



# Portage County Board of Commissioners

Regular Meeting

~ Minutes ~

449 South Meridian Street  
Ravenna, OH 44266  
<http://www.co.portage.oh.us>

Amy Hutchinson, Acting Clerk  
330-297-3600

Tuesday, December 20, 2011

Commissioners' Board Room

## Call to Order

The Portage County Board of Commissioners' meeting came to order on Tuesday, December 20, 2011 at 9:30 AM with the following members present:

Attendee Name	Title	Status
Maureen T. Frederick	President	Present
Tommie Jo Marsilio	Vice President	Present
Christopher Smeiles	Board Member	Present

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

## Minutes Approval

**Motion To:** Approve the December 15, 2011 meeting minutes

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Maureen T. Frederick, President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio
<b>ABSENT:</b>	Christopher Smeiles

9:32 AM Commissioner Smeiles attending.

## PROSECUTOR

Present: Denise Smith, Audrey Tillis, JoAnn Townend

## Review of Prosecutor's Pending List

- 911 Planning Committee vs. Board of Commissioners' authority: One of the Townships wants to have the city of Ravenna be the PSAP, which would take an amendment to the Plan. There is no statute addressing this issue, but Prosecutor Smith believes that documentation is necessary for Ravenna City to accept be the primary call center. Attorney Smith noted that a resolution from the Township requesting the change is necessary.  
Commissioner Frederick reported she met with City of Ravenna Mayor Bica regarding Ravenna's

increase role in the 911 Plan. She anticipates at the next policy committee meeting on January 17, 2012, the city of Ravenna City may be requesting money; currently, Ravenna is not receiving 911 funding. Prosecutor Smith indicated that if it is population based and the population for that answering point has changed, the percentage should change as well.

2. Civil Summons Case No. 2011 PA 00102: (Jimmy Johns). This case is going to be dismissed as a result of a settlement.
3. EMA Lease payment: Chad Hawkes is working with the State for approval to use grant funding for the lease payment.
4. Legal Opinion SWMD - Leigh Prugh sent letter to the Board indicating the Clothing Center does reduce waste in the community and is included in the Solid Waste plan so it's the Board's discretion to continue but it is an appropriate expenditure.
5. Portage County Water Resources employee issue - Pending in Columbus February 10, 2012
6. NDS OHPO Programmatic Agreement - Leigh Prugh is working on this issue
7. Storm Water Educational proposal - (land lab) Leigh Prugh is working on this issue
8. Numbers 9-13 are The Woodlands issues and should be held for Executive Session
14. Timberstone road vacation - Leigh Prugh is working on this issue

#### **Prosecutor's Correspondence**

1. December 15, 2011 correspondence from Denise Smith to Ben Sutton, Sutton Insurance, regarding EEOC discrimination charge pre-litigation letter for File No. 8613 (Battaglia)/Executive Session item.
2. December 14, 2011 e-mail from Denise Smith, regarding proposed JFS legal counsel./Executive Session item.

#### **Executive Session**

9:40 AM In accordance with the Ohio Rev. Code Ann. (121.22(G)(2), it was moved by **Christopher Smeiles**, seconded by **Tommie Jo Marsilio** that the Board of Commissioners move into executive session to discuss real estate and attorney/client privileged information. Also present: Department of Budget & Financial Management Director Audrey Tillis, Internal Services Director JoAnn Townend, Prosecutor Denise Smith. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:09 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, it was moved by Tommie Jo Marsilio to accept the bid of Saber Healthcare Group LLC for the purchase of The Woodlands At Robinson contingent upon the review and approval of legal counsel and Squire Sanders, seconded by Christopher Smeiles, all in favor motion carries/**Resolution No. 11-1118.**

**RESOLUTION No. 11-1118                    -            RE:    AWARD THE SALE OF REAL AND PERSONAL PROPERTY OWNED BY PORTAGE COUNTY KNOWN AS THE WOODLANDS AT ROBINSON.**

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

- WHEREAS,**            the Woodlands at Robinson, 6831 N. Chestnut St., Ravenna OH, part of lot no. 13 of the South Division, Ravenna Township was offered for sale in accordance with requirements established by the Ohio Revised Code to be sold to the highest responsible bidder; and
- WHEREAS,**            a bid package was requested from eighteen (18) potential bidders; and
- WHEREAS,**            three (3) sealed bids were received, tabulated and recorded on December 16, 2011, and
- WHEREAS,**            upon review of the bid received, it is the recommendation of the Portage County Director of Internal Services that the following bid be accepted as the best bid received and that the real and personal property be sold to;

