



Portage County Board of Commissioners

Regular Meeting

~ Minutes ~

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

Deborah Mazanec, Clerk
330-297-3600

Tuesday, December 27, 2011

Commissioners' Board Room

The Portage County Board of Commissioners' meeting came to order at 9:50 AM with the following members present:

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

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

Motion To: Approve the December 22, 2011 meeting minutes

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

WOODLANDS AT ROBINSON

Discussion

Present: Nursing Home Administrator Susan Doherty, Allison Goudy, Karen U'Halie

The Nursing Home Administrator reported a census of 85 with three additional residents in the hospital; 15 Medicare residents and a couple of insurance residents.

The Nursing Home Administrator noted that there are lots of staff call offs, which is a major issue. She anticipates it will continue through the end of the year since many have sick leave available that they feel entitled to use. Commissioner Marsilio asked if the employees simply do not want to keep a job? She added that the call offs are a public record that will be available for the new employer to review. Ms. Goudy responded that staff understands that they must apply for jobs with the new Nursing Home owner.

Commissioner Marsilio asked if there is a plan in place to relay to the employees that the call offs are not acceptable. The Human Resources Department responded that the call offs are public record and available for new employers to review. Commissioner Marsilio commented that the- employees need to understand that the collective bargaining agreement allows employment issues to be removed from personnel files but the Ohio Revised Code requires that the county keep the forms.

Karen U'Halie offered to meet with employees to disseminate the information reiterating what employees may do. The Nursing Home Administrator thinks this is a good idea but employees may want to ask questions about the transition that may be unanswerable at this time.

The Nursing Home Administrator reported that the residents are doing fine although there have been some questions from families. Ms. Goudy commented that the Christmas party was a success; the Nursing Home Administrator added that the party was “phenomenal”.

Commissioner Smeiles suggested sending a brief memo with answers to questions that are being asked and advising that meetings will be held periodically to keep staff advised of transitional issues as the sale process proceeds.

Commissioner Marsilio stated that the Board of Commissioners has told staff both in writing and in person that there will not be layoffs during the transition. The Nursing Home Administrator remarked that she has also met with departments to discuss these issues.

Ms. Goudy requested approval to advertise for an LPN rather than an RN, as previously approved by the Board of Commissioners/Journal Entry

BOARD COMMENT

Commissioner Smeiles noted that the Board of Commissioners received a message this morning from Anne Marie Mann to remind the Board of the interest of the Community Action Council in purchasing the One Stop Facility.

The Board of Commissioners agreed that Commissioner Smeiles should call Ms. Mann back to advise that the building will be available for public purchase by bid or auction.

* * *

Commissioner Marsilio reported that she did not receive an email from Commissioner Frederick with her comments regarding the reorganization documents, which Commissioner Frederick promised to send last week. Commissioner Marsilio asked Commissioner Smeiles if he received an email from Commissioner Frederick; Commissioner Smeiles responded that he has not.

* * *

Commissioner Smeiles commented that he received an email from a resident in Ravenna Township on Peck Road addressing problems he has had with his neighbors for the past six years. The Board of Commissioners agreed to respond that the Board saw that the resident copied the Prosecutor and the

(\$75.00) per hour for back-up plan examiner services in a total amount not to exceed Fifteen thousand and 00/100 dollars (\$15,000.00); and be it further

RESOLVED, that the term of the Agreement shall be from January 1, 2012 until December 31, 2012, but may terminate by either party upon not less than ten days written notice to the other party; 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, Absent; Tommie Jo Marsilio, Yea; Christopher Smeiles, Yea;

RESOLUTION NO. 11-1150 - RE: ENTER INTO A SOFTWARE LICENSE AGREEMENT FOR STORM WATER ArcGIS SPATIAL ANALYST SOFTWARE SERVICES BETWEEN THE PORTAGE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY AND ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI).

