

Tuesday, October 25, 2011

The Board of County Commissioners met in regular session on **Tuesday, October 25, 2011 at 9:35 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 20, 2011 meeting. All in favor, motion carries

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

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EXECUTIVE ASSISTANT

Present: Charlene Badger

The Executive Assistant is attending to show the Board of Commissioners the draft Birthday Card for the state of Ohio. The Commissioners made several suggestions but liked the card in general.

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9:35 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider a departmental restructuring. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:00 AM Clerk Deborah Mazanec and Acting Clerk Amy Hutchinson attending.

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

After exiting executive session, the Board took no action.

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THE WOODLANDS AT ROBINSON

Present: Nursing Home Administrator Christa Mayes, DON Jill Nelson, HR Director Karen U'Halie; Buckingham Doolittle Attorney Brenda Coey

The Nursing Home Administrator reported a census of 83 plus one with 10 Medicare residents and two private pay residents.

Issues

The Nursing Home Administrator reported that there is no continuous eye wash station in the facility; there is an eye wash station. She suggested an in-service for staff but Safety/Loss Control Coordinator Michelle Ripley has advised that there must be an unobstructed path of travel reachable within 10 seconds from the kitchen. Ms. Ripley suggests a new station be placed in the kitchen. The Board of Commissioners agreed that Ms. Ripley should investigate which station would be best for the site for a January upgrade.

The Nursing Home Administrator reported that there is no ice machine in the kitchen; there is one upstairs. The Board of Commissioners agreed that staff should get pricing.

There is still a need for floor care; the Nursing Home Administrator asked if the Commissioners have any contacts for that service. Commissioner Smeiles agreed to get her some numbers.

Shower update

The Nursing Home Administrator reported that the shower project is not yet completed. The plumber at Portage Plumbing ordered the wrong piece and is waiting for the correct part to come in.

The outside concrete leveling by A1 Concrete will be done tomorrow.

The Board of Commissioners agreed that the Administrator should cancel the 2012 membership for the Ohio County Home Association.

Ohio KePro

The DON and Nursing Home Administrator met with representatives from Ohio KePro yesterday to discuss a no-cost opportunity for staff to take advantage of training to improve the care of residents/Journal Entry

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10:10 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider potential discipline and hiring issues and to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **Also present:** Present: NHA Christa Mayes, DON Jill Nelson, Human Resources Department Director Karen U'Halie; Attorney Brenda Coey. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

Attorney Coey left the Executive Session at 10:45 AM

11:07 AM Upon conclusion of the above referenced discussion, it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** 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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JOHN SIMAN - AIRPORT BOARD CANDIDATE

Present: John Siman and Executive Assistant

Mr. Siman is attending to discuss his interest in serving on the Airport Board of Trustees. He presented his letter of interest and resume for Board consideration. Resolution 11-0946 approves the appointment of Mr. Siman to the Airport Board of Trustees.

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DEPARTMENT OF BUDGET & FINANCE

Present: Audrey Tillis

Discussion

- 1. Journal entry approval - Indirect Cost Allocation - Public Defender
- 2. Discussion Memos/ Items - General Fund Quarterly Review - Third Quarter

Updates

- 1. The Director presented the Contingency Tracker
- 2. Board of Commissioners Review In Process
 - a. The Veterans Services has agreed to make the necessary van repair or purchase a new vehicle using their funds

Resolutions

General Fund Amendments to the Annual Appropriation Resolution/11-0942.

Other Funds Amendments to the Annual Appropriation Resolution/11-0943

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11:40 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(1), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to consider a compensation issue. **Also present:** Department of Budget & Financial Management Director Audrey Tillis. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

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

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

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Noon Lunch Recess

1:10 PM Meeting Reconvened

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WATER RESOURCES

Present: Jeff Lonzrick

1. The Board of Commissioners signed the Request for Application and Certificate for Payment (No. 12 Final) allowing payment of \$40,385.99 to Workman Industrial Services, Inc. for the West Branch MHP WWTP Improvements, Project No. CH-1 (08-090), as requested by the Water Resources Department/Journal Entry.
2. The Board of Commissioners signed the Request for Application and Certificate for Payment (No. 9 Final) allowing payment of \$44691.92 to DDD Enterprises, Inc. for the Cleveland to Aurora Water Line Phase II, Contract B Express Watermain & Booster Station; Project No. SH-W (06-300), as requested by the Water Resources Department/Journal Entry.
3. The Director reported that he is meeting with the Prosecutor, USDA, the contractor, and the bonding company on Friday, October 28th to discuss the Aurora Meadows Project. The roads have not been restored since the contractor believes that they were in poor condition when the project began.
4. The Director reported that he is waiting for the final report on the concrete issue with the O&M building. It appears that the concrete has too much water and air in the mix. The final report will give direction on how to fix the problem.
5. Resolution to accept bids and award contract 1 for Project No. ST-4 (08-100), Streetsboro Biosolids Reduction Facility in the Streetsboro Sanitary Sewer District No. 4/11-0945

