographical survey on the property. The Director is aware that one is needed. Commissioner Smeiles stated that Dan Smith believes that the Phase I study is done; however, there is a need for an Environmental Phase II study or state paperwork stating that one has been done with the results. The Director will investigate.

Commissioner Smeiles remarked that the architect met with the Sheriff's staff and discussed slight blueprint modifications. He agreed to forward the comments and changes to the Judges; the Clerk has set aside November 14 at 3:00 PM for the next meeting of the group to discuss the blueprint of the building, without the architect.

JoAnn Townend has looked at the changes proposed by Mr. Zurzolo and they call for a full basement. Commissioner Smeiles noted that the topo survey would have to be completed before the basement question is answered because the property has to lend itself to having a basement? JoAnn Townend to ask the architect the budget impact on adding a full basement and moving the utilities to the basement. Commissioner Smeiles added that the Construction Manager agreement must be finalized. The Director responded that she sent the agreement to Scott McCarthy who recently contacted her to report that he is looking at the agreement.

2. Woodlands

The Director reported that the bids were sent to 16 firms and are due by November 16<sup>th</sup>. The surveyor is on vacation for the first two weeks of November although he would be ready to move when he returns; the bidders need to see the lay of the land. Commissioner Smeiles noted that the survey/current land use agreement may not be adequate. The dedicated road is an issue; Commissioner Smeiles thought that the original specs called for the road to meet the specifications of the city? Director Townend responded that the land use agreement required the road be installed to ODOT specs. She does not have the original bid documents but the nursing home should have a complete set of the bid specs and as-builts. She agreed to contact Bowen & Associates to see if they have their files archived. She added that, if the former City of Ravenna Engineer Mark Bowen did not look at the project when built, he would have advised the city of that fact. Commissioner Smeiles would like to be able to prove to the city that the road was built to ODOT standards so that the city could accept it.

3. The Director meets tomorrow with the vendors and Fire Chief regarding the Sheriff's FEAR system. The Director noted that the fix to the system will cost \$122,350.
4. The Director reported that she found no official approval of the Board of Commissioners of the use of the 911 Funds for the Sheriff to purchase a CAD system. Commissioner Smeiles commented that the Board of Commissioners was never in the loop for this purchase until the agreement came to the Board of Commissioners several weeks ago. Commissioner Frederick recalled that the Sheriff came in with request for additional appropriation and mentioned the CAD several times. The Director reported that Attorney David Brode reviewed the agreement and will sign it as to form/11-0936

5. Time Warner Invoice

The Director advised that she received an invoice from Homeland Security and Emergency Management Office Director Jon Barber for charges for the line at the Administration Building; this service was to have been cancelled. She asked if the Board of Commissioners wants to pay the monthly charge of \$43.67 for September 14-October 14, 2011. She noted that Director Barber had the line installed at the Admin Building in case the Board used the 1st floor during an emergency/Journal Entry

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11:05 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(2), motion by Commissioner Smeiles, seconded by Commissioner Marsilio that the Board of Commissioners moves into executive session to consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. **Also present:** Internal Services Director JoAnn Townend. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

11:12 AM Upon conclusion of the above referenced discussion, it was moved by **Commissioner Smeiles**, seconded by **Commissioner 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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## **Human Resources**

### **A. Discussion**

Present: Karen U'Halie and Audrey Tills

#### **Accrued Sick Leave (Conversion) Pay-Out Policy Draft**

Director U'Halie noted that the Board of Commissioners has been discussing this draft policy for some time. Director U'Halie added that the Board still needs to address the use of three days of sick time as "personal days". Commissioner Frederick stated that she is reluctant to approve this especially in light of the news this morning that the Sheriff's FEAR system fix is \$123,000. Director Tillis responded that the FEAR system is a one-time fix. The new policy will be an on-going expense. Commissioner Frederick noted that this policy will affect the General Fund. In case of the Sheriff, for example, there would be an additional negative effect on the General Fund. Commissioner Frederick stated that she will not be able to support the policy due to that.