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

WHEREAS, the Information Technology Department has the need for Storm Water ArcGIS spatial analyst software; and

WHEREAS, Environmental Systems Research Institute, Inc. (ESRI) is the owner of the software; now therefore be it

RESOLVED, that the Board of Portage County Commissioners does hereby agree to enter into a software license agreement between the Board and Environmental Systems Research Institute, Inc. (ESRI) to provide Storm Water ArcGIS spatial analyst software services for the term of January 1, 2012 through December 31, 2012; and be it further

RESOLVED, that the total service amount under this Agreement shall not exceed Two thousand five hundred fifty-nine and 00/100 dollars (\$2,559.00) and be it further

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

Voice vote as follows:

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

RESOLUTION NO. 11-1151 - RE: APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST, AND SETTING THE DATE AND TIME FOR ACCEPTANCE OF BIDS FOR THE CONSTRUCTION OF PROJECT NO. PC (10-060), WWTP UV REPLACEMENT IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT.

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

WHEREAS, this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District; and

WHEREAS, pursuant to authorization by this Board contained in Resolution 10-0703 adopted, August 3, 2010, the County Water Resources has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No PC (10-060), WWTP UV Replacement, hereinafter referred to as the "PROJECT"; and

WHEREAS, the PROJECT will provide new UV Disinfection Systems at the Rivermoor WWTP, the Fairlane WWTP, and the Western Reserve WWTP; and

WHEREAS, copies of said plans, specifications and estimate of cost are on file in the office of the Clerk and County Water Resources and are available for examination therein; now therefore be it

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

Section 1. That said plans, specifications and estimate of cost for said PROJECT hereto be and the same are hereby approved.

Section 2. That said plans, specifications and estimate of cost shall be filed in the

office of the Clerk of this Board and in the office of the County Water Resources and kept continuously on file for inspection by all persons interested therein.

Section 3. That sealed bids for the construction of the PROJECT will be accepted by the Portage County Commissioners until 2:00 PM on January 25, 2012 at their office on the seventh floor of the County Administration Building, 449 South Meridian Street, Ravenna, Ohio.

Section 4. That the Notice of receiving bids shall be posted in the Record Courier on January 6 and 13, 2012 and the Clerk of this Board is directed to post said Notice on the official bulletin board in the office of the County Commissioners. This advertisement for bids can also be found on Portage County's website at: www.co.portageco.oh.us under county bid notices.

Section 5. 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 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 was as follows:

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

RESOLUTION NO. 11-1152 - RE: APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COST, AND SETTING THE DATE AND TIME FOR ACCEPTANCE OF BIDS FOR THE CONSTRUCTION OF PROJECT NO. SH-W (11-060), SHALERSVILLE WTP CHLORINATION MODIFICATION IMPROVEMENTS, IN THE PORTAGE COUNTY REGIONAL SEWER DISTRICT, SHALERSVILLE TOWNSHIP.

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

WHEREAS, this Board by Resolution No. 74-78, adopted April 11, 1974, established Portage County Regional Sewer District; and

WHEREAS, pursuant to authorization by this Board contained in Resolution 11-0597 adopted, July 5, 2011, the County Water Resources has caused to be prepared and submitted for approval plans, specifications and estimate of cost for Project No SH-W (11-060), Shalersville WTP

Chlorination Modification Improvements, hereinafter referred to as the "PROJECT"; and

WHEREAS, the PROJECT will mitigate safety concerns at the WTP by replacing the ton and 150 lbs. chlorine gas feed systems with a sodium hypochlorite (bleach) bulk storage/feed system, and isolating the existing potassium permanganate room; and

WHEREAS, copies of said plans, specifications and estimate of cost are on file in the office of the Clerk and County Water Resources and are available for examination therein; now therefore be it

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

- Section 1. That said plans, specifications and estimate of cost for said PROJECT hereto be and the same are hereby approved.
- Section 2. That said plans, specifications and estimate of cost shall be filed in the office of the Clerk of this Board and in the office of the County Water Resources and kept continuously on file for inspection by all persons interested therein.
- Section 3. That sealed bids for the construction of the PROJECT will be accepted by the Portage County Commissioners until 3:00 PM on January 25, 2012 at their office on the seventh floor of the County Administration Building, 449 South Meridian Street, Ravenna, Ohio.
- Section 4. That the Notice of receiving bids shall be posted in the Record Courier on January 6 and January 13, 2012 and the Clerk of this Board is directed to post said Notice on the official bulletin board in the office of the County Commissioners. This advertisement for bids can also be found on Portage County's website at: www.co.portageco.oh.us under county bid notices.
- Section 5. 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 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 was as follows:

Maureen T. Frederick, Absent;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

BUDGET & FINANCE

Present: Audrey Tillis

Discussion

Journal Entry Approval(s):

- a. Reimbursement Motor Pool for Juvenile Court Vehicle Insurance Repairs
- b. Indirect Cost Allocation Payment - Woodlands at Robinson Nursing Home to the General Fund
- c. Expenditure Correction from Fund 0001 to Fund 4004

RESOLUTIONS for 12/27/2011

- 1. General Fund Amendments to the Annual Appropriation Resolution 11-1139:
 - a. Commissioner Other, Supplemental - YE Adjustment
 - i. Probate Court - YE Adjustment
 - ii. Contingency/Reserve - YE Adjustment
 - b. Probate Court, Supplemental - YE Adjustment
 - c. Sheriff's Department, Transfer - YE Adjustment
- 2. Other Funds Amendments to the Annual Appropriation Resolution/11-1140
- 3. Cash Advance Repayment from Fund 1165, Homeland Security B (SHSP) to Fund 0001, General Fund/11-1141
- 4. Close Fund 4004/11-1142
- 5. Transfer from Fund 4007, Kent Court Capital Projects to Fund 4017, Kent Municipal Court/11-1143

RESOLUTIONS for 12/29/2011 (CONTINGENCY RESOLUTIONS)

- 6. General Fund Amendments to the Annual Appropriation Resolution/11-1144
- 7. Other Funds Amendments to the Annual Appropriation Resolution/11-1145
- 8. Cash Advance/11-1146
- 9. Cash Advance/11-1147
- 10. Cash Advance Repayment/11-1148

RESOLUTION NO. 11-1144

Number assigned and not used -this is for numbering purposes only.

RESOLUTION No. 11-1145 - RE: AMENDMENT TO THE NON GENERAL FUND 2011 ANNUAL APPROPRIATION RESOLUTION NO. 10-1143 ADOPTED DECEMBER 16, 2010.

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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:	4215 Resurfacing Projects		
	800 Engineer's Department		
	42156 Tallmadge Rd Resurfacing CO	109,483	89,500
	MEMO TOTAL	<u>\$ 109,483</u>	<u>\$ 89,500</u>

Note: YE Adjustment

TOTAL MEMO BALANCE FOR ALL FUNDS	<u>\$ 109,483</u>	<u>\$ 89,500</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, Absent;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

RESOLUTION NO. 11-1146 - RE: CASH ADVANCE REPAYMENT - FROM FUND 1166, EMPG HOMELAND SECURITY GRANT TO FUND 0001, GENERAL FUND

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

WHEREAS, on July 12, 2011, the Board of Commissioners adopted Resolution No. 11-0616 authorizing a cash advance in the amount of \$ 35,000.00 until grant revenues were received, and

WHEREAS, grant revenue has been received in Fund 1166; now therefore be it

RESOLVED, that the following cash advance repayment be made in the amount of \$ 35,000.00:

FROM:

1166, EMPG HOMELAND SECURITY GRANT

ORGCODE -11669302

Debit Revenue Account

Revenue Source 290000 - Advances-In \$ 35,000.00

TO:

0001, GENERAL FUND

ORGCODE- 00100009

Credit Expense Account

Object 920000 - Advances-Out \$ 35,000.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Homeland Security and Emergency Management Agency 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.

RESOLUTION NO. 11-1147

Number assigned and not used -this is for numbering purposes only.

RESOLUTION NO. 11-1148

Number assigned and not used -this is for numbering purposes only.

11:00 AM Board of Commissioners recessed to the Solid Waste Management District Meeting

11:50 AM Board of Commissioners reconvened

COUNTY TREASURER

Treasurer Shanafelt advised the Board of Commissioners that he leaves office at close of business on December 30, 2011. He noted that the Board of Commissioners must appoint an Interim Treasurer by Resolution and he recommended that Chuck Wetmore be appointed/11-1153

A new Treasurer should be named by the Democratic Party's Central Committee on January 5, 2012.