Saber Healthcare Group, LLC  
26691 Richmond Rd.  
Bedford Heights, OH 44146  
For the bid amount of: \$10,100,000.00

now therefore be it

- RESOLVED,**            that the Board of County Commissioners does hereby award the sale of The Woodlands at Robinson to Saber Healthcare Group, LLC; and be it further
- RESOLVED,**            that the sale be contingent upon the review and approval by the legal firm of Squire, Sanders, and Dempsey (US) LLP; 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

## WOODLANDS AT ROBINSON

Present: Christa Mayes, Susan Doherty, Jill Nelson

Commissioner Smeiles indicated the Board received 3 bids in the range of \$3 million, \$6 million, and the winning bid of \$10.1 million was from Saber Healthcare Group LLC.

Director Mayes asked how the Board wants to handle letting employees know? Commissioner Smeiles mentioned that the union needs to know, as well. The Board agreed Director Mayes should prepare a letter and copy the union indicating the Board received 3 bids and have Saber Healthcare make a statement for inclusion. The effective date is still unknown at this time.

Director Mayes contacted George Repchick at Saber Healthcare by telephone and the Commissioners shared the news of its unanimous vote to accept the highest and best bid of Saber Healthcare. Mr. Repchick asked about the timeline and Commissioner Marsilio indicated the paperwork must be reviewed and approved by legal counsel but it should be done as soon as possible, hopefully within the next 30 days. Mr. Repchick asked if February 1, 2012 would be appropriate target and the Board agreed.

Commissioner Smeiles asked if the State of Ohio has to do anything with the licensure issues? Mr. Repchick will have to get counsel involved. He indicated that Saber's in-house counsel contact is Greg Nicoluzakis and outside counsel contact is Paul Lang of Roth, Rolf and Goffman. Mr. Repchick commented they realize the potential and significance of the building and are very excited about the news.

Commissioner Frederick remarked on how the Board is very grateful to Director Mayes and Ms. Nelson (Director of Nursing) for the wonderful job they have done at The Woodlands. Mr. Repchick commended Director Mayes and shared they feel very comfortable with the process because of her.

Commissioner Smeiles asked Mr. Repchick for comments to be used in correspondence to the employees, unions and the press release. Mr. Repchick agreed and will contact Director Mayes with his comments.

Commissioner Frederick stated the Board has an Oath of Office for Susan Doherty's bond and would like to administer it this morning. Ms. Doherty signed all necessary paperwork and the Board of Commissioners adopted Resolution No. 11-1111 to set the amount of her bond.

Commissioner Smeiles shared pictures of the Riddle Block and indicated the tenant at Hometown Savings Bank (fka Home Savings & Loan) noticed mildew on the North side of the building where it is shaded. Hometown Bank spoke to the architect Dave Sommers and he suggested fixing the gutters and down spouts. Hometown Bank is willing to clean the area and fix the problem (ie. drip edge) if the Board would be willing to credit the rent if permissible. Commissioner Smeiles indicated rental credits have been done in the past during renovation of the interior of the building. The Board authorized Commissioner Smeiles to obtain cost estimates for the repair./**Journal Entry.**

### **Executive Session**

10:14 AM In accordance with the Ohio Rev. Code Ann. 121.22(G)(5), it was moved by **Tommie Jo Marsilio**, seconded by **Christopher Smeiles** that the Board of Commissioners move into executive session to discuss

matters required to be kept confidential by federal law or rules or state statutes. Also present: The Woodlands At Robinson Director Christa Mayes and Susan Doherty, and Director of Nursing Jill Nelson. Roll call vote: Christopher Smeiles, Yea; Tommie Jo Marsilio, Yea; Maureen T. Frederick, Yea.

10:20 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 action.