Director Tillis noted that, if the Board of Commissioners moves forward, other elected officials must follow the entire Board of Commissioners' Personnel Manual and not choose which part to follow. Commissioner Smeiles stated that this is a good program for employees and he would like to move forward. However, other elected officials do pick the best of the Board of Commissioners' policies and ignore the other policies. He suggested working with other elected officials to get a sign-off to treat all employees in a consistent manner. Commissioner Marsilio stated that there is nothing stopping other elected officials from instituting this policy right now. The Board agreed and noted that the Board of Commissioners would have to appropriate the funds. Commissioner Frederick replied that she has not seen consistency from other elected officials and she is concerned with the General Fund and not having a finalized budget right now. Director Tillis added that the Board must remember the increase in the health benefits. The elected officials can do what they want but whatever the Board of Commissioners does will impact all departments. Commissioner Marsilio noted that the policy is targeted to good employees. In terms of policy, rewarding good employees is what the Board of Commissioners should move toward. Commissioner Frederick agreed but is concerned about meeting with other elected officials to finalize the 2012 budgets and hearing what they need. She would like to wait. The Directors advised that the Board of Commissioners can table a decision until after the 2012 budget is finalized.

Commissioner Smeiles would like to move forward but suggested that the policy decision be tabled until January 2012. He would like to see a policy manual that could be offered to the elected officials for

consideration. Director Tillis responded that the Board of Commissioners would have to access the money in the reserve to pay for this policy. Commissioner Smeiles asked if this violates any Union Agreements? The Human Resources Department Director responded not at this time.

Commissioner Marsilio made the motion for a 2012 start of the policy and then amended the motion so that it is for Board of Commissioners' departments only. /11-0937

Director U'Halie advised the Board of Commissioners that she sent a clarification email describing the tiers in the Health Benefits memo. Employees are understanding this better now.

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11: 44 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 consider a compensation issue. **Also present: Directors Karen U'Halie and Audrey Audrey Tillis.** Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

12:05 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 no action.

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Lunch Recess

Meeting Reconvened

Recess to Solid Waste Management District Meeting

Reconvene Board of Commissioners

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### **GAPP Update**

Commissioner Marsilio gave the Board of Commissioners an update on the streamlining of the GAPP meetings. She added that there is still an issue of the investigation of funds. LEOs advised the GAPP Executive Director that the financial concerns must be identified or corrected by 12/31/11.

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### **Neighborhood Development Services**

Present: Dave Vaughan, Mike Bogo, Kaitlyn McNerney, Audrey Tillis

### **Discussion**

The Neighborhood Development Services is attending today to discuss the UDAG Loan Agreement with the city of Ravenna for the Freedom Rail Line. Director Tillis noted that she understands that the Board will either need to request an extension or request forgiveness of the Loan Agreement; she asked

what the options are in the guidelines of the agreement. Mr. Bogo noted that the Board of Commissioners agreed to suspend payments from the operator several years ago.

Ravenna has agreed to share 50% of the cost of the storm drain repair done near Day Street (see attached letter from the City). On October 13, 2011, the Board of Commissioners agreed to accept Ravenna's offer up to 50% of the repair. The total repair including the county Engineer's costs is \$30,017.39. The city is drafting the agreement.

The Neighborhood Development Services staff suggested that the Board of Commissioners offer to cancel the note and give the rail line to the city. Neighborhood Development Services staff agreed to talk to the Mayor to determine the city's interest in the rail line since the city is receiving the tax revenue.

Commissioner Smeiles suggested that the Board of Commissioners contact the ABC Railway and ask for an update. What is the traffic, is ABC ready to begin to pay the fee again or still need waiver? The Board agreed to meet with ABC representatives and invite the city.

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**Chesapeake Energy - Cancelled**

Sandy and Newt Engle, Hartville Road, attending to discuss hydraulic fracturing in Portage County.

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**RESOLUTION No. 11-0918 - 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 20, 2011 in the total payment amount of **\$465,177.23 for Funds 0001-7219** 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. 11-0919 - 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 20, 2011 in the total payment amount as follows:

1. \$ 228,477.52 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, October 21, 2011                      \$ 228,477.52

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. 11-0920 - 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:

10/19/11	840	\$ 2,626.20
10/19/11	843	180.00
10/19/11	842	12.50
Total		\$ 2,818.70

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. 11-0921 - 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 **\$16,703.50** as set forth in Exhibit "A" dated **October 20, 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. 11-0922 - RE: ACCEPTANCE OF DONATION TO THE OFFICE OF THE PORTAGE COUNTY DOG WARDEN.**

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

**WHEREAS,** The office of the Portage County Dog Warden received a donation of \$20.00 for upgrades to the facility from:

Ravenna Repair Service  
5361 McCormick Rd  
Ravenna, Ohio 44266

now therefore be it

**RESOLVED,** The Board of Portage County Commissioners does hereby accept the donation on behalf of the Office of the Portage County Dog Warden;