The Board of Commissioners also agreed to set the bond for the Interim Treasurer at \$50,000/11-1154

**RESOLUTION NO. 11-1153 - RE: APPOINTMENT OF CHARLES WETMORE AS THE
INTERIM PORTAGE COUNTY TREASURER.**

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

WHEREAS, Portage County Treasurer Stephen P. Shanafelt resigns effective close of business on Friday, December 30, 2011; and

WHEREAS, Section 305.02 (F) of the Ohio Revised Code authorizes the Board of Commissioners to appoint a person to hold the Office of Interim Treasurer to perform the duties thereof between the occurrence of the vacancy in that office and the time when the officer appointed by the Democratic Central Committee qualifies and takes the Office of Treasurer; now therefore be it

RESOLVED, that the Portage County Board of Commissioners, in accordance with Section 305.02 of the Ohio Revised Code does hereby appoint **CHARLES WETMORE** to fulfill the duties consistent with Chapter 321 of the Ohio Revised Code; and be it further

RESOLVED, that a copy of this resolution be filed with the Portage County Board of Elections and 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 meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice, vote was as follows:

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

RESOLUTION NO. 11-1154 - RE: FIX AMOUNT OF OFFICIAL BOND FOR INTERIM PORTAGE COUNTY TREASURER.

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

WHEREAS, the Ohio Revised Code stipulates that County Elected Officials be bonded by a surety company and that the bond amount for the following elected officials be set by the Board of Commissioners; and

WHEREAS, Portage County Treasurer Stephen P. Shanafelt resigns effective close of business on Friday, December 30, 2011; and

WHEREAS, in accordance with Section 305.02 (F) of the Ohio Revised Code, the Board of Commissioners appointed **CHARLES WETMORE** by Resolution No. 11-1153 to fulfill the duties of Treasurer consistent with Chapter 321 of the Ohio Revised Code between the occurrence of the vacancy in that office and the time when the officer appointed by the Democratic Central Committee qualifies and takes the Office of Treasurer; now therefore be it

RESOLVED, that the Portage County Board of Commissioners does hereby fix the amount of the Official Bond for the Interim Treasurer as follows:

Elected Office	Elected Official	Bond Min-Max	Bond Amount	Insurance Agency/Surety Co
Interim Treasurer	Charles Wetmore	A sum to be determined by the Board of Commissioners	\$50,000	Sutton Insurance (Western Surety Company)

;and be it further

RESOLVED, that the Board of Commissioners authorizes payment for this bond from the General Fund; and be it further

RESOLVED, that the original bond document be filed with 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.

Voice vote was as follows:

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

11:50 AM the Board of Commissioners recessed to the Investment Advisory Board Meeting
12:05 PM Board of Commissioners reconvened

RESOLUTIONS

1. Approval of the meeting minutes from the December 22, 2011 regular Board meeting.
2. Approve the Journal Vouchers No. 1, as presented by the County Auditor/11-1135.
3. Approve the Journal Vouchers No. 2, as presented by the County Auditor/11-1136.
4. Accept Walden Drive and Dorchester Drive in Walden Pointe Subdivision Phase 1, Brimfield Township Portage County (County Engineer)/11-Hold for Commissioner Smeiles to abstain.
5. Amend Resolution No. 09-0469 dated May 21, 2009: Enter into a programmatic agreement for coordination with the Ohio Historic Preservation Office (Neighborhood Development Services)/11-1138.

RESOLUTION NO. 11-1135 - RE: APPROVAL OF JOURNAL VOUCHERS/ENTRIES.

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

WHEREAS, the Ohio Revised Code requires that warrants be approved by the Board of Commissioners prior to their issuance, and

WHEREAS, there are other similar financial transactions defined as journal vouchers/entries that are dissimilar in that they are used to pay for charges for services from one county department and/or fund to another department and/or fund and thus are processed in lieu of issuing a warrant, and

WHEREAS, the Journal Vouchers/Entries are recommended by the County Auditor’s Office for review and approval by the Board of Commissioners; now therefore be it

RESOLVED, that the Board of Commissioners approves the following Journal Vouchers/Entries as presented by the County Auditor’s Office:

12-27-11	3972	\$25,932.45
12-27-11	3973	250,558.11
12-27-11	4001	64,234.20
12-27-11	4002	3485.00