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COUNTY RECORDER

Present: Bonnie Howe, Audrey Tillis

The Recorder is attending to discuss the draft Resolution to authorize the document fee set aside for Portage County Recorder. Director Tillis advised that the Recorder’s budget is less than her revenues and that she has gone from seven staff members to four and noted that the Recorder used her funds for personnel costs in 2011. The Recorder has agreed that the set aside should be at zero for 2012/11-0944

Commissioner Marsilio asked the Recorder if there is anything she needs from the Board of Commissioners regarding her report about the shape of the records with all of the traffic in her office. The Recorder responded that staff continues to reinforce the pages and, once the traffic lessens, she will restore the documents/Resolution No. 11-0944

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ROBINSON MEMORIAL HOSPITAL NOT-FOR-PROFIT STATUS DISCUSSION

Commissioner Frederick stated that this is a complex, involved issue and suggested that the Board consider appointing a Blue Ribbon Committee to look in depth at the question. She offered to serve on that committee. Commissioner Marsilio stated that she is not willing to consider the conditions or terms at this time but would agree to review the Term Sheet in depth to make certain substantive changes. Commissioner Smeiles would like to continue the dialog with Robinson Memorial Hospital. He noted that the current Board of Trustees is a good representation of Portage County. He added that the Trustees have advised that the hospital will be bankrupt in five years if this change is not made. Commissioner Marsilio responded that she is not willing to move forward with the Term Sheet as written. Commissioner Frederick suggested that the Board of Commissioners talk to Attorney Mike Sharb to look at all possible pieces and parts to the question; Commissioner Marsilio is not opposed to conferring with counsel but does not believe that the Board of Commissioners has gotten to that point yet. She would prefer to decide the policy matters first and then conference with legal counsel. The Board of Commissioners agreed to set aside time to review the Robinson Memorial Hospital Term Sheet point by point to determine how to move forward.

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RESOLUTION No. 11-0938 - RE: BILLS APPROVED AND CERTIFIED TO THE PORTAGE COUNTY AUDITOR FOR PAYMENT.

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

RESOLVED, that the bills were approved and certified to the County Auditor for payment, contingent upon the review of the Portage County Department of Budget and Financial Management or other designee on October 25, 2011 in the total payment amount of **\$630,843.93 for Funds 0001-8101** 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. 11-0939 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

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 **\$5,038.57** as set forth in Exhibit “A” dated **October 25, 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. 11-0941 - RE: AMEND RESOLUTION 11-0118 TO ACCEPT THE SUMMARY OF PROJECTS/ COSTS FOR THE FY 10 STATE HOMELAND SECURITY PROGRAM GRANT (SHSP) ON BEHALF OF THE PORTAGE COUNTY OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT AND AUTHORIZE THE ELECTRONIC SUBMISSION OF GRANT DOCUMENTS TO THE OHIO EMERGENCY MANAGEMENT AGENCY. (FEDERAL PASS THROUGH #2009-SS-T9-0089, CFDA 97.067)

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

WHEREAS, the Board of Commissioners adopted Resolution 10-1195 on December 30, 2010 to Authorize the Application and Accept the FY 10 State Homeland Security Program

Grant (SHSP) on Behalf of the Portage County Office of Homeland Security & Emergency Management in the amount of \$145,454.00 on behalf of the Portage County Office of Homeland Security & Emergency Management with a grant pass through #2010-SS-T0-0012, and

WHEREAS, the Board of Commissioners adopted **Resolution 11-0118** on February 3, 2011 for the FY 10 State Homeland Security Program Grant (SHSP) with the title:

ACCEPT THE SUMMARY OF PROJECTS/ COSTS FOR THE FY 10 STATE HOMELAND SECURITY PROGRAM GRANT (SHSP) ON BEHALF OF THE PORTAGE COUNTY OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT AND AUTHORIZE THE ELECTRONIC SUBMISSION OF GRANT DOCUMENTS TO THE OHIO EMERGENCY MANAGEMENT AGENCY. (FEDERAL PASS THROUGH #2009-SS-T9-0089, CFDA 97.067)

; and

WHEREAS, the correct federal pass-thru number should be #2010-SS-T0-0012, and

WHEREAS, the body of the resolution was correctly stated as written; now therefore be it

RESOLVED, that the Board of Commissioners amend Resolution 11-0118 adopted on February 3, 2011 with the corrected title as follows:

ACCEPT THE SUMMARY OF PROJECTS/ COSTS FOR THE FY 10 STATE HOMELAND SECURITY PROGRAM GRANT (SHSP) ON BEHALF OF THE PORTAGE COUNTY OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT AND AUTHORIZE THE ELECTRONIC SUBMISSION OF GRANT DOCUMENTS TO THE OHIO EMERGENCY MANAGEMENT AGENCY. (FEDERAL PASS THROUGH #2010-SS-T0-0012, CFDA 97.067)

; and be further

RESOLVED, that the body of the Resolution 11-0118 stands as written; 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 Office of Homeland Security & Emergency Management Agency Director; 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. 11-0942 - RE: AMENDMENT TO THE GENERAL FUND 2011 ANNUAL APPROPRIATION RESOLUTION NO. 10-1142 ADOPTED DECEMBER 16, 2010.

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

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

		<u>Increase</u>	<u>Decrease</u>
Fund: 0001	General Fund		
	010 Commissioners Other		
00107	Commissioner Other OE	0	32,340
	MEMO TOTAL	\$ -	\$ 32,340

Note: Adj to FY 2011 Plan PD, BOC JE #17 10/4 Unemp, BOC Appr JE 10/20 Digital Rec

	018 Human Resources		
00183	Human Resources Fringes	2,100	-
	MEMO TOTAL	\$ 2,100	\$ -

Note: BOC Appr JE #17 10/4/11

	550 Domestic Relations		
05503	Domestic Relations Fringes	0	7,364
05504	Domestic Relations CS	2,637	-
05506	Domestic Relations CO	11,652	-
	MEMO TOTAL	\$ 14,289	\$ 7,364

Note: BOC Appr JE 10/20 Digital

	580 Juvenile Probation		
05803	Juvenile Probation Fringes	1,400	-
	MEMO TOTAL	\$ 1,400	\$ -

Note: BOC Appr JE #17 10/4/11

		<u>Increase</u>	<u>Decrease</u>
590 Adult Probation			
05903	Adult Probation Fringes	7,763	-
	MEMO TOTAL	<u><u>\$ 7,763</u></u>	<u><u>\$ -</u></u>

Note: BOC Appr JE #17 10/4/11

920 Public Defender Commission			
09203	Public Defender Fringes	329	-
09204	Public Defender CS	9,823	-
0920D	Public Defender Full Time	615	-
0920O	Public Defender Retirem/Payoff	3,385	-
	MEMO TOTAL	<u><u>\$ 14,152</u></u>	<u><u>\$ -</u></u>

Note: BOC Appr JE# 18, 10/4 PD Adjust to FY 2011 Plan

TOTAL MEMO BALANCE ALL AMENDMENTS	<u><u>\$ 39,704</u></u>	<u><u>\$ 39,704</u></u>
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; and be it further

RESOLVED, that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

RESOLVED, that a certified copy of this resolution be filed with the County Auditor; and be it further

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

Roll call as Follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 11-0943 - **RE: AMENDMENT TO THE NON GENERAL FUND 2011 ANNUAL APPROPRIATION RESOLUTION NO. 10-1143 ADOPTED DECEMBER 16, 2010.**

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

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

		<u><i>Increase</i></u>	<u><i>Decrease</i></u>
Fund: 1010	Computerization Clerk Muni Ct		
500	<i>Clerk of Courts</i>		
10104	Comp-Clerk of Courts CS	-	35,000
10106	Comp-Clerk of Courts CO	35,000	-
	MEMO TOTAL	<u><u>\$ 35,000</u></u>	<u><u>\$ 35,000</u></u>

Note: Court Equip Needs

Fund: 1081	Law Library Resources		
908	<i>Law Library Resources Board</i>		
10813	Law Library Resources Fringes	20,000	-
	MEMO TOTAL	<u><u>\$ 20,000</u></u>	<u><u>\$ -</u></u>

Note: PERS – Former Employee

Fund: 1112	Sheriff Inmate Commissary		
700	<i>Sheriff's Department</i>		
11124	Sheriff Inmate Commissary CS	5,000	-
11125	Sheriff Inmate Commissary MS	35,000	-
	MEMO TOTAL	<u><u>\$ 40,000</u></u>	<u><u>\$ -</u></u>

Note: Addtl approp needed for yr

Fund: 1162	FEMA Planning		
930	<i>Emergency Management Agency</i>		
11629	FEMA Planning ME	10,503	-
	MEMO TOTAL	<u><u>\$ 10,503</u></u>	<u><u>\$ -</u></u>

Note: Prior correc and close

		<u>Increase</u>	<u>Decrease</u>
Fund: 1201	Motor Vehicle And Gas Tax		
800	<i>Engineer's Department</i>		
12014	Motor Vehicle/Gas Tax CS	124,443	-
12015	Motor Vehicle/Gas Tax MS	40,000	-
12016	Motor Vehicle/Gas Tax CO	-	77,871
	MEMO TOTAL	\$ 164,443	\$ 77,871