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. 11-0923**

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**RE: ACCEPTANCE OF DONATION TO THE OFFICE OF THE PORTAGE COUNTY DOG WARDEN.**

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

**WHEREAS,** The office of the Portage County Dog Warden received a donation of \$50.00 for the spay and neuter fund from:

Ted & Coleen DeSalvo  
9075 Horn Rd  
Windham Oh 44288

Now, therefore, be it

**RESOLVED,** The Board of Portage County Commissioners does hereby accept the donation on behalf of the Office of the Portage County Dog Warden;

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. 11-0924**

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**RE: TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO APPLY FOR FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO IMPROVE PECK ROAD (CH 167) FROM NEWTON FALLS ROAD (CH 177) TO STATE ROUTE 88 IN RAVENNA TOWNSHIP, PORTAGE COUNTY, OHIO.**

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

**WHEREAS,** the Akron Metropolitan Transportation Study (AMATS) requires the adoption of legislation by the governing body of the applicant to submit Surface Transportation Program (STP) fund applications and execute contracts; and

**WHEREAS,** the Portage County Engineer has prepared an application for STP funds for full depth repairs and the resurfacing of Peck Road (CH 167) from Newton Falls Road (CH 177) to State Route 88 in Ravenna Township, Portage County, Ohio; and

**WHEREAS,** the Board of Portage County Commissioners is the governing body; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners hereby authorizes the Portage County Engineer to apply for federal Surface Transportation Program (STP) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following project:

PECK ROAD RESURFACING

*The purpose of this project is to make full depth repairs at locations of complete pavement failure, plane pavement to provide uniform cross slope and resurface pavement with 1.5 inches of asphalt concrete from for a total of 2.02 miles at a total estimated cost of \$440,000.00*

and be it further

**RESOLVED,** that the Portage County Engineer acknowledges and understands the AMATS “Funding Policy Guidelines” and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds, 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. 11-0925**

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**RE:**

**TO AUTHORIZE THE PORTAGE COUNTY ENGINEER TO APPLY FOR FEDERAL SURFACE**

**TRANSPORTATION PROGRAM (STP) FUNDS  
PROGRAMMED BY THE AKRON METROPOLITAN  
AREA TRANSPORTATION STUDY (AMATS) TO  
IMPROVE BRADY LAKE ROAD (CH 162) FROM  
RAVENNA ROAD (CH 145) TO RED BRUSH ROAD  
(CH 158) IN FRANKLIN AND RAVENNA  
TOWNSHIPS, PORTAGE COUNTY, OHIO AND  
TALLMADGE ROAD (CH 18) FROM NEW MILFORD  
ROAD (CH 31) TO INDUSTRY ROAD (CH 47) IN  
ROOTSTOWN TOWNSHIP, PORTAGE COUNTY,  
OHIO.**

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

**WHEREAS,** the Akron Metropolitan Transportation Study (AMATS) requires the adoption of legislation by the governing body of the applicant to submit Surface Transportation Program (STP) fund applications and execute contracts; and

**WHEREAS,** the Portage County Engineer has prepared an application for STP funds for full depth repairs and the resurfacing of Brady Lake Road (CH 162) from Ravenna Road (CH 145) to Red Brush Road (CH 158) in Franklin and Ravenna Townships, Portage County, Ohio and Tallmadge Road (CH 18) from New Milford Road (CH 31) to Industry Road (CH 47) in Rootstown Township, Portage County, Ohio; and

**WHEREAS,** the Board of Portage County Commissioners is the governing body; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners hereby authorizes the Portage County Engineer to apply for federal Surface Transportation Program (STP) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) for the following project:

**BRADY LAKE ROAD AND TALLMADGE ROAD RESURFACING**

*The purpose of this project is to make full depth repairs at locations of complete pavement failure, plane pavement to provide uniform cross slope and resurface pavement with 1.5 inches of asphalt concrete from for a total of 2.86 miles at a total estimated cost of \$550,000.00*

and be it further

**RESOLVED,** that the Portage County Engineer acknowledges and understands the AMATS "Funding Policy Guidelines" and confirms to the best of its knowledge that the information contained in the project application is accurate, that it intends to diligently pursue that project, and that a local share is required to match federal funds, 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. 11-0926** - **RE: DESIGNATING AND AUTHORIZING AN OFFICIAL TO SUBMIT AN OHIO PUBLIC WORKS COMMISSION (OPWC) INFRASTRUCTURE PROGRAM ROUND 26 GRANT APPLICATION AND EXECUTE CONTRACTS FOR THE PORTAGE COUNTY ENGINEER FOR THE SANDY LAKE ROAD RESURFACING PROJECT, LOCATED IN BRIMFIELD TOWNSHIP, PORTAGE COUNTY.**