12-27-11	3991	19,281.89
12-23-11	3425	24,467.00
12-22-11	2985	17,784.52
12-22-11	2817	1,250.00
12-27-11	4078	34,153.23
12-27-11	4076	19,245.97
12-27-11	4085	3,029.05
12-27-11	4079	5,335.08
12-27-11	4087	68611.32
12-27-11	4086	5,903.68
12-27-11	4081	1,477.77
12-27-11	4077	18,427.17
Total		\$563,176.44

RESOLVED, and be it further 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, Absent; Tommie Jo Marsilio, Yea; Christopher Smeiles, Yea;

RESOLUTION NO. 11-1136

Number assigned and not used -this is for numbering purposes only.

RESOLUTION NO. 11-1137

Number assigned and not used -this is for numbering purposes only.

RESOLUTION NO. 11-1138 - RE: AUTHORIZE THE EXTENSION OF THE PROGRAMMATIC AGREEMENT FOR COORDINATION WITH THE OHIO HISTORIC PRESERVATION OFFICE.

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

WHEREAS, it is necessary to have an environmental review completed for the issuance of funding through the United States Department of Housing and Urban Development; and

WHEREAS, in order to expedite the review process, the Ohio Historic Preservation Office recommends that the Board of Commissioners agree to extend the current Programmatic

Agreement authorized by Portage County Board of Commissioners' Resolution 09-0469 adopted on May 21, 2009; now therefore be it

RESOLVED, that the Board of Commissioners agrees to sign and extend the current Programmatic Agreement for Coordination with the Ohio Historic Preservation 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 meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

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

RESOLUTION No. 11-1139

RE: AMENDMENT TO THE GENERAL FUND 2011
ANNUAL APPROPRIATION RESOLUTION
NO. 10-1142 ADOPTED DECEMBER 16, 2010

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

	<i>Increase</i>	<i>Decrease</i>
Fund: 0001 General Fund		
010 Commissioners Other		
00107 Commissioner Other OE	0	293,319
MEMO TOTAL	\$ -	\$ 293,319

Note: YE Adjustment

560 Probate Court		
05603 Probate Court Fringes	103	-
MEMO TOTAL	\$ 103	\$ -

Note: YE Adjustment

590 Adult Probation		
05903 Adult Probation Fringes	150	-
05905 Adult Probation MS	0	150
MEMO TOTAL	\$ 150	\$ 150

Note: YE Adjustment

700 Sheriff's Department		
07004 Sheriff-General Admin CS	0	507
07005 Sheriff-General Admin MS	507	-
MEMO TOTAL	\$ 507	\$ 507

Note: YE Adjustment

TOTAL MEMO BALANCE ALL AMENDMENTS	\$ 760	\$ 293,976
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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, Absent;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

RESOLUTION No. 11-1140

- RE:

AMENDMENT TO THE NON GENERAL FUND
2011 ANNUAL APPROPRIATION RESOLUTION
NO 10-1143 ADOPTED DECEMBER 16, 2010

It was moved by Christopher Smeiles, seconded by Tommie Jo Marsilio 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>
Fund: 1105 Traffic Enforcement Program		
700 Sheriff's Department		
11053 Traffic Enforcemt Prog Fringes	3	2,934
1105M Traffic Enforcemt Prog Overtim	-	7,938
MEMO TOTAL	\$ 3	\$ 10,872

Note: YE Adjustment

Fund: 1148 Global Monitoring Intervention		
570 Juvenile Court		
11485 Global Monitoring Intervent MS	-	340
MEMO TOTAL	\$ -	\$ 340

Note: YE Adjustment

Fund: 1165 Homeland Security B (SHSP)		
930 Emergency Management Agency		
11654 Homeland Security B (SHSP) CS	-	35,754
11655 Homeland Security B (SHSP) MS	-	7,301
11656 Homeland Security B (SHSP) CO	20,000	27,740
MEMO TOTAL	\$ 20,000	\$ 70,795

Note: YE Adjustment

Fund: 1251 CDBG County Formula		
081 Community Development		
12514 CDBG Conty Formula CS	-	340,900
MEMO TOTAL	\$ -	\$ 340,900