Note: Cable Line Rd Resurfacing Roof Repairs Lovers Lane Reconstruction

Fund: 1251	CDBG County Formula		
081	<i>Community Development</i>		
12514	CDBG County Formula CS	-	17,821
	MEMO TOTAL	\$ -	\$ 17,821

Note: Adjust to Revenue Decert

Fund: 1262	CDBG Housing Grant		
010	<i>Commissioners Other</i>		
12624	CDBG Housing CS	-	50,000
	MEMO TOTAL	\$ -	\$ 50,000

Note: Adjust to Revenue Decert

Fund: 1263	Home Rehab Grant		
010	<i>Commissioners Other</i>		
12634	Home Rehab Grant CS	-	100,000
	MEMO TOTAL	\$ -	\$ 100,000

Note: Adjust to Revenue Decert

		<i>Increase</i>	<i>Decrease</i>
Fund: 1410	Job And Family Services		
051	<i>Job And Family Services</i>		
14103	Job & Family Services Fringes	318,000	-
14104	Job & Family Services CS	-	1,393,116
14105	Job & Family Services MS	-	38,000
14106	Job & Family Services CO	-	20,000
14107	Job & Family Services OE	-	236
14109	Job & Family Services ME	53,236	-
1410D	Job & Family Service Full Time	759,000	-
1410M	Job & Family Service Overtime	-	12,000
1410O	Job & Family Services Retirement	-	20,000
	MEMO TOTAL	\$ 1,130,236	\$ 1,483,352

Note: Projected need

Fund: 1412	JFS Help Me Grow Allocation		
051	<i>Job And Family Services</i>		
14123	JFS Help Me Grow Fringes	129	-
1412D	JFS Help Me Grow Full Time	-	940
1412O	JFS Help Me Grow Retirement	811	-
	MEMO TOTAL	\$ 940	\$ 940

Note: Projected need

Fund: 1415	Child Welfare - Special Levy		
051	<i>Job And Family Services</i>		
14153	JFS Child Welfare Levy Fringes	-	100,000
14154	JFS Child Welfare Levy CS	400,000	-
1415D	JFS Child Welfare Le Full Time	-	270,000
1415O	JFS Child Welfare Retirement	-	30,000
	MEMO TOTAL	\$ 400,000	\$ 400,000

Note: Projected need

Fund: 3112	SA PCS Bond 1982		
010	<i>Commissioners Other</i>		
31128	SA PCS Bonds 1982 DS	148,000	-
	MEMO TOTAL	\$ 148,000	\$ -

Note: Adjustment to revised

		<i>Increase</i>	<i>Decrease</i>
Fund: 4004	Fin Sys Flag Impl Capital		
010	<i>Commissioners Other</i>		
40045	Fin Sys Flag Imp Capital MS	22,524	-
40046	Fin Sys Flag Imp Capital CO	-	22,524
	MEMO TOTAL	\$ 22,524	\$ 22,524

Note: Computers

Fund: 4216	Lovers Lane Reconstruction		
800	<i>Engineer's Department</i>		
42166	Lovers Lane Reconstruction CO	27,871	-
	MEMO TOTAL	\$ 27,871	\$ -

Note: C/O 1 & FINAL

Fund: 5100	Nursing Home General Administr		
054	<i>Nursing Home</i>		
51003	Nursing Home Gen Fringes	-	23,256
5100D	Nursing Home Gen Full Time	-	63,744
5100E	Nursing Home Gen Part Time	87,000	-
	MEMO TOTAL	\$ 87,000	\$ 87,000

Note: Projected YE need

Fund: 5316	PCS W Branch Mobile Home Park		
060	<i>Water Resources</i>		
53164	PCS W Branch Mbl Home Park CS	-	1,500
53166	W Brnch Mobile Home Park CO	1,500	-
	MEMO TOTAL	\$ 1,500	\$ 1,500

Note: Adjust to Actual Need

Fund: 5317	PCS Aurora Meadows Subdivision		
060	<i>Water Resources</i>		
53174	PCS Aurora Meadows Subdiv CS	-	5,000
53176	PCS Aurora Meadows Subdiv CO	35,000	-
	MEMO TOTAL	\$ 35,000	\$ 5,000

Note: Adjust to Where

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		<u>Increase</u>	<u>Decrease</u>
Fund: 7102	Cafeteria Benefits Program Pkg		
018	<i>Human Resources</i>		
71024	Cafeteria Benefits Program CS	-	26,000
	MEMO TOTAL	<u>\$ -</u>	<u>\$ 26,000</u>

Note: Adjust to Proj Revenue

TOTAL MEMO BALANCE FOR ALL FUNDS	<u>\$ 2,123,017</u>	<u>\$ 2,307,008</u>
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; and be it further

RESOLVED, that the notes of explanation in this resolution are for informational purposes only and are not intended to restrict the expenditure of those appropriated funds to any single purpose. Such funds are for the use of all expenditures that are lawful under the approved appropriation; and be it further

RESOLVED, that a certified copy of this resolution be filed with the County Auditor; and be it further

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

Roll call as Follows:

Maureen T. Frederick, Yea;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

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RESOLUTION No. 11-0944 - RE: AUTHORIZE THE DOCUMENT FEE SET ASIDE FOR PORTAGE COUNTY RECORDER.