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

**WHEREAS,** the Ohio Public Works Commission (OPWC) requires the adoption of legislation by the governing body of the applicant designating an official to submit OPWC grant applications and execute contracts; and

**WHEREAS,** the Portage County Engineer has prepared an application for OPWC infrastructure program Round 26 funds for the Sandy Lake Road Resurfacing Project, from Tallmadge Road to Meloy Road, located in Brimfield Township, Portage County; and

**WHEREAS,** the Board of Portage County Commissioners is the governing body; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners hereby designates the President of the Board of Commissioners as the authorized official to submit the aforementioned named OPWC grant application and further execute contracts for the Portage County Engineer as required by the Ohio Public Works Commission; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Ohio Public Works Commission; 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;

\* \* \* \* \*

**RESOLUTION No. 11-0927 - RE: DESIGNATING AND AUTHORIZING AN OFFICIAL TO SUBMIT AN OHIO PUBLIC WORKS COMMISSION (OPWC) INFRASTRUCTURE PROGRAM ROUND 26 GRANT APPLICATION AND EXECUTE CONTRACTS FOR THE PORTAGE COUNTY ENGINEER FOR THE OLD FORGE ROAD RESURFACING PROJECT, LOCATED IN BRIMFIELD TOWNSHIP, PORTAGE COUNTY.**

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

**WHEREAS,** the Ohio Public Works Commission (OPWC) requires the adoption of legislation by the governing body of the applicant designating an official to submit OPWC grant applications and execute contracts; and

**WHEREAS,** the Portage County Engineer has prepared an application for OPWC infrastructure program Round 26 funds for the Old Forge Road Resurfacing Project, from the Summit County Line to State Route 43, located in Brimfield Township, Portage County; and

**WHEREAS,** the Board of Portage County Commissioners is the governing body; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners hereby designates the President of the Board of Commissioners as the authorized official to submit the aforementioned named OPWC grant application and further execute contracts for the Portage County Engineer as required by the Ohio Public Works Commission; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Ohio Public Works Commission; 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. 11-0928

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RE: DESIGNATING AND AUTHORIZING AN OFFICIAL TO SUBMIT AN OHIO PUBLIC WORKS COMMISSION (OPWC) INFRASTRUCTURE PROGRAM ROUND 26 GRANT APPLICATION AND EXECUTE CONTRACTS FOR THE PORTAGE COUNTY ENGINEER FOR THE SUMMIT ROAD RESURFACING PROJECT, LOCATED IN RAVENNA TOWNSHIP, PORTAGE COUNTY.

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

**WHEREAS,** the Ohio Public Works Commission (OPWC) requires the adoption of legislation by the governing body of the applicant designating an official to submit OPWC grant applications and execute contracts; and

**WHEREAS,** the Portage County Engineer has prepared an application for OPWC infrastructure program Round 26 funds for the Summit Road Resurfacing Project, from Lakewood Road to Prospect Street, located in Ravenna Township, Portage County; and

**WHEREAS,** the Board of Portage County Commissioners is the governing body; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners hereby designates the President of the Board of Commissioners as the authorized official to submit the aforementioned named OPWC grant application and further execute contracts for the Portage County Engineer as required by the Ohio Public Works Commission; and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the Ohio Public Works Commission; 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. 11-0929**

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**RE: AMEND RESOLUTION NO. 10-0645: AUTHORIZE APPLICATION AND ACCEPT THE FY2010 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) AGREEMENT FED GRANT # 2010-EP-00-0003, CFDA 97.042**

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

**WHEREAS,** the Board of Commissioners adopted Resolution 10-0645 on July 13, 2010 authorizing the application for the FY10 Emergency Management Performance Grant (EMPG) on behalf of the Portage County Office of Homeland Security & Emergency Management for the total budget amount of \$173,800.00; of which the required 50% local match (\$86,900.00) being provided by the Portage County General Fund; and

**WHEREAS,** the Board of Commissioners adopted Resolution No. 10-0645 on July 13, 2010 accepting the FY 10 EMPG Grant award of \$86,900.00 with a local Match of \$86,900.00 being provided from the general fund for the grant period from October 1, 2009 through June 30, 2011 on behalf of the Portage County Office of Homeland Security & Emergency Management; and