**RECESSED: 10:39 AM**

**RECONVENED: 11:00 AM**

### **WATER RESOURCES**

Present: Jeff Lonzrick

1. The Board of Commissioners signed the application and certificate of payment final for the County Wide Line Maintenance Program; Cleaning and Jet Flushing - Zone 5 Streetsboro East./Journal Entry

Commissioner Smeiles was asked if employees that work in the field for Water Resources Department have the Hepatitis immunization. Director Lonzrick indicated that most have received the immunization on their own but he will research and let the Board know. Commissioner Smeiles suggests they should receive the immunization as a policy set by the Board. The County's Worker's Comp would be paying. This immunization might be provided through the County Health Department.

Commissioner Frederick mentioned there were a couple of employees from the Human Resources Department that were eligible to receive a bonus check did not. She wondered if the County could do a reimbursement check? Commissioner Marsilio e-mailed the County Auditor to see if this is possible.

Commissioner Frederick commended that Bill Madlem from Rootstown Water would like to have a better rate for water from the County. Ravenna is revising rates for next year and Mr. Madlem would like the County to discuss a possible lower rate. Rootstown is currently paying the same amount as Streetsboro and Aurora. Mr. Madlem indicated they have no hydrant or line. Director Lonzrick remarked that if the County tries to pursue a lower rate for Rootstown it's going to create problems with other larger users.

Director Lonzrick also discussed his 2011 Departmental Review. He shared in detail the job responsibilities of the Wastewater, Water, Monitoring, and Engineering Division within the Water Resources Department. He further discussed Administration, Emergency Equipment, and SCADA (Supervisory Control and Data Acquisition) System with the Board.

Director Lonzrick stated current Water Resources personnel include 11 management staff, 30 Teamster Local Union staff members, and 5 vacant positions within the department. Commissioner Frederick inquired about the electrician position. Director Lonzrick remarked this position has been very difficult to fill due to qualifications.

Commissioner Marsilio inquired about how many County vehicles are being taken home? Director Lonzrick indicated there are 5 vehicles - 4 vehicles used for supervisors and 1 shared vehicle for managers. Of the 5, all can be seen within the County. The Water Supervisors was called out approximately 20 times, which may include an extension of the workday, on weekends or after hours. The Streetsboro supervisor logged approximately 25 times. All supervisors have the capability to access SCADA to see what the problem is without coming back to the office, but most of time, they are needed in the field. The trucks are needed because of the equipment they carry.

Commissioner Frederick asked about a newspaper article that allows for a 2 person household to pay a lower rate than a 5 person household. Apparently Summit County provides a way to do this. Director Lonzrick indicated Portage County utilizes a flat rate on residential. This may be something to look into next year. In order to do something like Summit County, the County would have to have a meter on every home to monitor the water supply. A study would need to be done before this could happen.

Commissioner Frederick inquired about the City of Streetsboro contract. Director Lonzrick noted there is no signed contract with the City of Streetsboro but there is an existing contract from 1976 still in use. Director Lonzrick and Lee Benson met with the main water operation of Aurora - Mike Reker and John Kuklisin from Streetsboro who indicated their top priority for 2012 is the water agreement with the County.

The Commissioners commended Director Lonzrick for an excellent job running the department since December 31, 2010.

## **RESOLUTIONS**

December 20, 2011

1. Approve bills as presented by the County Auditor and reviewed by the Department of Budget & Financial Management/11-1107
2. Approve the Journal Vouchers, as presented by the County Auditor./11-1108
3. Approve the Then & Now Certification, as presented by the County Auditor./11-1109
4. Declare obsolete and dispose of Portage County personal property for Portage County D/D./11-1110
5. Fix amount of bond for Administrator at The Woodlands At Robinson - Susan Doherty./11-1111
6. The Department of Budget & Financial Management presents the following resolutions for Board consideration:
  - (A) General Fund Amendment to the Annual Appropriation/11-1112
  - (B) Non General Fund Amendment to the Annual Appropriation/11-1113
  - (C) Cash Advance From Fund 5600 to Fund 5705/11-1114

- (D) Cash Advance (partial) repayment from Fund 7040 to Fund 000/11-1115
- (E) Transfer from Fund 0001 to Fund 1410/11-1116
- (F) Re-open fund 1108 Sheriff Capital Acquisition/11-1117

**RESOLUTION NO. 11-1107 - 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 December 19, 2011 in the total payment amount of **\$1,157,272.92 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1108 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.**