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

WHEREAS, pursuant to Section 317.32.1 of the Ohio Revised Code, On October 4, 2011, the Board of Commissioners acknowledged the receipt of the October 1, 2011 written request from the Portage County Recorder for the continuation of the Set Aside Fund presently established to supplement the equipment needs for the Record's office within the next five year period; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to the set aside fee of \$0.00 (zero) for the next one year effective January 1, 2012 through December 31, 2012; and be it further

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

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

Voice Vote as Follows:

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

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RESOLUTION No. 11-0945 - RE: ACCEPT BIDS AND AWARD CONTRACT 1 FOR PROJECT NO. ST-4 (08-100), STREETSBORO BIOSOLIDS REDUCTION FACILITY, IN THE STREETSBORO SANITARY SEWER DISTRICT NO. 4.

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

WHEREAS, this Board by Resolution No. 11-0650 adopted July 26, 2011, set the date and time for bidding of Project No. ST-4 (08-100), STREETSBORO BIOSOLIDS REDUCTION FACILITY, hereinafter referred to as the PROJECT; and

WHEREAS, the notice of accepting bids was advertised in the Record Courier Newspaper on August 1 and August 8, 2011; and

WHEREAS, twenty seven potential bidders received plans and specifications for the PROJECT; and

WHEREAS, this Board received five sealed bids for Contract 1 for the PROJECT on September 7, 2011, as named below; and

North Bay Construction, Inc.	\$ 7,159,000.00
Hummel Construction	\$ 7,300,000.00
Nerone & Sons, Inc.	\$ 7,399,000.00
Bay Mechanical & Electrical Corp.	\$ 7,501,000.00
Workman Industrial Services, Inc.	\$ 7,645,415.00

WHEREAS, this Board received nine sealed bids for Contract 2 for the PROJECT on September 7, 2011, as named below; and

Hummel Construction	\$ 6,200,000.00
Bogner Construction	\$ 6,623,000.00
Hively Contracting Company	\$ 6,733,000.00
Cold Harbor Building	\$ 6,897,000.00
A.P. O'Horo Co.	\$ 7,017,000.00
Shook Inc. Northern Division	\$ 7,152,400.00
Stanley Miller Construction Company	\$ 7,207,755.00
Jack Gibson Construction Co.	\$ 7,278,000.00
Kirk Bros., Co., Inc.	\$ 7,688,000.00

WHEREAS, this Board received three sealed bids for Contract 3 for the PROJECT on September 7, 2011, as named below; and

Enertech Electrical, Inc.	\$ 818,500.00
Penn Ohio Electrical	\$ 821,700.00
Thompson Electric	\$ 1,085,000.00

WHEREAS, this Board received zero sealed bids for Contract 4 for the PROJECT on September 7, 2011; and

WHEREAS, based upon the analysis of the bids received (bid tabulation attached), the Portage County Water Resources has made a recommendation for award; now therefore be it

RESOLVED, by the Board of Commissioners of Portage County, Ohio:

Section 1. That this Board does hereby reject all bids for Contracts 2 and 3 for the PROJECT. A bid was not submitted for Contract 4.

Section 2. That this Board does hereby award Contract 1 of the PROJECT to the responsive bid of North Bay Construction, Inc., 25800 First Street, Westlake, OH 44145, in the bid amount of \$7,159,000.00.

Section 3. That the Water Resources Department is hereby authorized and directed to issue the Notice of Award to the contractor named in Section 2 in the total amount of \$7,159,000.00.

Section 4. That the funds to cover the cost of the PROJECT will be budgeted in the "STREETSBORO BIOSOLIDS REDUCTION FACILITY", Construction Fund 5706 Org. 57060606 Object 684000 .

Section 5. That the Clerk of this Board is hereby directed to certify a copy of this Resolution to the County Auditor and the Department Of Budget and Financial Management within 15 days after its passage.