**WHEREAS,** the Ohio EMA notified the Portage County Office of Homeland Security Emergency Management Agency that the "supplemental cash request" resulted in \$23,176.38 being added to the original award and that the "Portage County's 2010 EMPG award of \$86,900.00 has been increased to \$110,076.38" for the grant period October 1, 2009 through June 30, 2011; now therefore be it

**RESOLVED,** that Resolution No. 10-0645 is amended to read the Portage County Board of Commissioners accepts the supplemental award of \$23,176.38 for Fiscal Year 2010 EMPG Grant for the total increased grant award amount of \$110,076.38; for the grant period October 1, 2009 through June 30, 2011; 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 Office of Homeland Security & Emergency Management Agency; 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. 11-0930 - RE: FIX AMOUNT OF BOND FOR THE DIRECTOR OF COUNTY DEPARTMENT OF JOB & FAMILY SERVICES**

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

**WHEREAS,** Ohio Revised Code Section 329.01 stipulates that the Director of County Department of Job & Family Services shall give bond in a sum fixed by the Board of County Commissioners, conditioned for the faithful performance of those official duties, in such sum as fixed by the BOC; now therefore be it

**RESOLVED,** that the Board of Commissioners does hereby fix the amounts for the Director of County Department of Job & Family Services bond as follows:

Position	Name	Bond Amount	Insurance Agency	Underwritten With
Director of County Department of Job & Family Services	Judee Genetin	\$10,000.00	Edward H. Sutton Insurance Agency Inc.	Ohio Farmers Insurance Company

;and be it further

**RESOLVED,** that Bond No. 0080695 is effective for one year commencing November 8, 2011 through November 8, 2012; and be it further

**RESOLVED,** that the expense or premium shall be paid from the appropriation for administrative expenses of the department to the E. H. Sutton Insurance Agency; and be it further

**RESOLVED,** that a certified copy of this resolution, along with the Original bond, be deposited with the Portage County Treasurer and a copy forwarded to the Portage County Job & Family Services; 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. 11-0931 - RE: AUTHORIZE PAYMENT OF CLAIM ON THE SETTLEMENT AND RELEASE FOR VANESSA MITCHELL.**

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

**WHEREAS,** Vanessa Mitchell is the owner of real property located at 1902 St. Rt. 44, Atwater, Ohio and

**WHEREAS,** Vanessa Mitchell claims damages from a sewage related problems that occurred at the residence located at 1902 St. Rt. 44, Atwater, Ohio during February and March, 2011; now therefore be it

**RESOLVED,** that the Portage County Board of Commissioners authorizes payment of the claim on the settlement and release for Vanessa Mitchell, 1902 St. Rt. 44, Atwater, Ohio in the amount of One thousand and 00/100 Dollars (\$1,000.00); 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. 11-0932 - RE: ENTER INTO AMENDMENT NO. 1 FOR ALCOHOL AND DRUG SCREENING SERVICES BETWEEN THE**



1-3 yard Administration Bldg. Pick-up days Mon. – Fri.	\$2,496.00/yr.
1-3 yard Courthouse Pick-up days Mon., Wed., Fri.	\$1,497.60/yr.
1-8 yard Justice Center Pick-up days Mon., Wed., Fri.	\$3,260.40/yr.
1-2 yard Kent Municipal Ct. Pick-up day Thursday	\$442.00/yr.
1-2 yard Workforce Connection Pick-up day Wednesday	\$442.00/yr.
1-4 yard Riddle Block Pick-up day Wednesday	\$769.60/yr.
1-2 yard Motor Pool Pick-up day Wednesday	\$442.00/yr.
1-4 yard Juvenile Detention Pick-up days Mon., Wed., Fri.	\$1,918.80/yr.
1-3 yard Dog Warden Pick-up days Wed., Fri.	\$998.40/yr.
1-4 yard Water Res. Lab Pick-up day Wednesday	\$769.60/yr.
1-4 yard Franklin Hills WWTP Pick-up day Thursday	\$769.60/yr.
1-2 yard Franklin Hills WWTP Pick-up day Thursday	\$442.00/yr.
1-2 yard Franklin Hills WWTP Pick-up day Every other week	\$286.00/yr.
1-2 yard Franklin Hills WWTP Pick-up day On-call	\$40.00/ea.