Note: YE Adjustment

	<i>Increase</i>	<i>Decrease</i>
Fund: 1254 Neighborhood Stabilization NSP		
081 Community Development		
12544 Neighborhd Stabilizat NSP CS	-	155,521
MEMO TOTAL	<u>\$ -</u>	<u>\$ 155,521</u>

Note: YE Adjustment

Fund: 1285 KBA RLF CDBG Micro Enterprise		
001 Commissioners		
12858 KBA RLF CDBG Micro Enterpri DE	-	1,892
MEMO TOTAL	<u>\$ -</u>	<u>\$ 1,892</u>

Note: YE Adjustment

Fund: 1480 Violence Against Women		
300 Prosecutor		
14803 Violence Against Women Fringes	3	108
MEMO TOTAL	<u>\$ 3</u>	<u>\$ 108</u>

Note: YE Adjustment

Fund: 1481 Prosecutors State Grant		
300 Prosecutor		
14813 Prosecutor State Grant Fringes	3	14,263
1481D Prosecutor State Gra Full Time	-	7,340
MEMO TOTAL	<u>\$ 3</u>	<u>\$ 21,603</u>

Note: YE Adjustment

Fund: 1901 Hiram College		
800 Engineer's Department		
19014 Hiram College CS	18,428	-
MEMO TOTAL	<u>\$ 18,428</u>	<u>\$ -</u>

Note: YE Adjustment

	<i>Increase</i>	<i>Decrease</i>
Fund: 4206 Lakewood Rd Bridge Replacement		
800 Engineer's Department		
42066 Lakewood Rd Bridge Replacem CO	-	152,423
MEMO TOTAL	<u>\$ -</u>	<u>\$ 152,423</u>

Note: YE Adjustment

Fund: 4212 Brady Lake Rd Bridge Replcmt		
800 Engineer's Department		
42126 Brady Lk Rd Bridge Replcmt CO	3,416	5,398
MEMO TOTAL	<u>\$ 3,416</u>	<u>\$ 5,398</u>

Note: YE Adjustment

Fund: 4215 Resurfacing Projects		
800 Engineer's Department		
42156 Tallmadge Rd Resurfacing CO	-	337,734
MEMO TOTAL	<u>\$ -</u>	<u>\$ 337,734</u>

Note: YE Adjustment

Fund: 4219 Coit Rd Bridge Replacement		
800 Engineer's Department		
42194 Coit Rd Bridge Replacement CS	-	71,043
42196 Coit Rd Bridge Replacement CO	-	188,842
MEMO TOTAL	<u>\$ -</u>	<u>\$ 259,885</u>

Note: YE Adjustment

Fund: 4220 Eberly Rd Bridge Replacement		
800 Engineer's Department		
42206 Eberly Rd Bridge Replacemt CO	-	145,360
MEMO TOTAL	<u>\$ -</u>	<u>\$ 145,360</u>

Note: YE Adjustment

	<i>Increase</i>	<i>Decrease</i>
Fund: 6800 Storm Water Management		
800 Engineer's Department		
68004 Storm Water Mgmt CS	-	11,713
MEMO TOTAL	<u>\$ -</u>	<u>\$ 11,713</u>

Note: YE Adjustment

Fund: 8105 Sheriff Gifts & Donations DARE		
700 Sheriff's Department		
81055 Sheriff Gift Donation DARE MS	-	591
MEMO TOTAL	<u>\$ -</u>	<u>\$ 591</u>

Note: YE Adjustment

Fund: 8106 Sheriff Gifts & Donations K-9		
700 Sheriff's Department		
81065 K-9 Gifts & Donations MS	-	5,815
MEMO TOTAL	<u>\$ -</u>	<u>\$ 5,815</u>

Note: YE Adjustment

TOTAL MEMO BALANCE FOR ALL FUNDS	<u>\$ 41,853</u>	<u>\$ 1,520,950</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, Absent;

Tommie Jo Marsilio, Yea;

Christopher Smeiles, Yea;

RESOLUTION NO. 11-1141 - RE: CASH ADVANCE REPAYMENT - FROM FUND 1165, HOMELAND SECURITY B (SHSP) TO FUND 0001, GENERAL FUND

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

WHEREAS, on January 25, 2011, the Board of Commissioners adopted Resolution No. 11-0075 authorizing a cash advance in the amount of \$ 50,000.00 to Fund 1165 until grant revenues were received, and