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

12/20/11	1645	\$ 24,542.73
12/20/11	1636	10,000.00
12/20/11	1171	125,248.71
12/20/11	1630	20.00
12/20/11	1633	17,125.62
12/20/11	1635	5,955.03
12/19/11	1584	794.16
12/19/11	1581	40,000.00
12/19/11	1578	15,895.00
12/19/11	1411	84,499.85
12/15/11	1219	39,402.99
Total		\$ 363,484.09

;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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1109 - RE: ACCEPTANCE OF THEN AND NOW CERTIFICATIONS FOR PAYMENT.**

It was moved by Tommie Jo Marsilio, seconded by Christopher Smeiles 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 \$36,337.32 as set forth in Exhibit "A" dated **December 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1110 - RE: DECLARE OBSOLETE AND DISPOSE OF PORTAGE COUNTY PERSONAL PROPERTY.**

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

**WHEREAS,** the Portage County personal property titled to the Portage County Board of Mental Retardation and Developmental Disabilities (MR/DD), now known as Portage County Board of Developmental Disabilities, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, declared as such and is ready for disposal; and

**WHEREAS,** the estimated fair market value of this personal property is valued below \$2,500.00; now therefore be it

**RESOLVED,** that, in accordance with the Ohio Revised Code Section 307.12, the Board of County Commissioners authorizes the request to dispose of the following inventory as follows:

County Tag #	DD Tag #	Description
N/A	002396	Stove
N/A	005457	Supine Board

;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.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Christopher Smeiles, Board Member  
**SECONDER:** Tommie Jo Marsilio, Vice President  
**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1111 - RE: FIX AMOUNT OF THE BOND FOR ADMINISTRATOR AT THE WOODLANDS AT ROBINSON.**

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

**WHEREAS,** before entering upon official duties, the administrator of the County Home shall give bond, as the Board of Commissioners requires, with a surety acceptable to the Board, conditioned for the faithful discharge of the duties of that office; now therefore be it

**RESOLVED,** as required by Ohio Revised Code Section 5155.04, the Portage County Board of Commissioners does hereby confirms the bond for Christa Mayes approved by Resolution No. 11-0379 and approves an Administrator Bond for Susan Doherty of The Woodlands at Robinson as follows:

DEPARTMENT	TYPE OF BOND	BOND MINIMUM-MAXIMUM	BOND AMOUNT	SURETY AGENCY/ UNDERWRITTEN
THE WOODLANDS AT ROBINSON	ADMINISTRATOR BOND FOR SUSAN DOHERTY  Ohio Revised Code 5155.04 3929.17	AS THE BOARD REQUIRES  BOND NO. 71205005	\$20,000	SUTTON INSURANCE/  CNA SURETY COMPANY  COVERAGE  12-1-11 through 12-1-12

**RESOLVED,** that a certified copy of this resolution be deposited with the Portage County Treasurer and The Woodlands at Robinson; and be it further

**RESOLVED,** that the Board of Commissioners agreed to pay Invoice No. 1930 dated December 15, 2011 for \$100.00 to E.H. Sutton Insurance Agency, Inc. for the preparation of Susan Doherty's Public Official Bond; and be it further

**RESOLVED,** that a certified copy be filed with the Portage County Safety/Loss Control Coordinator, The Woodlands at Robinson, and all original bond paperwork be filed in the Treasurer's office; 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

RESOLUTION NO. 11-1112

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>
<b>Fund: 0001 General Fund</b>		
<b>001 Commissioners</b>		
00017 Commissioners OE	17,883	-
<b>MEMO TOTAL</b>	<b><u>\$ 17,883</u></b>	<b><u>\$ -</u></b>

Note: Changed Source Of Requests

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<b>100 Auditor</b>		
01154 Auditor Weights & Measures CS	9	-
01155 Auditor Weights & Measures MS	0	9
<b>MEMO TOTAL</b>	<b><u>\$ 9</u></b>	<b><u>\$ 9</u></b>

Note: Projected Need

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<b>570 Juvenile Court</b>		
05704 Juvenile Court CS	0	1,300
05705 Juvenile Court MS	1,300	-
<b>MEMO TOTAL</b>	<b><u>\$ 1,300</u></b>	<b><u>\$ 1,300</u></b>