1-4 yard Streetsboro WWTP Pick-up day Wednesday	\$769.60/yr.
1-10 yard Streetsboro WWTP Pick-up day On-call	\$275.00 plus \$49.00 per ton
1-2 yard Randolph WWTP Pick-up day Monday	\$442.00/yr.
2-2 yard Engineer Pick-up day Monday	\$884.00/yr.
1-40 yard Engineer Pick-up On-call 4 times pr yr	\$495.00 per pull
1-8 yard Woodlands Pick-up days Mon. – Sat.	\$6,520.80/yr.
1-2 yard Woodlands Pick-up On-call	\$40.00 per pull

; 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. 11-0934**

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**RE: ENTER INTO A LEASE AGREEMENT WITH THE PORTAGE AMATEUR RADIO CLUB, INC. FOR THE LEASE OF SPACE ON THE ROOFTOP AND INSIDE THE PENTHOUSE LOCATED AT THE PORTAGE COUNTY ADMINISTRATION BUILDING, 449 S. MERIDIAN ST., RAVENNA, OHIO.**

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

**WHEREAS,** the Board of Commissioners wishes to lease space on the rooftop for repeater, antennas and feed line; and inside the penthouse of the Portage County Administration Building for an equipment cabinet and electricity at the Portage County Administration Building, 449 S. Meridian St., Ravenna OH; and

**WHEREAS,** the Portage Amateur Radio Club has an interest in leasing said property and has read through, understands, and signed said lease agreement as attached Exhibit A to this resolution; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agrees to enter into a Lease Agreement for the property listed above with the Portage Amateur Radio Club for a term of 12 months, beginning October 1, 2011 and ending on September 30, 2012; and be it further

**RESOLVED,** that the rent shall be One and 00/100 dollars (\$1.00) per year; 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, Nay;

Christopher Smeiles, Yea;

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**RESOLUTION No. 11-0935**

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**RE:**

**ENTER INTO AN AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS AND AT & T INC. FOR CALL CENTER SERVICES FOR THE DEPARTMENT OF JOB & FAMILY SERVICES.**

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

**WHEREAS,** the Portage County Department of Job & Family Services has the need for a call center to provide efficient services to their clients; and

**WHEREAS,** AT & T has the expertise and the platform to provide the call center services to the Portage County department of Job & Family Services for a cost not to exceed One thousand, two hundred forty-seven and 72/100 dollars (\$1,247.72) per month; now therefore be it

**RESOLVED,** that the Board of Portage County Commissioners does hereby agree to enter into an Agreement between the Board and AT&T, 45 Erieview Plaza, Cleveland OH 44114 to provide call center services at the rate of One thousand, two hundred forty-seven and 72/100 dollars (\$1,247.72) per month for a period of sixty (60) months; 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. 11-0936 - RE: ENTER AN AGREEMENT BETWEEN THE PORTAGE COUNTY COMMISSIONERS ON BEHALF OF THE PORTAGE COUNTY SHERIFF AND KENT STATE UNIVERSITY FOR COMPUTER AIDED DISPATCH, LAW ENFORCEMENT RECORDS MANAGEMENT LICENSES AND DATA BACKUP SERVICES.**

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

**WHEREAS,** Kent State University has contracted with New World Systems for Computer Aided Dispatch, Records Management System and Aegis Mobile Unit Software; and

**WHEREAS,** Kent State University has agreed to supply the Portage County Sheriff with Four (4) Computer Aided Dispatch licenses, (15) Law Enforcement records management system licenses and data backup services; now therefore be it

**RESOLVED,** that the Board of Commissioners hereby agrees to enter into an agreement on behalf of the Portage County Sheriff and Kent State University for computer aided dispatch, law enforcement records management licenses and data backup services; and be it further

**RESOLVED,** that payment to Kent State University shall be as follows: \$110,550.00 a one time fee for licensing, equipment, installation, training and other setup costs; \$33,520.00 in maintenance fees per year payable semi-annually on January 10 and July 1; an amount not to exceed \$3,000.00 annually for replacement and/or repair on equipment used in the delivery of the above services; 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:

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

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**RESOLUTION No. 11-0937 - RE: AMEND RESOLUTION 03-0340, ADOPTED JULY 1, 2003: ADDITION OF PART 'J' TO SECTION 22 OF THE PORTAGE COUNTY BOARD OF COMMISSIONERS PERSONNEL POLICY MANUAL.**

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

**WHEREAS,** the Portage County Board of Commissioners adopted Resolution 03-0340 on July 1, 2003, substantially revising and updating the Commissioners' Personnel Policy Manual; and