WHEREAS, grant revenue as been received in Fund 1165; now therefore be it

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

FROM:

FUND 1165, HOMELAND SECURITY B (SHSP)

ORGCODE - 11659302

Debit Revenue Account

Revenue Source 290000 – Advance In \$ 50,000.00

TO:

FUND 0001, GENERAL FUND

ORGCODE - 00100009

Credit Expense Account

Object 920000 – Advance Out \$ 50,000.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said cash advance repayment by Journal Entry, and that a certified copy of this resolution be filed with the County Auditor, the Homeland Security and Emergency Management Agency 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.

Roll call vote as follows:

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

RESOLUTION NO. 11-1142 - RE: CLOSING OF FUND 4004, FIN SYS FLAG IMPL CAPITAL

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

WHEREAS, fiscal activity has ceased in Fund 4004, Financial System Acquisition and Implementation, all payments have been made and the Treasurer's Cash Balance is \$0.00; now therefore be it

RESOLVED, that Fund 4004, Fin Sys Flag Impl Capital is hereby closed; and be it further

RESOLVED, that a certified copy of this resolution be filed with the Portage County Auditor and the Department of Budget and 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, Absent; Tommie Jo Marsilio, Yea; Christopher Smeiles, Yea;

RESOLUTION NO. 11-1143 - RE: TRANSFER - FROM FUND 4007, KENT COURT CAPITAL PROJECTS TO FUND 4017, KENT MUNICIPAL COURT

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

WHEREAS, the Portage County Municipal Court (the Court), has assessed additional fees as court costs in accordance with R.C. 1901.26 (B)(1) to acquire a new or renovate the existing Kent Branch "in compliance with detailed and Court approved architectural plans", and

WHEREAS, the Portage County Board of Commissioners (the Board) has entered into a contract with Summit Testing for soil borings at 303 East Main Street, Kent,

Ohio, in an amount not to exceed \$5,000.00, and

WHEREAS, the Court has issued a Court Order, Journal Entry 11-140 stating “that such expenditure for soil borings is an appropriate and proper expense for a new Courthouse for the Portage County Municipal Court/Kent Branch”, and

WHEREAS, the Court Order directs “that the sum of ... \$5,000.00 be disbursed to Construction Fund 4017” for the County contract between the Board of Commissioners and Summit Testing; now therefore be it

RESOLVED, that the following transfer of funds in the amount of \$5,000.00 be and is hereby made:

FROM:

FUND 4007 KENT COURTS CAPITAL PROJECTS

ORGCODE - 40075209

Debit Expense Account

Object 910000 - TRANSFERS OUT \$ 5,000.00

TO:

FUND 4017, KENT MUNICIPAL COURT

ORGCODE - 40170122

Credit Revenue Account

Revenue Source 280000 - TRANSFERS IN \$ 5,000.00

and be it further

RESOLVED, that the County Auditor is hereby requested to make said transfer by Journal Entry, and be it further and that a certified copy of this resolution be filed with the County Auditor, the Department of Budget and Financial Management and the Portage County Municipal Court, 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, Absent; Tommie Jo Marsilio, Yea; Christopher Smeiles, Yea;

INCOMING CORRESPONDENCE

1. Discussion: Term Sheet for Robinson Memorial Hospital/Hold for 2012 response from Attorney Mike Sharb
2. Discussion: proposed land exchange agreement with the City of Kent/Hold for Attorney Smith to hear from Kent Legal Counsel.
3. Discussion: The Woodlands/ Commissioner Marsilio reported that Denise Smith has spoken with Saber regarding the sale of The Woodlands. Commissioner Marsilio noted that she hoped that the sale of the facility would be more smooth with Robinson Memorial Hospital. She added that the question is what dollar amount the hospital will want for the land – the right to have and use the land should go with the facility. The land has a building on it, which the county owns, so the hospital has no use of that land. The fair market value of the land is not the value that she believes the hospital is entitled to. Commissioner Smeiles suggested that he get the names of several appraisers who are non-related, uninterested, and third party for Steve Colecchi and the Board of Commissioners to review and discuss/Hold for Denise Smith's next meeting.