Note: Cover Neg And Dec. 2011 Gaso

		<i>Increase</i>	<i>Decrease</i>
<b>700 Sheriff's Department</b>			
07003	Sheriff-General Fringes	0	700
07004	Sheriff-General Admin CS	15,000	-
0700M	Sheriff-General Overtime	0	700
07103	Sheriff-Corrections Fringes	9,700	-
07104	Sheriff-Corrections CS	200	8,200
07105	Sheriff-Corrections MS	0	11,000
07106	Sheriff-Corrections CO	0	4,000
0710D	Sheriff-Corrections Full Time	1,600	-
0710M	Sheriff-Corrections Overtime	0	3,300
07203	Sheriff-Detectives Fringes	5,500	-
0720D	Sheriff-Detectives Full Time	9,600	-
07303	Sheriff-Road Deputies Fringes	0	16,000
0730E	Sheriff-Road Depts Part Time	3,300	-
07403	Sheriff-Dispatch Fringes	3,700	2,000
0740D	Sheriff-Dispatch Full Time	700	-
0740M	Sheriff-Dispatch Overtime	0	3,400
	<b>MEMO TOTAL</b>	<b>\$ 49,300</b>	<b>\$ 49,300</b>

Note: Year End Trf To Cover Deficits

<b>915 Data Processing Board</b>			
09156	Data Processing Bd CO	0	17,883
	<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 17,883</b>

Note: Changed Source Of Requests

	<b>TOTAL MEMO BALANCE ALL AMENDMENTS</b>	<b>\$ 68,492</b>	<b>\$ 68,492</b>
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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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

RESOLUTION NO. 11-1113

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:

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1102 Marine Patrol Grant</b>		
<b>700 Sheriff's Department</b>		
11023 Sheriff-Marine Patrol Fringes	101	415
11024 Sheriff-Marine Patrol CS	190	2,312
11025 Sheriff-Marine Patrol MS	4,985	424
1102D Sherif-Marine Patrol Full Time	-	2,125
<b>MEMO TOTAL</b>	<b>\$ 5,276</b>	<b>\$ 5,276</b>

Note: Adj Appr. Per Expend.

<b>Fund: 1123 Community Integration Soc CISP</b>		
<b>590 Adult Probation</b>		
11233 Comm Integra Soc CISP Fringes	2,848	2,072
1123D Comm Integr Soc CISP Full Time	-	4,520
<b>MEMO TOTAL</b>	<b>\$ 2,848</b>	<b>\$ 6,592</b>

Note: YE Balancing Adjustments

<b>Fund: 1201 Motor Vehicle And Gas Tax</b>		
<b>800 Engineer's Department</b>		
12014 Motor Vehicle/Gas Tax CS	20,000	-
12016 Motor Vehicle/Gas Tax CO	-	20,000
<b>MEMO TOTAL</b>	<b>\$ 20,000</b>	<b>\$ 20,000</b>

Note: YE Balancing Adjustments

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1330 Dog And Kennel</b>		
<b>045 Dog And Kennel</b>		
1330D Dog Kennel - Warden Full Time	3,500	-
1330E Dog Kennel - Warden Part Time	-	3,500
<b>MEMO TOTAL</b>	<b>\$ 3,500</b>	<b>\$ 3,500</b>

Note: YE Projected Need

<b>Fund: 1341 PCBDD Early Childhood Spec Ed</b>		
<b>905 Mental Ret &amp; Dev Disability Bd</b>		
1341D MRDD Early Ch Spec Ed Full-Tim	-	1,559
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 1,559</b>

Note: Approp Modification

<b>Fund: 1343 PCBDD Part B IDEA</b>		
<b>905 Mental Ret &amp; Dev Disability Bd</b>		
1343D MRDD Part B IDEA Full-Time	-	1,770
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 1,770</b>

Note: Approp Modification

<b>Fund: 1410 Job And Family Services</b>		
<b>051 Job And Family Services</b>		
14103 Job & Family Services Fringes	-	26,000
14104 Job & Family Services CS	-	549,086
14105 Job & Family Services MS	-	17,854
14106 Job & Family Services CO	-	10,300
1410D Job & Family Service Full Time	-	90,000
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 693,240</b>

Note: Projected Need

		<i>Increase</i>	<i>Decrease</i>
<b>Fund: 1412</b>	<b>JFS Help Me Grow Allocation</b>		
	<b>051 Job And Family Services</b>		
14123	JFS Help Me Grow Fringes	-	31,213
14124	JFS Help Me Grow CS	-	40,563
14125	JFS Help Me Grow MS	-	26,165
14127	JFS Help Me Grow OE	-	500
1412D	JFS Help Me Grow Full Time	-	6,357
1412E	JFS Help Me Grow Part Time	-	4,531
	<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 109,329</b>