**WHEREAS,** the Board of Commissioners desire to acknowledge employees for good attendance practices, attempt to reduce sick leave abuse and mitigate large pay-outs upon retirement and therefore wishes to adopt a program to allow full-time employees under the Board of Commissioners to have the option to convert a portion of their unused, annual sick leave accrued balances to a cash benefit once per year; now therefore be it

**RESOLVED,** the Board of Commissioners authorizes the following Accrued Sick Leave Conversion Pay-Out policy to be added to of the Commissioners' Personnel Policy Manual in Section 22 as Part 'J' and; now therefore be it

**RESOLVED,** the Accrued Sick Leave Conversion Pay-Out policy will be put into place effective at the beginning of 2012 with a pay-out date of the first pay in December each year; 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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**Portage County Board of Commissioners  
Personnel Policy Manual**

**PAID LEAVES OF ABSENCE**

**SECTION 22**

EFFECTIVE: 10/20/2011

RESOLUTION: 11-0937

**J. Accrued Sick Leave Conversion Pay-Out**

1. Once per year, full-time County employees under the Board of Commissioners have the option to convert their unused, annual sick leave accrued balances to a cash benefit. The accrued sick leave conversion pay-out will occur on the first pay in December. Employees may elect to:
  - a. Convert to cash one-third (1/3) of their unused current policy year sick leave accrual; and/or
  - b. Leave balances that are not converted to cash will be carried forward in accordance with current policy.
  - c. This policy does not apply to re-hired retirees or part-time employees.
  - d. The use of Personal Days will continue to be charged against an employee's accumulated sick leave balance and will subsequently reduce the amount of accrued sick time available when calculating the conversion pay-out.
2. Conversion to cash shall only be allowed if the employee has, after the pay-out is made, a minimum accrued sick leave balance of two-hundred and forty (240) hours.
3. Pay-out will be made at 80% of the employee's current base wage rate.
4. The sick leave accrual, once cashed out, will not be returned to the employee. Pay-outs will be subject to all applicable taxes and withholding.
5. Upon an election of conversion pay-out by eligible employees, departments will need to do manual calculations to ensure inclusion of weeks in the prior calendar year, as the MUNIS accrual reports are for calendar year only.

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**RESOLUTIONS**

October 20, 2011

1. Approval of the meeting minutes from the October 18, 2011 regular Board meeting.
2. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management/11-918
3. Approve the wire transfers as presented by the County Auditor./11-919
4. Approve the Journal Vouchers, as presented by the County Auditor./11-920
5. Approve the Then & Now Certification, as presented by the County Auditor./11-921
6. Acceptance of donation to the office of the Portage County Dog Warden from Ravenna Repair Service./11-922
7. Acceptance of donation to the office of the Portage County Dog Warden from Ted & Coleen DeSalvo/11-923
8. Authorize the Portage County Engineer to apply for Federal Surface Transportation Program (STP) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) to improve Peck Road (CH 167) from Newton Falls Road (CH 177) to State Route 88, Ravenna Township, Portage County (County Engineer)./11-924
9. Authorize the Portage County Engineer to apply for Federal Surface Transportation Program (STP) funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) to improve Brady Lake Road (CH 162) from Ravenna Road (CH 145) to Red Brush Road (CH 158), Franklin and Ravenna Townships, Portage County Ohio and Tallmadge Road (CH 18) from New Milford Road (CH 31) to Industry Road (CH 47) Rootstown Township, Portage County (County Engineer)./11-925
10. Designating and authorizing an official to submit an Ohio Public Works Commission (OPWC) infrastructure program round 26 grant application and execute contracts for the Portage County Engineer for the Sandy Lake Road Resurfacing Project, Brimfield Township, Portage County (County Engineer)./11-926
11. Designating and authorizing an official to submit an Ohio Public Works Commission (OPWC) infrastructure program round 26 grant application and execute contracts for the Portage County Engineer for the Portage County Engineer for the Old Forge Road Resurfacing Project located in Brimfield Township, Portage County (County Engineer)./11-927
12. Designating and authorizing an official to submit an Ohio Public Works Commission (OPWC) infrastructure program round 26 grant application and execute contracts for the Portage County Engineer for the Summit Road Resurfacing Project located in Ravenna Township Portage County (County Engineer)./11-928

13. Amend Resolution No. 10-0645: Authorizing the application and accept the FY2010 Emergency Management Performance Grant (EMPG) Agreement Fed Grant #2010-EP-00-003, CFDA 97.042 (Budget & Finance)./11-929

14. Fix amount of bond for the Director of County Department of Job & Family Services/11-930

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**INVITATIONS**

October 20, 2011

1. Invitation from The Center of Hope for the Business After Hours on Wednesday, November 9, 2011, 5:00-7:00 PM.

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**INCOMING CORRESPONDENCE**

October 20, 2011

1. October 13, 2011 correspondence from Mary Sullivan, Aurora Chamber of Commerce, including the official election ballot for the 2012 Election of Board of Directors. Deadline for all forms is Monday, October 31, 2011.