Section 6. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board and that all deliberations of this Board and of any of its committees on or after November 28, 1975, that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements 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. 11-0946 - RE: APPOINTMENTS TO THE PORTAGE COUNTY REGIONAL AIRPORT AUTHORITY BOARD OF TRUSTEES

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

WHEREAS, Ohio Revised Code Chapter 308 authorizes the creation of a regional airport authority and the Portage County Regional Airport Authority Board of Trustees has been established for the purpose of acquiring, establishing, constructing, operating and promoting the use of the Portage County Regional Airport; and

WHEREAS, there is currently a position open for an unexpired term on the Airport Board of Trustees; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby appoint the following to an unexpired term beginning immediately and expiring July 1, 2012:

John Siman
4510 Winchell Rd.
Mantua, OH 44255

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;

* * * * *

INVITATIONS

1. Invitation from Summa Health System for the 2011 Community Leadership Briefing on Friday, November 18, 2011, Akron-Summit County Public Library, 8:00 AM Registration.
2. Director Jon Barber invites the Board of Commissioners to attend a meeting with Representative Kathleen Clyde on Monday, October 31, 2011 at 9:00 AM at the EOC.

3. Invitation from Hogan Lovells for a complimentary webinar entitled Putting the Pressure on Hydraulic Fracturing: An Inside Look on the Latest Government Regulations and Trends on Wednesday, October 26, 2011, 2:00-3:00 PM. (Forwarded to Chip Porter, Health Department).

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INCOMING CORRESPONDENCE

1. October 17, 2011 certified correspondence from PIRHL Developers LLC, indicating PIRHL Streetsboro Family Homes LLC will be the general partner of a residential rental development located in or within a one-half mile radius of Portage County's jurisdiction. Comments will be accepted in writing to the Ohio Housing Finance Agency within 30 days of receipt of this notice/Journal Entry
2. The Board of Commissioners received the 2011 Government Units Survey as presented by the US Department of Commerce/The Board of Commissioners agreed to forward this to the County Auditor for completion of her portion.
3. October 21, 2011 e-mail from Director Jon Barber, Office of Homeland Security and Emergency Management, regarding an unpaid internship/Director Barber to discuss with the Board of Commissioners at his next Board meeting.
4. Director Jon Barber, Office of Homeland Security and Emergency Management provides an update regarding 911 issues/Information only.
5. The Board of Commissioners received an article notification regarding jobs and gas drilling entitled Party of Pollution which can be found at www.readersupportednews.org/off-site-opinion-section/83-83-8007-party-of-pollution <<http://www.readersupportednews.org/off-site-opinion-section/83-83-8007-party-of-pollution>> as presented by Theodore Voneida/Information only. The Board of Commissioners agreed that this type of information should be placed in the Share File for their review.
6. October 20, 2011 e-mail from Brad Ehrhart, Portage Development Board, regarding Northeast Ohio Jobs Ohio Request for Proposals/The Board of Commissioners agreed that the Portage Development Board should apply for any and all funding that would advance economic development in Portage County.
7. Undated note (received October 21, 2011) from Janet Esposito, County Auditor, requesting a Journal Entry to proceed with redemption/Journal Entry.
8. October 21, 2011 e-mail from Steve Colecchi, regarding conversion of Robinson Memorial Hospital not for profit status/The Board of Commissioners will send a response to Mr. Colecchi advising that the Term Sheet is not unacceptable as presented. The Commissioners will meet to review the issues one by one.
9. October 21, 2011 correspondence from Ryan Jameson, Endeavour Exploration LLC, regarding oil and gas lease bid proposal/The Board of Commissioners has asked Attorney Denise Smith to look into this matter.

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PROSECUTOR'S CORRESPONDENCE

1. October 24, 2011 e-mail from Chris Meduri, Prosecutor's Office, regarding Deerfield road vacation/The Board of Commissioners agreed to continue with the Public Hearing as scheduled on November 3, 2011.

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REFERRED

1. October 19, 2011 correspondence from James Corfman, NorthEast Ohio Community Alternative Program (NEOCAP), regarding the Commissioners' seat on the NEOCAP Facility Governing Board which is due to expire in November. Referred to Executive Assistant.
2. The Board of Commissioners received the October 12, 2011 Journal Entry for authority to employ outside legal counsel of Squires Sanders & Dempsey LLP for Case No. 2011 MS 96/Journal Entry.
3. October 20, 2011 correspondence from Joseph Hadley Jr., NEFCO, regarding second half FY2012 Dues Assessment. Referred to Portage County Water Resources and Solid Waste/Journal Entry.
4. The Board of Commissioners received the Motion for Enlargement of Time (Unopposed) for Case No. 2011 CV 00634 (Hiram Township Annexation) as presented by the Common Pleas Court. Referred to Prosecutor's Office/Journal Entry.
5. October 18, 2011 correspondence from Susan Carbon, US Department of Justice Office on Violence Against Women, regarding FY 2011 Court Training and Improvements Program Application 2011-X1053-OH-WC which was not chosen for funding. Referred to Department of Budget & Financial Management.