Note: Projected Need

<b>Fund: 1414</b>	<b>Child Support General Admini</b>		
	<b>051 Job And Family Services</b>		
14143	JFS Child Support Gen Fringes	-	133,325
14144	JFS Child Support General CS	34,000	-
14145	JFS Child Support General MS	-	36,800
14146	JFS Child Support General CO	2,800	-
1414D	JFS Child Support Ge Full Time	-	160,000
1414M	JFS Child Support Ge Overtime	-	300
1414O	JFS Child Support Gen Retirement	-	12,000
	<b>MEMO TOTAL</b>	<b>\$ 36,800</b>	<b>\$ 342,425</b>

Note: Projected Need

<b>Fund: 1415</b>	<b>Child Welfare - Special Levy</b>		
	<b>051 Job And Family Services</b>		
14153	JFS Child Welfare Levy Fringes	40,679	38,099
14154	JFS Child Welfare Levy CS	367,247	424,285
14155	JFS Child Welfare Levy MS	8,095	20,295
14156	JFS Child Welfare Levy CO	-	11,300
1415D	JFS Child Welfare Le Full Time	-	63,280
1415M	JFS Child Welfare Le Overtime	1,255	2,755
1415O	JFS Child Welfare Retirement	-	11,100
	<b>MEMO TOTAL</b>	<b>\$ 417,276</b>	<b>\$ 571,114</b>

Note: Projected Need

	<i>Increase</i>	<i>Decrease</i>
<b>Fund: 3112 SA PCS Bond 1982</b>		
<b>010 Commissioners Other</b>		
31128 SA PCS Bonds 1982 DS	-	44,127
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 44,127</b>

Note: Adjust To Actual

<b>Fund: 4100 PCBDD Capital Projects</b>		
<b>905 Mental Ret &amp; Dev Disability Bd</b>		
41006 MRDD Capital CO	-	200,000
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 200,000</b>

Note: Approp Modification

<b>Fund: 4216 Lovers Lane Reconstruction</b>		
<b>800 Engineer's Department</b>		
42166 Lovers Lane Reconstruction CO	41,239	-
<b>MEMO TOTAL</b>	<b>\$ 41,239</b>	<b>\$ -</b>

Note: To Process JE For Funds Paid

<b>Fund: 5315 PCS O&amp;M Equipment Garage</b>		
<b>060 Water Resources</b>		
53156 PCS O&M Equipment Garage CO	-	32,307
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 32,307</b>

Note: End Of Year Adjustment

<b>Fund: 5316 PCS W Branch Mobile Home Park</b>		
<b>060 Water Resources</b>		
53166 W Branch Mobile Home Park CO	-	64,210
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 64,210</b>

Note: Adjust To Actual

<b>Fund: 5317 PCS Aurora Meadows Subdivision</b>		
<b>060 Water Resources</b>		
53176 PCS Aurora Meadows Subdiv CO	-	116,943
<b>MEMO TOTAL</b>	<b>\$ -</b>	<b>\$ 116,943</b>

Note: Adjust to Actual

		<i>Increase</i>	<i>Decrease</i>
		<hr/>	<hr/>
<b>Fund: 5318</b>	<b>PCS Red Fox Improv 08-160</b>		
	<i>060 Water Resources</i>		
53186	PCS Red Fox Improv 08-160 CO	-	448
	<b>MEMO TOTAL</b>	<hr/> <b>\$ -</b> <hr/>	<hr/> <b>\$ 448</b> <hr/>

Note: Adjust To Actual

<b>Fund: 5507</b>	<b>PCW Cleveland to Aurora</b>		
	<i>060 Water Resources</i>		
55076	PCW Cleveland to Aurora CO	-	193,334
55079	PCW Cleveland to Aurora ME	-	1,557,996
	<b>MEMO TOTAL</b>	<hr/> <b>\$ -</b> <hr/>	<hr/> <b>\$ 1,751,330</b> <hr/>