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**JOURNAL ENTRY**

October 20, 2011

1. The Board of Commissioners authorized payment of the October 10, 2011 Invoice for Professional Services rendered during September 2011 for \$175.00, as requested by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U’Halie.
2. The Board of Commissioners acknowledged the receipt of the October 14, 2011 Certificate of County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2011 as presented by the Portage County Auditor.
3. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for October 3, 2011 through October 9, 2011 and October 10 through October 16, 2011, as presented by Dog Warden Dave McIntyre.
4. The Board of Commissioners acknowledged the receipt of the Intake Report for October 3, 2011 through October 9, 2011 and October 10 through October 16, 2011, as presented by Dog Warden Dave McIntyre.
5. The Board of Commissioners signed the Portage County Regional Planning Bio Retention Cells EPA-SWIF Grant, Project No. 10SWIF-111 Quarterly Financial Report for July 2011 through September 2011 for \$24,200.00 as requested by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

6. The Board of Commissioners signed the Journal Entry to reimburse the Regional Planning Commission from the EPA SWIF Grant for period July 26, 2010 through June 26, 2010 costs not previously billed as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

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**REFERRED**

October 20, 2011

1. October 14, 2011 correspondence from Chad Murdock, regarding an opening on the Portage County Law Library Resources Board. Referred to the Executive Assistant.
2. October 13, 2011 correspondence from Patti Smith, Ohio EPA, regarding NPDES Permit to Discharge to State Waters at Countryside Estates Mobile Home Park. Referred to Water Resources Department for review and comment.
3. October 13, 2011 correspondence from Patti Smith, Ohio EPA, regarding NPDES Permit to Discharge to State Waters at Western Reserve Wastewater Treatment Plant. Referred to Water Resources Department for review and comment.

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**Journal Entry**

October 20, 2011

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

1. The Board of Commissioners authorized payment of the October 10, 2011 Invoice for Professional Services rendered during September 2011 for \$175.00, as presented by Clemans Nelson & Associates, Inc. and approved by the Human Resources Department Director Karen U’Halie.
2. The Board of Commissioners acknowledged the receipt of the October 14, 2011 Certificate of County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2011, as presented by the Portage County Auditor.
3. The Board of Commissioners acknowledged the receipt of the Kennel Disposition Report for October 3, 2011 through October 9, 2011 and October 10 through October 16, 2011, as presented by Dog Warden Dave McIntyre.
4. The Board of Commissioners acknowledged the receipt of the Intake Report for October 3, 2011 through October 9, 2011 and October 10 through October 16, 2011, as presented by Dog Warden Dave McIntyre.
5. The Board of Commissioners authorized Commissioner Frederick to sign the Portage County Regional Planning Bio Retention Cells EPA-SWIF Grant, Project No. 10SWIF-111 Quarterly Financial Report for July

2011 through September 2011 for \$24,200.00, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

6. The Board of Commissioners signed the Journal Entry to reimburse the Regional Planning Commission \$5,406 from the EPA SWIF Grant for the time period July 26, 2010 through June 26, 2011 for costs not previously billed, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
7. After meeting with Probate Court Judge Paula Giulitto, the Board of Commissioners accepted the Department of Budget & Financial Management Director's recommendation and authorized a transfer of \$6,925 from the General Fund Contingency to the Probate Court for the purchase of hardware and software for the implantation of a digital recording system.
8. The Board of Commissioners authorized a one-time payment to Compensation Management Employees who have not received any salary increase within the last two years due to the economic downturn. The Commissioners agreed that the Department of Budget & Financial Management Director should provide departmental detail for Commissioners' review and final approval next week. The Board noted that the General Fund portion will come from non-recurring reserves.
9. The Board of Commissioners authorized payment of the Time Warner Cable invoice for \$43.67 for service provided at the Portage County Administration Building, as presented by the Internal Services Director. The Director noted that the Homeland Security and Emergency Management Office Director has since cancelled this service.

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 20, 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 **2:45 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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