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INFORMATION ONLY

October 25, 2011

1. Undated correspondence (received October 21, 2011) from Lisa Rains, Just For You Bakery & Events, including a fee cup of coffee with any pastry purchase.

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JOURNAL ENTRY I

October 25, 2011

Motion by Commissioner Marsilio, seconded by Commissioner Smeiles to approve the following actions:

1. The Board of Commissioners acknowledged the receipt of the electronic Cash Draw Request #3 for FY2009 SHSP grant (2009-SS-T9-0089) for \$8,733.00, as presented by Director Jon Barber, Office of

Homeland Security and Emergency Management. Documents reviewed by the Department of Budget & Finance with no exceptions noted.

2. The Board of Commissioners acknowledged the receipt of the electronic Cash Draw Request for FY2010 SHSP grant (2010-SS-T0-0012) for \$20,000.00, as presented by Director Jon Barber, Office of Homeland Security and Emergency Management. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
3. The Board of Commissioners signed the Journal Entry to reimburse the Regional Planning Commission from Grant B-Z-08 (Neighborhood Stabilization Program) for costs not previously billed for the time period August 8, 2011 through September 4, 2011 for \$420.18, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
4. The Board of Commissioners signed the Journal Entry to reimburse the Regional Planning Commission from the New Horizons Grant for costs not previously billed for the time period September 19, 2011 through October 2, 2011 for \$1,091.80, as presented by the Regional Planning Commission. Documents reviewed by the Department of Budget & Finance with no exceptions noted.
5. The Board of Commissioners signed the payment authorization form for David Sommers & Associates, LLC of Kent for architectural services for the Kevin Coleman house located at 133 Vine Street in Ravenna for \$630.00, as presented by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #02 Conversion/Rehab/Renovate is funding this expense.
6. The Board of Commissioners signed the payment authorization form for Emerald Environmental of Kent for an asbestos assessment for the Park District demolition on 5795 Lakewood Road, Ravenna for \$1,920.00, as presented by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #03 Parks and Rec facilities will fund this expense.
7. The Board of Commissioners signed the payment authorization form for Regional Planning Commission employee Lisa Reeves for the following, as presented by the Regional Planning Commission: (1) Mileage reimbursement for site visit to 5795 Lakewood Road, Ravenna for Park District home demolition for \$4.54. The B-F-10 County Formula Grant Activity #03 Parks & Rec facilities is paying this expense; (2) Mileage reimbursement for site visit and bid opening for Kevin Coleman house rehab located at 133 Vine Street, Ravenna for \$1.94. The B-F-10 County Formula Grant Activity #02 Conversion/Rehab is paying this expense.
8. The Board of Commissioners authorized Commissioner Frederick to sign the State of Ohio Office of Community Development Request for Payment and Status of Funds Report, Draw No. 463 (New Horizons Grant), as presented by the Regional Planning Commission as follows:

Grant No.	Activity Name	Account No.	Amt Requested
B-N-10-1CJ-1	General Administration	02	\$400.00
B-N-10-1CJ-1	Fair Housing Program	01	\$3,400.00

Total			\$3,800.00
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Documents reviewed by the Department of Budget & Finance with no exceptions noted.

9. The Board of Commissioners signed the payment authorization form for Record Publishing for the B-F-10 County Formula Grant amendment advertising for \$82.00, as presented by the Regional Planning Commission. The B-F-10-1CJ-1 Formula Grant Activity #08 General Administration is funding this expense.
10. On October 20, 2011, the Board of Commissioners adopted a Journal Entry authorizing 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 Board noted that the General Fund portion will come from non-recurring reserves.

Today the Board of Commissioners approved the Department of Budget & Financial Management Director's calculation for a onetime payment to full-time Compensation Management Employees who have not received any salary increase since the final pay of FY 2008 dated 12/28/2008. The onetime payment will be calculated as the higher of \$750 or 2% of the employee's annual salary. The Board noted that the General Fund portion will come from non-recurring reserves. Where allowable, non-General Fund funds will use current resources and reserves for the payment to employees. Elected Officials and Department Directors will be given an allocations distribution for their employees based on the calculation noted above. Benefits will be determined after allocations are made to the full-time salary line for each employee.