Note: Adjust To Actual

<b>Fund: 5508</b>	<b>PCW Rav Training &amp; Logistics</b>		
	<i>060 Water Resources</i>		
55084	PCW Rav Training & Logistic CS	-	142,594
55086	PCW Rav Training & Logistic CO	-	46,834
	<b>MEMO TOTAL</b>	<hr/> <b>\$ -</b> <hr/>	<hr/> <b>\$ 189,428</b> <hr/>

Note: Adjust To Actual

<b>Fund: 5600</b>	<b>StS General Administration</b>		
	<i>060 Water Resources</i>		
56009	Streetsboro Sewer ME	1,200,000	-
	<b>MEMO TOTAL</b>	<hr/> <b>\$ 1,200,000</b> <hr/>	<hr/> <b>\$ -</b> <hr/>

Note: Additional Needed

<b>Fund: 5705</b>	<b>StS Trunk Rehabilitation</b>		
	<i>060 Water Resources</i>		
57056	StS Trunk Rehabilitation CO	-	392,357
	<b>MEMO TOTAL</b>	<hr/> <b>\$ -</b> <hr/>	<hr/> <b>\$ 392,357</b> <hr/>

Note: Adjust To Actual

<b>TOTAL MEMO BALANCE FOR ALL FUNDS</b>		<hr/> <b>\$ 1,726,939</b> <hr/>	<hr/> <b>\$ 4,545,955</b> <hr/>
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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.

**RESULT:** **ADOPTED [UNANIMOUS]**

**MOVER:** Christopher Smeiles, Board Member

**SECONDER:** Tommie Jo Marsilio, Vice President

**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles



**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.

<b>RESULT:</b> ADOPTED [UNANIMOUS]
<b>MOVER:</b> Christopher Smeiles, Board Member
<b>SECONDER:</b> Tommie Jo Marsilio, Vice President
<b>AYES:</b> Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1115 - RE: PARTIAL CASH ADVANCE REPAYMENT – FROM FUND 7040, CENTRALIZED ACCOUNTING SERVICE TO FUND 0001, GENERAL FUND**

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

**WHEREAS,** on October 4, 2011, the Board of Commissioners adopted Resolution No. 11- 0863, approving a cash advance in the amount of \$ 100,000.00 for Fund 7040 until revenues and cash flow reserves were generated in the fund, and

**WHEREAS,** a repayment schedule was set up with one initial installment of \$ 50,000.00 to be repaid by December 31, 2011 and five \$10,000.00 annual installments beginning on December 31, 2013 and ending on December 31, 2017; now therefore be it

**RESOLVED,** that the following partial cash advance repayment be made in the amount of \$ 50,000.00:

**FROM:**

FUND7040, CENTRALIZED ACCOUNTING SERVICE

ORGCODE - 704001112

Debit Revenue Account

Revenue Source 290000 - Advances-In \$ 50,000.00

**TO:**

FUND 0001, GENERAL FUND

ORGCODE- 00100009

Credit Expense Account

Object 920000 - Advances-Out \$ 50,000.00

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said partial cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the Portage County Auditor, and the Department of Budget & Financial Management, and be it further

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

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Christopher Smeiles, Board Member  
**SECONDER:** Tommie Jo Marsilio, Vice President  
**AYES:** Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1116 - RE: TRANSFER FROM FUND 0001, GENERAL FUND TO FUND 1410, JOB AND FAMILY SERVICES**

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

**WHEREAS,** on November 18, 2011, the Portage County Board of Commissioners and ODJFS signed an agreement for a repayment plan to resolve the questioned costs for audit # XT-07-00036, and

**WHEREAS,** the Portage County Board of Commissioners wishes to transfer their portion of the repayment paid by PCJFS per the signed agreement of \$ 6,597.50; now therefore be it

**RESOLVED,** that the transfer in the amount of \$ 6,597.50 be made as follows:

**FROM:**

FUND 0001, GENERAL FUND

ORGCODE - 00100009

Debit Expense Account

Object 910000- TRANSFERS OUT \$ 6,597.50

FUND 1410, JOB AND FAMILY SERVICES

ORGCODE – 14100512

Revenue Account

Object 280000 - TRANSFERS IN

\$ 6,597.50

and be it further

**RESOLVED,** that the County Auditor is hereby requested to make said transfer by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor the Department of Budget and Financial Management and the Department of Job and 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1117 - RE: REOPEN FUND 1108, SHERIFF CAPITAL ACQUISITIONS**