PROSECUTOR'S CORRESPONDENCE

1. December 22, 2011 correspondence from Denise Smith to Ben Sutton, Edward H. Sutton Insurance Agency, regarding US District Court Case No. 5:11-CV-02542-JRA (Veith)/Information only.
2. December 22, 2011 e-mail from Denise Smith regarding The Woodlands At Robinson/ Commissioner Marsilio reported that she received an email from Attorney Smith addressing this issue. Hold for discussion with Attorney Smith next week.

JOURNAL ENTRY

December 27, 2011

1. The Board of Commissioners acknowledged the receipt of the December 21, 2011 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2011, as presented by the Portage County Auditor.
2. The Board of Commissioners acknowledged the receipt of the December 21, 2011 Certificate of the County Auditor that the Total Appropriations from each fund do not exceed the Official Estimate Resources for the fiscal year beginning January 1, 2012, as presented by the Portage County Auditor.
3. The Board of Commissioners signed the December 27, 2011 correspondence to County Auditor Janet Esposito requesting that staff debit Fund 0001 for the amount of \$474.80, and credit Fund 7002, Department 014, Motor Pool, as presented by the Department of Budget and Financial Management:

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<u>Debit:</u>	00100004	700000	\$474.80	Expenditure Reimbursement
<u>Credit:</u>	70020141	150000	\$474.80	Expenditure Reimbursement

4. The Board of Commissioners signed the December 27, 2011 correspondence to County Auditor Janet Esposito requesting that staff debit Fund 5100 for the cost allocation of \$163,968.00 as shown below and credit this amount to the General Fund, as presented by the Department of Budget & Financial Management.

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<u>Debit:</u>	51000544	481000	\$163,968.00	FY 11 Cost Allocation
<u>Credit:</u>	00100001	152000	\$163,968.00	FY 11 Cost Alloc. Nurs

5. The Board of Commissioners signed the December 27, 2011 correspondence to County Auditor Janet Esposito requesting that staff debit Fund 4004 (Financial System Acquisition and Implementation) and credit Fund 0001, Department 011, Budget & Financial Management, as presented by the Department of Budget & Financial Management.

	<u>Org</u>	<u>Object</u>	<u>Amount</u>	<u>Description</u>
<u>Debit:</u>	40040105	500000	\$9.03	Expenditure Correction
<u>Credit:</u>	00110005	596300	\$9.03	Expenditure Correction

6. The Board of Commissioners authorized Commissioner Marsilio to sign the 2012 - 2013 County Risk Sharing Authority ("CORSA") Renewal Application, as presented the Human Resources Director.

7. The Board of Commissioners accepted The Woodlands at Robinson staff recommendation and signed and approved the Personnel Requisitions as follows, as presented by The Woodlands at Robinson:

DEPARTMENT	JOB TITLE	GRADE	ACTION
The Woodlands at Robinson	Full-time LPN	LPN/1	Post Internally
The Woodlands at Robinson	Full-time LPN moved to Restorative position	LPN/1	No posting required

8. The Board of Commissioners authorized Commissioner Marsilio to sign the Office of Criminal Justice Services (OCJS) Ohio Drug Law Enforcement Fund Grant Detailed Budget Application for the joint application for the Portage County Sheriff and Portage County Prosecutor for a total project budget of \$216,634.03 with an in-kind match of \$54,091.01, as submitted by Major Dale Kelly.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Smeiles, Board Member
SECONDER:	Tommie Jo Marsilio, Vice President
AYES:	Tommie Jo Marsilio, Christopher Smeiles

ADJOURNMENT

We do hereby certify that the foregoing is a true and correct record of the Portage County Board of Commissioners' meeting on December 27, 2011. There being no further business to come before the Board, it was moved by Commissioner Smeiles and seconded by Commissioner Marsilio to adjourn the official meeting at 12:10 PM. Commissioner Frederick absent, motion carries.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Smeiles, Board Member
SECONDER:	Tommie Jo Marsilio, Vice President
AYES:	Tommie Jo Marsilio, Christopher Smeiles

ABSENT

Maureen T. Frederick, President

Tommie Jo Marsilio, Vice-President

Christopher Smeiles, Board Member

Deborah Mazanec, Clerk