11. The Board of Commissioners signed the Request for Application and Certificate for Payment (No. 9 Final) allowing payment of \$4,4691.92 to DDD Enterprises, Inc. for the Cleveland to Aurora Water Line Phase II, Contract B Express Watermain & Booster Station; Project No. SH-W (06-300), as presented by the Water Resources Department.
12. The Board of Commissioners accepted The Woodlands at Robinson Nursing Home Administrator's recommendation and authorized her to sign the Ohio KePro Improving Individual Patient Care: Nursing Home Healthcare - Acquired Conditions Project Participant Agreement Opportunity for Quality Improvement at no cost to Portage County.
13. The Board of Commissioners acknowledged the receipt of the October 12, 2011 Journal Entry authorizing the Board of Commissioners to employ outside legal counsel of Squires Sanders & Dempsey LLP to provide the Portage County Prosecutor assistance on matters of medical acquisitions and mergers, bond divestiture and/or defeasance relative to the issues of the operational status of The Woodlands at Robinson and Robinson Memorial Hospital's proposed status change from a county-owned facility to private not-for-profit.
14. On July 19, 2011, The Board of Commissioners accepted the recommendation of Water Resources Department Interim Director Jeff Lonzrick and agreed to continue membership with the Northeast

Ohio Four County Regional Planning and Development (NEFCO). The Board of Commissioners also agreed that, in the future, the Water Resources Department would pay 70% of the dues and the Solid Waste Management District would pay 30% of the membership dues.

Today, the Board of Commissioners authorized payment of the October 20, 2011 NEFCO invoice for the second half FY2012 dues of \$11,926.50.

15. The Board of Commissioners acknowledged the receipt of the Motion for Enlargement of Time (Unopposed) for Case No. 2011 CV 00634 (Hiram Township Annexation), as presented by the Common Pleas Court. The Board of Commissioners noted that the attorney for Hiram College and Village Builders of Hiram, Inc. have requested a 30 day extension to November 25, 2011 to file its brief.
16. The Board of Commissioners acknowledged the receipt of the October 17, 2011 certified correspondence from PIRHL Developers LLC, advising that PIRHL Streetsboro Family Homes LLC will be the general partner of a residential rental development located in or within a one-half mile radius of Portage County's jurisdiction. The Board of Commissioners noted that comments will be accepted in writing to the Ohio Housing Finance Agency within 30 days of receipt of this notice.
17. In 1991, \$137,745.02 was transferred from the Brady Lake Construction Fund to the Special Assessment Bond Fund so the Construction Fund could be closed. The cash balance in the Fund is currently \$ 220,669.82. In July 2011, the County Auditor contacted Squire Sanders Attorney Mike Sharb for his review of the 1982 Bond and an opinion on paying down the Bond, utilizing the cash in the Special Assessment Bond Fund. Attorney Mike Sharb determined that the Bond can be reduced by utilizing the cash in the Special Assessment Bond Fund, which will reduce the repayment period.

Today, the Board of Commissioners accepted the recommendation of the Portage County Auditor and agreed to proceed with the redemption of the Sewer District Improvement Bonds, Series 1982.

18. The Board of Commissioners signed the October 18, 2011 correspondence to the Portage County Auditor requesting that staff process the following for the Public Defender's Office, as presented by the Department of Budget & Financial Management as follows:

	Org	Object	Amount	Description
Debit	09200004	481000	\$82,324.00	FY 11 Cost Alloc. PDC
Credit	00100001	152000	\$28,069.00	FY 11 Cost Alloc. PDC
Credit	14813001	240000	\$54,255.00	FY 11 Cost Alloc. PDC

19. After meeting in an Executive Session today with Department of Budget & Financial Management Director Audrey Tillis, the Board of Commissioners accepted her recommendation and authorized the following increases:

A. End of probation compensation increase for Data and Budget Entry Clerk Patricia Nelson from

\$13.08/hour to \$13.74/hour, effective October 31, 2011.

- B. End of probation compensation increase for Data and Budget Entry Clerk Denise French from \$13.08/hour to \$13.74/hour, effective October 17, 2011.
- C. Compensation increase for Accountant and Budget Analyst Joan Lambach from \$19.36/hour to \$20.34/hour, effective October 17, 2011.

20. The Board of Commissioners accepted the Department of Budget & Financial Management Director's recommendation and authorized the use of the funds remaining in Fund 4004 for the purchase of additional computers for MUNIS users. Six of the computers will go to the Accounting staff in the Auditor's Office, two to the Department of Budget and Financial Management. The Information Technology CIO will determine the distribution of the remaining computers, including use for his staff, based on need. The Board also agreed that an additional two computers will be purchased from Fund 7040, Central Accounting Services.

All in favor, motion carries.

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JOURNAL ENTRY II

October 25, 2011

Motion by Commissioner Marsilio, seconded by Commissioner Frederick to approve the following actions:

The Board of Commissioners signed the Request for Application and Certificate for Payment (No. 12 Final) allowing payment of \$40,385.99 to Workman Industrial Services, Inc. for the West Branch MHP WWTP Improvements, Project No. CH-1 (08-090), as presented by the Water Resources Department. Commissioner Smeiles abstaining, motion carries.

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We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **October 25, 2011**. There being no further business to come before the Board, it was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles to adjourn the official meeting at 2:20 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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