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

**WHEREAS,** Fund 1108, Sheriff Capital Acquisitions, was closed by Resolution No. 11-0724, adopted on August 16, 2011, and

**WHEREAS,** the Portage County Sheriff has received a grant in the amount of \$37,120.00 for Communications Equipment, and

**WHEREAS,** it has become necessary to reopen Fund 1108 in order to properly control the processing of financial related transactions for this grant; now therefore be it

**RESOLVED,** that Fund 1108, Sheriff Capital Acquisitions is hereby reopened, and be it further

**RESOLVED,** that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Portage County Sheriff, and be it further

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Smeiles, Board Member
<b>SECONDER:</b>	Tommie Jo Marsilio, Vice President
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**RESOLUTION NO. 11-1118 - RE: AWARD THE SALE OF REAL AND PERSONAL PROPERTY OWNED BY PORTAGE COUNTY KNOWN AS THE WOODLANDS AT ROBINSON.**

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

**WHEREAS,** the Woodlands at Robinson, 6831 N. Chestnut St., Ravenna OH, part of lot no. 13 of the South Division, Ravenna Township was offered for sale in accordance with requirements established by the Ohio Revised Code to be sold to the highest responsible bidder; and

**WHEREAS,** a bid package was requested from eighteen (18) potential bidders; and

**WHEREAS,** three (3) sealed bids were received, tabulated and recorded on December 16, 2011, and

**WHEREAS,** upon review of the bid received, it is the recommendation of the Portage County Director of Internal Services that the following bid be accepted as the best bid received and that the real and personal property be sold to;

Saber Healthcare Group, LLC

26691 Richmond Rd.

Bedford Heights OH 44146

\$ 10,100,000.00

now therefore be it

**RESOLVED,** that the Board of County Commissioners does hereby award the sale of The Woodlands at Robinson to Saber Healthcare Group, LLC; and be it further

**RESOLVED,** that the sale be contingent upon the review and approval by the legal firm of Squire, Sanders, and Dempsey (US) LLP; 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



sign and return the notice.

3. In accordance with the ORC Section 325.07, the Board of Commissioners acknowledged receipt of the Portage County Sheriff's Transportation of Prisoners Report for October 2011 as presented by the Sheriff's Department.
4. The Board of Commissioners signed the December 16, 2011 correspondence to the Portage County Auditor's Office regarding requesting an Expenditure Correction as presented by the Department of Budget & Financial Management and as follows:

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<u>Debit:</u>	40040106	630000	\$17,883.00	Expenditure Correction
<u>Credit:</u>	09150006	630000	\$17,883.00	Exp Correction (Data Processing)

5. The Board of Commissioners signed the Application and Certificate for Payment (No. 3 Final) allowing payment of \$ 2,568.35 to Lake County Sewer Company for Project No. Countywide Line Maintenance Program: Cleaning and Jet Flushing, Zone 5 Streetsboro East (ST-4) 11-010 as requested by the Water Resources Department.
6. The Board of Commissioners signed the Personnel Action Form authorizing the full time permanent hire of Paula Broadwater as a PCSA Aide as presented by Job & Family Services Director Judee Genetin. The Board of Commissioners agreed that this hire is contingent upon the applicant passing a pre-employment physical and drug screen and motor vehicle record check, if applicable.
7. The Board of Commissioners authorized a three (3) day working suspension per union contract for a Nursing Assistant as requested by Director Christa Mayes, The Woodlands At Robinson.
8. The Board of Commissioners authorized Commissioner Smeiles to research cost estimates for the repair of the gutters and down spouts to alleviate any mildew problems on the North side of the Riddle Block as requested by Hometown Savings Bank.
9. The Board of Commissioners approved the placement of a plaque in the Adult Probation Department acknowledging Robert Fankhauser's years of service to Portage County.

**Motion To:** Approve Journal Entries:

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Tommie Jo Marsilio, Vice President
<b>SECONDER:</b>	Christopher Smeiles, Board Member
<b>AYES:</b>	Maureen T. Frederick, Tommie Jo Marsilio, Christopher Smeiles

**ADJOURN**

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on **December 20, 2011**. There being no further business to come before the Board, it was moved by Tommie Jo Marsilio and seconded by Christopher Smeiles to adjourn the official meeting at 11:50 AM.

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member

Amy Hutchinson, Acting Clerk

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